

North Wildwood Planning Board  
Re-Organization & Regular Meeting:  
January 13, 2021, 6:30 p.m.

The Re-Organization & Meeting of the North Wildwood Planning Board (Board) was held on the above date & time. Adequate notice of this meeting was submitted to the official newspaper of the City of North Wildwood (AC Press). An Agenda was posted on the main bulletin board at City Hall, on the bulletin board at the Planning/Zoning Office & on the City web site. Notice of same was forwarded to local newspapers for their notice as afforded under the Open Public Meeting Act requirements.

A) CALL TO ORDER

Chairman Davis called the meeting to order.

B) OPEN PUBLIC MEETING STATEMENT

Chairman Davis read the Open Public Meeting Act statement.

C) PLEDGE OF ALLEGIANCE

Chairman Davis led the audience in reciting the pledge of Allegiance to the Flag.

D) ROLL CALL

Chairman Robert Davis	Present	Mayor Patrick Rosenello'	Absent
Vice Chair Jodie DiEduardo	Present	Mayor's Designee, Ms. DeJoseph	Present
Chief Matt Gallagher	Present	Mr. William Green	Absent
Councilman David Del Conte	Present	Mr. John Harkins	Present
Mr. George Greenland	Present	Mr. James M. Flynn	Absent
Mr. Bill Auty (Alt. 1)	Present	Mr. Bill O'Connell (Alt. 2)	Present
Mr. Ron Peters (Alt.3)	Absent	Ms. Haas (Alt. 4)	Present

Mr. Robert L. Belasco (Board Solicitor)	Present
Mr. Ralph Petrella (Board Engineer)	Present
Eric Gundrum, (Board Secretary)	Present

E) SWEARING IN OF PROFESSIONALS:

The Chairman & Board Solicitor did conduct the truth swearing of the professionals of the Board; Mr. Petrella, Board Engineer for it was necessary for tonight.

F) ORGANIZATION MEETING – ANNUAL APPOINTMENTS FOR 2021

Election of Chairman & Vice Chairman

The Board Solicitor announced the selection of Chairman of the Board position.

Board member Mr. O’Connell nominated Chairman Davis, with Mr. Harkins with a 2<sup>nd</sup> nomination for Chairman Davis. No other nominations. Motion to re-elect Mr. Davis as Chairman, with all Board members voted in the affirmative by roll-call vote on the Chairman’s nomination. Chairman Davis abstained on the vote. Upon conclusion of voting, Chairman Davis thanked the Board members for his nomination.

The Board Solicitor announced the selection of Vice-Chair of the Board position.

Board member Mr. Greenland nominated Vice Chair DiEduardo, with Ms. Haas with a 2<sup>nd</sup> nomination for Vice Chair DiEduardo. No other nominations. Motion to re-elect Vice Chair DiEduardo as Vice Chair, with all Board members voted in the affirmative by roll-call vote on the Vice Chair’s nomination. Vice Chair DiEduardo abstained on the vote. Upon conclusion of voting, Vice Chair DiEduardo thanked the Board members for her nomination.

Notice Designation of Official Newspapers

The Board Secretary made announcement that the official newspaper for the City as well as the Board, including notices of public meetings, shall be the Atlantic City Press newspaper. The Cape May County Herald & Wildwood Leader newspapers will supplement & serve as special notices of the Board, such as special meetings, cancellations etc. All notices of meetings of the Board shall be posted on the bulletin board in the lobby of City Hall, on the City website & as filed with the City Clerk.

Notice of Scheduled Meetings for 2021 Calendar Year.

The Board Secretary announced Board Resolution No. PB-07-2020 for the Schedule of Meetings for the 2021 Calendar Year. Meeting times & dates were not changed. Based on the passage of the Resolution by the Board, notice has been sent to area newspapers to reflect the schedule & timing of meetings & will be certified by the Board Secretary.

Resolution No. PB-01-2021 - Resolution Appointing Board Secretary

Chairman Davis presented Board Resolution No. PB-01-2021 appointing Eric Gundrum as the Board Secretary for the Board & charged with the responsibility of performing all duties of the Board Secretary to the best of his ability. The anticipated term of this service shall commence January 2, 2021 & end December 31, 2021.

Motion to elect Eric Gundrum as Board Secretary: Motioned by Mr. O’Connell, 2<sup>nd</sup> by Mr. Greenland, with no other nominations. All Board members voted in the affirmative by roll-call vote on the Board Secretary’s nomination. Board Secretary Eric Gundrum thanked the Board members for his nomination.

Appointment of Board Professional(s) for Year 2021

As for the Board Professional Request for Proposals (RFP’S) as issued & advertised by the City Clerk’s office, RFP’s received by the Board Secretary for Board Solicitor, only one (1) RFP’s were received & evaluated by the Board. Robert J. Belasco of Stefankiewicz & Belasco, LLC submitted the Board Solicitor RFP.

The Board Solicitor nomination for the Board will be charged with the responsibility of performing all duties of Board Solicitor to the best of his ability. The anticipated term of this service shall commence January 2, 2021 & end December 31, 2021.

The Board members considered the RFP submitted. Motion to nominate Robert Belasco as Board Solicitor. Motioned by Mr. O’Connell, 2<sup>nd</sup> by Mr. Harkins, with no other nominations. All Board members voted in the affirmative by roll-call vote on the Board Professionals nomination. Mr. Belasco thanked the Board for his nomination as new Board Solicitor.

As for the Board Professional Request for Proposals (RFP’S) as issued & advertised by the City Clerk’s office, RFP’s received by the Board Secretary for Board Engineer, only one (1) RFP was received & evaluated by the Board. Ralph Petrella, Van Note Harvey & Assocs. submitted the RFP. The Board Engineer nomination for the Board will be charged with the responsibility of performing all duties of Board Engineer to the best of his ability. The anticipated term of this service shall commence January 2, 2021 & end December 31, 2021.

The Board members considered the RFP submitted. Motion to nominate Ralph Petrella as Board Engineer. Motioned by Mr. O’Connell, 2<sup>nd</sup> by Mr. Harkins, with no other nominations. All Board members voted in the affirmative by roll-call vote on the Board Professionals nomination. The Board members considered the RFP’s submitted. Motion to nominate Ralph Petrella, Van Note Harvey & Assocs., as Board Engineer. All Board members voted in the affirmative by roll-call vote on the Board Professionals nomination(s). Mr. Petrella thanked the Board for his nomination as new Board Engineer.

As for the Board Professional Request for Proposals (RFP’S) as issued & advertised by the City Clerk’s office, RFP’s received by the Board Secretary for Board Planner, no RFP’s were received & evaluated by the Board.

Chairman Davis introduced comment whether a Board Planner is warranted by the Board. The Board receives reports by the Board Engineer which are very thorough & comprehensive. As Applicants for development would be charged escrow fees on both Board Engineer & Board Planner reports, Chairman Davis did not see the need for this endeavor. Chairman Davis requested comment from the rest of the Board. Most Board members agreed with Chairman’s Davis explanation that a Board Planner would not be needed unless a special project or special planning exercise would be need and the Board then could go out & advertise for proposals. Nominations for Board Planner then commenced. Chairman Davis requested the Board consensus on rejecting the RFP for Board Planner: All Board members agreed with Chairman Davis.

G) MOTIONS FOR ADJOURNMENTS: – None presented.

H) MEMORIALIZATIONS: –

**Application No. Z-2020-9-1 - Pat & Denise Varrone** *(revised Resolution)*  
Application: Z-2020-9-1  
1307 Central Avenue  
Block 238, Lot 2  
R-1 Zoning District  
“d” Use & “c” Variance siteplan approval – relocation & elevation of house on lot

The Board heard & considered the application of Pat & Denise Varrone (Applicant), owners of the property located at 1307 Central Avenue, a/k/a Block 238, Lot 2 (Property), seeking a D(1) Use Variance to permit a single-family semi-detached dwelling (duplex) in the R-1 Zoning District, and 'C' variance relief in relation to minimum frontyard setback (10ft. is required whereas three (3) ft. is proposed to front steps & seven (7)ft. is proposed to the front porch), in order to raise the existing structure & to renovate the interior & exterior of the existing structure & construct a new open-air front porch to the proposed 0.5ft. frontyard setback measured to the stairs located off the front of the structure.

Michael J. Lario, Jr., Esq. of the law offices of Nehmad Perillo Davis & Goldstein, P.C. located in Egg Harbor Township, NJ requested a different wording in the Resolution regarding the son of the Applicant living in the residence during the summer months while away from college. The resolution was modified by the Board Solicitor with the recommendation of Mr. Lario.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 2nd by Ms. Haas. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Ms. DeJoseph, Councilman DelConte, Mr. Auty & Mr. O'Connell abstained from the vote. Based on the majority roll-call vote being affirmative, the memorialization was approved by the Board.

**Application No: P-2020-8-4(A) Jeffrey Mitchell/J's Beach Rental**

2000 New Jersey Avenue

Block 169, Lot 15

CBD Zoning District

Revised site plan approval – New LSV Golf Cart rental/Beach Supplies Retail store

The Board heard & considered the application of Jeffrey Mitchell, d/b/a J's Beach Rentals, LLC (Applicant), owner of the property located at 2000 New Jersey Avenue, a/k/a Block 169, Lot 15 (Property), seeking amended preliminary & final siteplan approval & a waiver for maximum curb cut width (20ft. is permitted whereas 24ft. is proposed), in order to develop an automobile-oriented low speed vehicle & beach supply rental business in the Central Business District (CBD) Zoning District.

Jeffrey Mitchell, the owner of the Property & a member of J's Beach Rentals, LLC, appeared, he was placed under oath & he was sworn in to testify before the Board. Mr. Mitchell outlined the nature of the application & the relief sought in connection with same. Mr. Mitchell reminded the Board that he previously appeared before the Board on October 14, 2020 at which time he received preliminary & final siteplan approval & variance relief in order to develop a low-speed vehicle & beach supply rental business on site. Mr. Mitchell informed the Board that he filed this amended application in order to address safety concerns raised by the Cape May County Planning Board in relation to the proposed back-out parking along New Jersey Avenue. Mr. Mitchell advised the Board that the County Planning Board denied the prior siteplan as submitted & indicated that the proposed back-out parking had to be eliminated for safety reasons.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 2nd by Ms. Haas. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Chief Gallagher, Mr. Harkins & Mr. O'Connell abstained from the vote. Based on the majority roll-call vote being affirmative, the memorialization was approved by the Board.

**Application No: P-2020-10-1 Donald & Mary Matlack**

408 W. 17<sup>th</sup> Avenue

Block 90, Lot 11

R-2 Zoning District

Hardship “c” siteplan approval – Existing home elevation & relocation with new deck & steps

The Board heard & considered the application of Donald & Mary Matlack (Applicant), owners of the property located at 408 W. 17<sup>th</sup> Avenue, a/k/a Block 90, Lot 11 (Property), seeking ‘c’ variance relief in relation to minimum lot area (6,000SF is required whereas 4,500SF is existing & proposed), minimum lot frontage/width (60ft. is required whereas 50ft. is existing & proposed), minimum lot depth (100ft. is required whereas 90ft. is existing & proposed), and minimum sideyard setback (10ft. is required whereas 5.33ft. is proposed), in order to raise the existing two-family stacked duplex located on-site & to construct new front & rear yard decks on the 1<sup>st</sup> & 2nd floors. The project proposes a new sideyard stair landing/deck also, subject to the sideyard setback variance.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Ms. Haas & 2nd by Mr. Greenland. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Chief Gallagher, Mr. Harkins & Mr. O’Connell abstained from the vote. Based on the majority roll-call vote being affirmative, the memorialization was approved by the Board.

**Application No: P-2020-10-2 Mike Mitchell**

1901 New York Avenue

Block 170, Lots 3 & 4

R-2 Zoning District

Hardship “c” variance siteplan approval – New duplex construction

The Board heard & considered the application of Michael Mitchell, the contract-purchaser of the property located at 1901 New York Avenue, a/k/a Block 170, Lots 3 & 4, seeking minor subdivision approval in order to create two (2) 50ft. x 90ft. lots fronting on New York Avenue (proposed Lots 3.01 & 3.02) in order to construct single-family demi-detached (duplex) dwellings and one (1) 40ft. x 100ft. proposed lot fronting on 19<sup>th</sup> Avenue (proposed Lot 3.03) in order to construct a single-family dwelling, and ‘C’ variance relief in relation to minimum lot area – for proposed Lot 3.01 (6,000SF is required whereas 4,500SF is proposed), minimum lot frontage/width – (60ft. is required whereas 50ft. is proposed), minimum lot depth – (100ft. is required whereas 90ft. is proposed), minimum sideyard setbacks – (10ft. is required whereas 6ft. is proposed), minimum sideyard setback. For proposed Lot 3.02, the following variance relief is requested; minimum lot area (6,000SF is required whereas 4,500SF is proposed), minimum lot frontage/width – (60ft. is required whereas 50ft. is proposed), minimum lot depth – (100ft. is required whereas 90ft. is proposed), minimum sideyard setback – (10ft. is required whereas 6ft. is proposed), and minimum frontyard setback along 19<sup>th</sup> Avenue – (10ft. is required whereas 4.67ft. is proposed). The property is located in the R-2 Zoning District.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Ms. Haas & 2nd by Mr. Greenland. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Chief Gallagher, Mr. Harkins, Vice Chair DiEduardo, Chairman Davis & Mr. O’Connell abstained from the vote. Based on the majority roll-call vote being affirmative, the memorialization was approved by the Board.

I) NEW BUSINESS: –

**Application No.: P-2020-11-2 Anastasi & Cook**

419-421 East 8<sup>th</sup> Avenue

Block 306, Lot 18

R-1.5 Zoning District

Permitted Conditional Use siteplan approval – New duplex construction

The Board heard & considered the application of Salvatore & Rosemary Anastasi and James & Theresa Cook (Applicant(s), owners of the property located at 419-421 E. 8<sup>th</sup> Avenue, a/k/a Block 306, Lot 18 (Property), seeking Conditional Use Approval/siteplan approval, ‘C’ variance relief in relation to off-street parking (five {5} off-street parking spaces are required whereas four {4} off-street parking spaces are proposed) and minimum distance between a pool & structure (eight {8}ft. is required whereas 3.2ft. & 6.7ft. are proposed), and a design waiver for continuous raised curbing (30ft. is required whereas 20ft. is proposed), in order to construct a single-family semi-detached (duplex) dwelling on a 60ft. x 100ft. lot within the R-1.5 Zoning District.

Jeffrey Barnes, Esq. of the Barnes Law Group, LLC located in North Wildwood, NJ appeared on behalf of the Applicant & outlined the nature of the application & the relief sought in connection with same. Mr. Barnes informed the Board that the Property measures 60ft. x 100ft. (6,000SF) & is located within the City’s R-1.5 Zoning District. Mr. Barnes advised the Board that the property is currently developed with a single-family dwelling which the Applicant intends to demolish in order to construct a new single family semi-detached (duplex) dwelling which will be constructed so as to appear as if it were a single-family home in accordance with the City’s Ordinance. Mr. Barnes further advised the Board that single family semi-detached dwellings are permitted as conditional uses within the R-1.5 Zoning District so long as they comply with the area & bulk requirements controlling duplex development in the R-2 Zoning District & the structure is built so as to appear as if it were a single-family dwelling. Mr. Barnes indicated that if the Board does in fact find that all required conditions have been met, the Applicant is entitled to Conditional Use/Siteplan approval. Alternatively, if the Board finds that the structure does not appear as if it were a single-family dwelling or does not meet the conditions of the Conditional Use approval, the Applicant is requesting a D(3) Conditional Use/Use Variance in order to permit the proposed development.

Mr. Salvatore Anastasi, an owner of the Property, appeared & he was placed under oath & sworn in to testify before the Board. Mr. Anastasi advised the Board that he lived in North Wildwood for the past 13 years at 703 Surf Avenue, Unit 200. Mr. Anastasi testified that his family & the Cooks are close friends who are seeking approvals to construct a duplex to provide both growing families with more space. He indicated that both families want to live in close proximity to one another & they would like to remain in North Wildwood. Mr. Anastasi testified that each proposed unit will contain a total of four (4) units & the structure itself was designed so as to appear as if it were a single-family dwelling, but a duplex structure, in accordance with the Ordinance. Mr. Anastasi testified that a total of four (4) off-street parking spaces are provided on site whereas five (5) off-street parking spaces are required. He advised the Board that the site contains a total of six (6) off-street; however, only four (4) can be counted given the parking layout within the garage. Mr. Anastasi testified that a pool is proposed in the rearyard of each unit which also requires variance relief.

Brian Newswanger, RA of Atlantes Architects appeared on behalf of the Applicant & he was recognized as an expert in the field of architecture. Mr. Newswanger was placed under oath & he testified from the

proposed Site/Floor Plans, dated October 2020, revised November 22, 2020 & November 23, 2020, which were received by the Board & which are incorporated herein as fact. Mr. Newswanger advised the Board that the site is currently developed with a single-family dwelling which will be demolished in order to construct the proposed duplex which was designed to appear as if it were a single-family dwelling. Mr. Newswanger reviewed the existing & proposed siteplan & the proposed parking layout. Mr. Newswanger informed the Board that one unit entrance is visible from the street & the 2nd unit entrance is concealed within the garage area. Mr. Newswanger reviewed the proposed floor plans for the benefit of the Board noting that each unit has its own unique floor plan to address the needs & desires of the individual families. Mr. Newswanger opined that the proposed duplex complies with all of the area & bulk requirements governing the development of a duplex in the R-1.5 Zoning District by abiding by the R-2 Zoning District regulations as per the Ordinance. He advised the Board that the structure is limited to two (2) habitable floors, it contains one (1) visible entrance from the street, it provides an asymmetrical front façade & the roof pitch exceeds 5/12. Mr. Newswanger reviewed the proposed building elevations for the benefit of the Board, noting the exterior materials that are proposed to be utilized in construction. Mr. Newswanger testified that the proposed off-street parking arrangement consists of two (2) side-by-side parking spaces within each garage, and an additional parking space in front of the garage itself. He indicated that a 7th off-street parking space could be added in the area of the sideyard which would still maintain a compliant sideyard setback. Mr. Newswanger advised the Board that two (2) 20ft. sections of raised curb will be installed on site creating two (2) additional on-street parking spaces.

Board members questioned the functionality of the proposed side-by-side interior garage off-street parking spaces as they would require one (1) vehicle to be removed in order to remove the other parked vehicle. In light of the issues associated with the functionality of the proposed garage parking spots, the Applicant indicated that a parking variance would be requested for one (1) deficient off-street parking space.

Mr. Newswanger advised the Board that a 10ft. x 20ft. pool is proposed in the rearyard of each unit. He noted that a variance is required in relation to the minimum between a pool & structure as eight (8) feet is required and 3.2ft. & 6.7ft. are proposed. Mr. Newswanger opined that the relief sought by the Applicant can be granted by the Board as the proposed development advances several of the special purposes of Zoning as set forth within N.J.S.A. 40:55D-2, as it:

- a. Encourages municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals & general welfare;
- c. Provides adequate light, air & open space;
- e. Promotes the establishment of appropriate population densities & concentrations that will contribute to the well-being of persons, neighborhoods, communities, regions & preservation of the environment;
- g. Provides sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial & industrial uses and open space, both public & private, according to their respective environmental requirements in order to meet the needs of all NJ citizens; and
- i. Promotes a desirable visual environment through creative development techniques & good civic design and arrangement.

Mr. Newswanger further opined that application can be granted as there are no substantial detriments to the public good & the application does not substantially impair the intent and purpose of the Zoning Map & Ordinance as the proposed development is consistent with the surrounding neighborhood & the proposed duplex satisfies all conditions associated with said use.

The Board was in receipt of a review memorandum prepared by Board Engineer, Mr. Petrella, dated January 6, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed the conditions associated with the development of a single-family semi-detached (duplex) dwelling on a 60ft. x 100ft. lot within the R-1.5 Zoning District.

Chairman Davis then opened the application for general public comment. Five (5) members of the public addressed the Board in connection with this application, namely:

- a. William Lighter, owner of the property located at 423 East 8<sup>th</sup> Avenue, appeared & he was placed under oath to testify before the Board. Mr. Lighter expressed concerns in relation to the location of the pools. He indicated that the neighborhood is prone to significant flooding & ponding. He also expressed concerns in relation to the location of proposed HVAC mechanicals.
- b. Maureen Lighter, owner of the property located at 423 East 8<sup>th</sup> Avenue, appeared & she was placed under oath to testify before the Board. Mrs. Lighter echoed the concerns of her husband. She questioned the location of pool filters & inquired whether porta-potties would be installed on site during construction.
- c. Dave DiRuggeris, owner of the property located at 408 East 7th Avenue, appeared & he was placed under oath to testify before the Board. Mr. DiRuggeris expressed concerns about grading & drainage and the impact that the Property will have on neighboring properties. Mr. DiRuggeris indicated that the neighborhood is prone to flooding.
- d. Joann Giacobello, owner of the property located at 410 East 7<sup>th</sup> Avenue, appeared & she was placed under oath to testify before the Board. Ms. Giacobello raised concerns in relation to grading & drainage.
- e. Marty Spezialetti, owner of the property located at 423 East 9<sup>th</sup> Avenue, appeared & he was placed under oath to testify before the Board. Mr. Spezialetti advised the Board that he was opposed to the relief sought by the Applicant. He expressed concerns in relation to the fact that a duplex was proposed within the R-1.5 Zoning District.

Based on the established testimony, Mr. Barnes suggested that, as a condition of approval, the Applicant will submit a grading & drainage plan prepared by a licensed NJ engineer, subject to the review & approval of the Board Engineer. No further members of the public wished to speak on the application at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the Conditional Use Approval/siteplan approval. Each Board member gave reasoning for their view of the facts & the application as it relates to the application. Mr. Greenland “volunteered” for the finding of facts. Mr. Greenland reiterated to the address and Block & Lot of the property as stated in the application. The Zoning District is R-1.5. The Applicant is the owner of the Property, as such, has standing to appear before the Board requesting conditional use siteplan approval. The Board found the proposed development meets or exceeds all of the conditions set forth within the Ordinance. The Applicant’s proposal meets all required conditions associated with the development of a single-family semi-detached dwelling on a 60ft. x 100ft. lot within the City’s R-1.5 Zoning District. He opined that the structure had been designed in order to appear as if it were a single-family dwelling as required by the City’s Ordinance. The Board found Mr. Newswanger’s testimony to credible & persuasive. The Board found Mr. Salvatore Anastasi, an owner of the Property, testimony to credible & persuasive. The Applicant agreed to the following condition of approval: The Applicant will submit a grading & drainage plan prepared by a licensed engineer, subject to the review and approval of the Board Engineer. The Board found one of the enumerated conditions is a



subjective standard which requires that the Board find that the proposed structure is developed so as to appear as if it were a single-family dwelling. The Ordinance requires that the structure maintain a traditional seashore style, present only one (1) entrance to the structure on the street side of the building, & present an asymmetrical front façade & off-set decks. The Board has determined that the relief requested by the Applicant can be granted as the Applicant has met all required conditions set forth within City Ordinance §276-16(F). The Board indicated that if the Board finds that all required conditions have been met, the Applicant is entitled to Conditional Use siteplan approval. The purposes of the Zoning law would be advanced by the proposed development in approval of the Conditional Use. The Board finds that the Applicant has satisfied the requirements for Conditional Use/siteplan approval. No additions or correction to the finding of facts. No discussion on the facts.

The Board Solicitor called for a motion to approve the application as discussed. The Conditional Use application of Anastasi & Cook is hereby granted & approved subject to the following terms & conditions of the resolution of Approval. Motioned by: Mr. O'Connell & 2<sup>nd</sup> by Ms. Haas. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote being affirmative, the Conditional Use siteplan approval was approved by the Board.

Board members Vice Chairperson DiEduardo & Mr. Auty had announced a conflict of interest on the next application. They excused themselves from the deliberations of the next application & exited the Board dais & seated themselves in the public seating area for the next application.

**Application No.: P-2020-11-3 24 Taylor, LLC**

24 Taylor Avenue

Block 6.05, Lot 2

R-2 Zoning District

Permitted Conditional Use siteplan approval – New duplex construction

The Board heard & considered the application of 24 Taylor Avenue, LLC (Applicant), owner of the property located at 24 Taylor Avenue, a/k/a Block 6.05, Lot 2 (Property), seeking Conditional Use Approval/siteplan approval, a 'C' variance in relation to off-street parking (five {5} off-street parking spaces are required whereas four {4} off-street parking spaces are proposed), and a design waiver for continuous raised curbing (25ft. is required whereas 15ft. is proposed), in order to construct a single family semi-detached (duplex) dwelling on a 50ft. x 100ft. lot within the R-2 Zoning District under the conditional use standards/condition at Chap. 276-16(D)(1).

Jeffrey Barnes, Esq. of the Barnes Law Group, LLC located in North Wildwood, NJ appeared on behalf of the Applicant & outlined the nature of the application & the relief sought in connection with same. Mr. Barnes informed the Board that the Property measures 50ft. x 100ft. (5,000SF) & is located within the City's R-2 Zoning District. Mr. Barnes advised the Board that the property is currently developed with a single-family dwelling which the Applicant intends to demolish in order to construct a new single family semi-detached (duplex) dwelling which will be constructed so as to appear as if it were a single-family home. Mr. Barnes further advised the Board that single family semi-detached dwellings are permitted as conditional uses within the R-2 Zoning District on 50ft. x 100ft. lots provided the Applicant complies with specific conditions set forth within the City's Land Use Ordinance at §276-16(D)(1). Mr. Barnes reviewed the conditional use standards for the benefit of the Board. He informed the Board that the structure proposed by the Applicant meets all required

conditions. Mr. Barnes indicated that if the Board does in fact find that all required conditions have been met, the Applicant is entitled to conditional use approval. Alternatively, if the Board finds that the structure does not appear as if it were a single-family dwelling, the Applicant is requesting a D(3) conditional use variance in order to permit the proposed development.

Mr. Brian Newswanger, RA of Atlantes Architects appeared on behalf of the Applicant & he was recognized as an expert in the field of architecture. Mr. Newswanger was placed under oath & he testified from the proposed Site/Floor Plans, dated October 2020, revised October 20, 2020 & November 16, 2020, which were received by the Board & which are incorporated herein as fact. Mr. Newswanger reiterated the conditional use standards associated with the development of a duplex on a 50ft. x 100ft. lot in the R-2 Zoning District. Mr. Newswanger testified that he designed the structure so as to appear as if it were a single-family dwelling by incorporating an asymmetrical façade, offset decks, and projecting bays & rooflines with a significant amount of fenestration. He indicated that one (1) main entrance is visible from the street whereas the 2nd unit entrance is hidden within a recessed area of the garage. Mr. Newswanger testified that a 20ft. curb cut is proposed which will provide access to two (2) staggered off-street parking spaces located within each respective garage, and one (1) off-street parking space located in front of each garage. Mr. Newswanger reviewed the proposed floor plans for the benefit of the Board. He indicated that each unit contains a total of four (4) bedrooms which necessitates a total of five (5) off-street parking spaces on site. Mr. Newswanger advised the Board that the proposed structure complies with all area & bulk requirements & conditions controlling the development of the proposed duplex. Mr. Newswanger testified that the structure is limited to two (2) habitable floors, provides one (1) visible entrance from the street, and contains an asymmetrical front façade. Mr. Newswanger reviewed the proposed architectural elevations for the benefit of the Board, noting that decks are proposed which are offset so as to give the structure the appearance of a single-family dwelling. In response to a question posed by the Board, Mr. Newswanger stated that the decks are not shared spaces & each unit has its own individual deck space. Mr. Newswanger reviewed the types of materials proposed to be used on the exterior façade of the structure, and he confirmed that the structure is compliant with maximum permitted building height & also provides sufficient off-street parking.

Board members questioned the functionality of the proposed off-street parking spaces located within the garages as use of the parking spaces would require the removal of the front vehicle to pull out the 2nd vehicle. Mr. Newswanger testified that a total of six (6) off-street parking spaces are provided on site, and he acknowledged the functional issues associated with the staggered interior garage spaces. Accordingly, the Applicant indicated that they would request a parking variance for one (1) off-street parking space as the Board resolved to only count four (4) off-street parking spaces whereas five (5) parking spaces are required.

Mr. Newswanger testified that a design waiver for continuous raised curb is also requested as 25ft. is required whereas 15ft. is proposed. Mr. Newswanger opined that the relief sought by the Applicant can be granted by the Board as the proposed development advances several of the special purposes of Zoning as set forth within N.J.S.A. 40:55D-2, as it:

- b. Secures safety from fire, flood, panic & other natural and man-made disasters;
- f. Promotes the establishment of appropriate population densities & concentrations that will contribute to the well-being of persons, neighborhoods, communities & regions and preservation of the environment;
- h. Provides sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial & industrial uses and open space, both public & private, according to their respective environmental requirements in order to meet the needs of all NJ citizens; and

- j. Promotes a desirable visual environment through creative development techniques & good civic design and arrangement.

Mr. Newswanger further opined that application can be granted as there are no substantial detriments to the public good and the application does not substantially impair the intent & purpose of the Zoning Map & Ordinance as the proposed development is consistent with the surrounding neighborhood & the proposed duplex satisfies all conditions associated with said use.

The Board was in receipt of a review memorandum prepared by Board Engineer, Mr. Petrella, dated January 6, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed the conditions associated with the development of a single-family semi-detached (duplex) dwelling on a 50ft. x 100ft. lot within the R-2 Zoning District. He indicated that the Board was required to determine whether the appearance of the proposed structure met the condition that it appear as if it were a single-family dwelling. He also noted that a design waiver for continuous raised curb is required as 25ft. of raised curb is required whereas 15ft. is proposed. As a condition of approval, the Applicant will submit a grading & drainage plan prepared by a NJ licensed engineer, subject to the review & approval of the Board Engineer.

Chairman Davis then opened the application for general public comment. No members of the public were in attendance at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the conditional use siteplan approval. Each Board member gave reasoning for their view of the facts & the application as it relates to the application. Ms. Haas “volunteered” for the finding of facts. Ms. Haas reiterated to the address and Block & Lot of the Property as stated in the application. The Zoning District is R-2. The Applicant is the owner of the Property, as such, has standing to appear before the Board requesting conditional use siteplan approval. The Board found the proposed development meets or exceeds all of the conditions set forth within the Ordinance. The Board found the proposed development meets or exceeds all of the conditions set forth within the Ordinance. The Applicant’s proposal meets all required conditions associated with the development of a single-family semi-detached duplex dwelling on a 50ft. x 100ft. lot within the City’s R-2 Zoning District. He opined that the structure had been designed in order to appear as if it were a single-family dwelling as required by the City’s Ordinance. The Board found Mr. Newswanger’s testimony to credible & persuasive. The Applicant agreed to the following condition of approval: The Applicant will submit a grading & drainage plan prepared by a licensed engineer, subject to the review & approval of the Board Engineer. The Board found one of the enumerated conditions is a subjective standard which requires that the Board find that the proposed structure is developed so as to appear as if it were a single-family dwelling. The Ordinance requires that the structure maintain a traditional seashore style, present only one (1) entrance to the structure on the street side of the building, & present an asymmetrical front façade & off-set decks. The Board has determined that the relief requested by the Applicant can be granted as the Applicant has met all required conditions set forth within City Ordinance §276-16(F). The Board indicated that if the Board finds that all required conditions have been met, the Applicant is entitled to Conditional Use siteplan approval. The purposes of the Zoning law would be advanced by the proposed development in approval of the Conditional Use. The Board finds that the Applicant has satisfied the requirements for Conditional Use/siteplan approval. No additions or correction to the finding of facts. No discussion on the facts.

The Board Solicitor called for a motion to approve the application as discussed. The Conditional Use

application of 24 Taylor, LLC is hereby granted & approved subject to the following terms & conditions of the resolution of Approval. Motioned by: Chief Gallagher & 2nd by Mr. Greenland. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Based on the majority roll-call vote being affirmative, the Conditional Use siteplan approval was approved by the Board.

At the conclusion of the application, both Vice Chairperson DiEduardo & Mr. Auty returned to their respective seats on the Board to participate in the rest of the meeting.

**Application No.: P-2020-11-4 James & Barbara Blankenhorn**

142 W. Spruce Avenue

Block 191, Lot 1.01

D/E Zoning District

“c” Variance approval – Landscape Screen

The Board heard & considered the application of James & Barbara Blankenhorn (Applicant), owners of the property located at 142 W. Spruce Avenue, a/k/a Block 191, Lot 1.01 – C0142 (Property), seeking a ‘C’ variance in relation to maximum permitted fence height in a frontyard (four {4}ft. is permitted whereas eight {8}ft. is proposed), in order to maintain an existing eight {8}ft. lattice privacy screen in the frontyard of the Property. The Property is located in the City’s Dining & Entertainment (D&E) Zoning District.

Mr. Jeffrey Barnes, Esq., of the Barnes Law Group, LLC located in North Wildwood, NJ appeared on behalf of the Applicant & outlined the nature of the application & the relief sought in connection with same. Mr. Barnes informed the Board that the Property is located in the City’s D&E Zoning District & measures 70ft. x 100ft. He advised the Board that the Property is part of a Condominium Association which has consented to the filing of this Application. Mr. Barnes advised the Board that the Property is a corner lot which contains two (2) frontyards. He indicated that fences located within a frontyard are permitted to be four {4}ft. tall pursuant to Ordinance §276-30. Mr. Barnes stated that the Applicant has installed an eight {8}ft. tall lattice privacy screen which was deemed to be non-conforming by the City Zoning Officer. He indicated that the Applicant is seeking variance relief in relation to the maximum permitted fence height in a frontyard in order to maintain the existing eight {8}ft. tall lattice privacy screen.

Ms. Barbara Blankenhorn, the owner of the Property, appeared & she was placed under oath to testify before the Board. Mrs. Blankenhorn testified that she purchased the Property on April 15, 2020. She indicated that when the Property was purchased, a pool was under construction & a four {4}ft. tall fence was erected along Spruce & New York Avenue, frontyards of the Property. Mrs. Blankenhorn testified that during the summer of 2020 pedestrians leaving the neighboring bar district destroyed landscaping installed around the pool & individuals threatened to jump the fence in order to swim in the pool. Mrs. Blankenhorn testified that in response, she & her husband elected to erect an eight (8) ft. tall lattice privacy screen in order to safeguard the yard & pool and to provide privacy which they were lacking. Mrs. Blankenhorn further testified that she contacted the City’s Construction Office to inquire about the installation of the eight {8}ft. tall lattice privacy screen, and she indicated that she was advised that so long as the screen did not have a roof & was free-standing no relief/variance was required in order to install the screen. Mrs. Blankenhorn advised the Board that the installation of the privacy screen & landscaping features was designed in tandem and cost in excess of \$6,000. She indicated that over time the landscaping will grow & the lattice privacy screen will not be visible, as described in the initial call to the Construction Office. Mrs. Blankenhorn indicated that she has the full support

of her neighbors to maintain the existing eight {8}ft. tall privacy screen. She stated that after she installed the privacy screen, she was contacted by the City Zoning Officer & was informed that the eight {8}ft. privacy screen exceeded the permitted four (4)ft. maximum fence height within a frontyard & same needed to be removed despite the fact that she had been previously advised that it was permitted without the need for relief. Mrs. Blankenhorn testified that the lattice screen has provided privacy & safety as it prevents individuals from climbing over the four (4)ft. fence into the yard. Mrs. Blankenhorn advised the Board that the cost associated with reducing the height of the lattice privacy screen is approximately \$2,500, and she would need to re-landscape the perimeter of the property. Mrs. Blankenhorn opined that the lattice privacy screen presents no detriments to the neighborhood & it creates a desirable visual environment. She reiterated that the landscaping will eventually grow to disguise the lattice so that it won't be visible to public. As a condition of approval, the Applicant will ensure that the Condominium Association's Master Deed is revised to provide that any landscaping installed along New York Avenue will be maintained by the owner of the subject property.

In response to a question posed by the Board, Mrs. Blankenhorn testified that she initially inquired about installing a six (6)ft. tall fence but was discouraged by the Construction Office & was advised that a six (6)ft. fence in a frontyard would likely not be approved by the Board. Board Member questioned the approval process & why the Applicant was before the Board seeking relief if the Construction Office previously approved the existing eight (8)ft. tall lattice privacy screen. Mrs. Blankenhorn testified that she has email correspondence & a voicemail from the City indicating that the privacy screen could be installed. After installation she advised the Board that she received a Notice of Zoning violation.

Mr. Derrick Murphy, owner of Murphy's Lawn Care & Landscaping, appeared & he was placed under oath to testify before the Board. Mr. Murphy testified that he planted the landscaping at the Property. He indicated that due to material shortages brought about by the pandemic, he was unable to procure mature trees to plant in front of the lattice privacy screen. Mr. Murphy testified that Hollywood Junipers were installed in front of the privacy screen as they thrive in this area & are capable of tolerating the wind that impacts coastal areas. Mr. Murphy testified that Hollywood Junipers can grow as tall as 20ft. & as wide as 10-15ft. if they are not maintained. He indicated that the planted Junipers are spaced far enough apart to allow them to grow & fill-in eventually disguising the lattice privacy screen within 3-5 years. Mr. Murphy advised the Board that removing the privacy screen would necessitate the removal of all landscaping planted in the proximity of same.

Mr. James Blankenhorn, the owner of the Property, appeared & he was placed under oath to testify before the Board. Mr. Blankenhorn advised the Board that he followed the appropriate process to install the fence & he reiterated that "approval" was received from the City's Construction Office prior to installation. Mr. Blankenhorn testified that removing the fence would be a financial hardship as the privacy screen would need to be completely replaced as it cannot be cut down to a compliant height. As a condition of approval, in the event the eight (8)ft. tall lattice privacy screen is destroyed or replaced same can be reconstructed with a six (6)ft. tall fence to replace the existing four (4)ft. tall fence & lattice from the corner of the Property to the face of the structure to be married with the existing (six (6)ft. fence along New York Avenue.

Chairman Davis then opened the application for general public comment. No members of the public were in attendance at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the variance/siteplan approval. Each Board member gave reasoning for their

view of the facts & the application as it relates to the application. Mr. Greenland “volunteered” for the finding of facts. Mr. Greenland reiterated to the address and Block & Lot of the property as stated in the application. The Zoning District is D&E. The Applicant is the owner of the Property, as such, has standing to appear before the Board requesting variance approval. The Board found the Blankethorne’s & Mr. Murphy’s testimony to credible & persuasive. The Applicant is requesting ‘C’ variance relief in relation to maximum permitted fence height in a frontyard in order to maintain an existing eight (8)ft. tall lattice privacy fence in the frontyard of the Property. Mr. & Mrs. Blankenhorn testified that the privacy screen is needed for safety reasons to prevent members of the public from accessing their yard/pool & to provide them with privacy. The purposes of the Zoning law would be advanced by the proposed variance approval. The Board finds that the Applicant has satisfied the requirements for variance approval. No additions or correction to the finding of facts. No discussion on the facts.

The Board Solicitor called for a motion to approve the application as discussed. The Conditional Use application of Mr. & Mrs. Blankenhorn is hereby granted & approved subject to the following terms & conditions of the resolution of Approval. Motioned by: Mr. O’Connell & 2nd by Mr. Harkins. The Board Solicitor called for any discussion or corrections to the motion. The Board proposed no corrections, additions or comments to the motion. Mr. Greenland voted no. Ms. DeJoseph & Councilman DelConte abstained. Based on the majority roll-call vote being affirmative, the variance approval was approved by the Board.

Board members Councilman DelConte & Ms. DeJoseph were excused for the next application due to the Board being a Regional Planning Board & the request/requirement for a Use Variance as part of the next application. They excused themselves from the deliberations of the rest of the meeting & exited the building.

**Application No.: Z-2020-11-1 Tracy Hickey**

437 W. 19<sup>th</sup> Avenue

Block 89, Lot 4

R-2 Zoning District

“d(6)” Use Variance – height, “c” variance approval – single-family dwelling construction

The Board heard & considered the application of Tracy Hickey who proposes to construct a single-family dwelling on a vacant lot located at 437 West 19<sup>th</sup> Avenue, Block 89, Lot 4 in the City’s R-2 Zoning District. The Applicant is requesting ‘C’ variance relief in connection with maximum building height, minimum lot area, minimum lot frontage/width & minimum sideyard setbacks. A “d(6)” building height Use variance is required for proposed height over the permitted maximum height of 24 feet from Base Flood Elevation (BFE).

Mr. Jeffrey Barnes, Esq., of the Barnes Law Group, LLC located in North Wildwood, NJ appeared on behalf of the Applicant & outlined the nature of the application & the relief sought in connection with same. Mr. Barnes informed the Board that the Property is located in the City’s R-2 Zoning District & measures 25ft. x 126ft. The proposed building height is 27.71 feet above BFE, which is more than 10% of the permitted height, thus a “d6” Use Variance is required for building height. A total sideyard setback variance would be required. A design waiver from continuous curb with on 11 feet provided whereas 12.5 feet is required, is also requested. A parking variance maybe required. Mr. Barnes stated that the Board’s focus would be on whether the site would accommodate the problems associated with the permitted structure, but a higher height than was permitted by the Ordinance.

Mr. Joe Garramone, RA of Garramone Architects appeared on behalf of the Applicant & he was recognized as an expert in the field of architecture. Mr. Garramone was placed under oath & he testified from the proposed Site/Floor Plans, which were received by the Board & which are incorporated herein as fact. Mr. Garramone reiterated the bulk zoning requirements associated with the development of a single-family home on a 25ft. x 100ft. lot in the R-2 Zoning District. Mr. Garramone distributed a color rendering of the proposed structure which was received by the Board & which was marked as Exhibit A-1. Both Mr. Barnes & Mr. Garramone testified that the proposed new two-story single-family residence will promote desirable impacts to the neighborhood & will not change the character or development pattern in the immediate surrounding neighborhood. Mr. Garramone express that the plan is compliant to the R-2 Zoning District, except for the existing lot geometry & sideyard setback & building height. All other setbacks are compliant. Mr. Garramone described the planning aspects as it relates to the positive & negative criteria in support of the variance request. The benefits outweigh the detorments and Mr. Garramone extolled the virtues of the new development. The property use currently today is vacant, so as proposed, a single-family residential structure meets the Ordinance of the R-2 Zoning District which permits construction of same in this District. Mr. Garramone stated the application meet the following virtues of the NJ Municipal Land Use Law.

Ms. Tracy Hickey (Applicant) was placed under oath & testified from the proposed plan, which was received by the Board & incorporated as fact. Ms. Hickey testified that the property has been in her family for years. She indicated that over the years her family attempted to renovate aspects of the structures located on site, including new siding & new roofs. She advised the Board that her family has been friendly with the neighboring properties. Ms. Hickey advised the Board that existing structure was demolished in order to single-family build a conforming structure that complies with Base Flood Elevation (BFE) and current fire & construction codes. Ms. Hickey testified to the surrounding neighboring residential uses. Ms. Hickey testified that the existing off-street parking did not work & indicated that there is also limited on-street parking in the surrounding neighborhood in light of the neighboring structures. She advised the Board that the off-street parking proposed in connection with the new structure will comply as it will be underneath the house.

The Board & the Applicant's professionals engaged in a discussion regarding the proposed density of the site in relation to the proposed parking. Mr. Garramone reiterated that the site will comply with required off-street parking, and he again confirmed that the proposed number of bedrooms & the need for same due to Ms. Hickey extended family & children. The Board had significant concerns in relation to the size & location of the proposed structure, and informed the Applicant that in light of same it was difficult not to find that said structure was massive for the property. Considerable debate between by the Board & the Applicant's experts & Mr. Barnes whether the site & structure as a duplex is warranted for the site proposed during the meeting. This application seems to be a larger structure on the 2,500 square foot lot as proposed. Ms. Hickey provided several clarifications to the application as they were raised by Board members & several technical questions.

The Board was in receipt of a review memorandum prepared by Board Engineer Mr. Petrella, dated January 6, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed the conditions associated with the development of a single-family residential structure on a 20ft. x 100ft. lot within the R-2 Zoning District. He also confirmed that a design waiver for continuous raised curb was required.

During the January meeting, Chairman Davis then opened the application for general public comment. Seven (7) members of the public addressed the Board in connection with the application:

Sue Chelhowski, owner of the property located at 439 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Ms. Dell expressed concerns related to decks & building coverage. This will be a “McMansion” on a 25-foot lot. Concerns about grading & drainage. Concerns about parking, blocking driveways. Very concerned regarding building height vs. lot width.

Maryann Shea-Boylan, owner of the property located at 435 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Owned lot next door for 84 years. Reviewed the history of the neighborhood & lot.

William Boylan, owner of the property located at 435 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Concerned about size of lot in relation to building height.

Daniel Murphy, owner of the property located at 433 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Mr. Murphy concerned property line goes into water, yet the backyard was utilized fully. Underwater should not be used to calculate setbacks. Concerned about minimum sideyard setbacks. Concerned about building height in relation to lot width. Concerned about inadequate parking. This proposal is “overbuilding” the lot.

Susie Shea-Miller, owner of the property located at 431 West 19<sup>th</sup> Avenue was placed under oath & was sworn in to testify before the Board. Knows the applicants intimately. Concerned about the plans & the negative impact to the properties & neighborhood. Proposed structure is excessive & overbuilt.

Chris Boylan, son of the owner of the property located at 435 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Concerned about size of the structure in relation to the lot. Overbuilt.

Tracy Hickey, 437 West 19<sup>th</sup> Avenue, Applicant, owned the lot for 24 years. Prior home was condemned & it was much larger.

Pam Lairdieson, relative of Daniel Murphy, owner of the property located at 433 West 19<sup>th</sup> Avenue, was placed under oath & was sworn in to testify before the Board. Would like to see the lot developed, but the building is excessive.

No additional members of the public came forward to testify in favor or against the application. No further public members wished to speak on behalf of the meeting or to the Board at this time. No comment from the Board was offered. Chairman Davis closed the public portion of the meeting.

Ms. Hickey provided several clarifications to the application as they were raised by Board members, members of the public & several technical questions.

Mr. Barnes had requested tabling the application after consulting his client & wishing to re-design the application & plans to make the home more toward the design of a single-family home while still being a single-family home at next month’s meeting. After considerable debate by the Board & the Applicant’s experts, the application was tabled until the next Board meeting of February 10, 2020, with revised plans to be submittal for review by the Board & its professionals in advance of the meeting. The Board Solicitor announced no further public notice is required for the application, unless a substantial change is made to the application, then a



new public notice would be required. That will not be known until the Applicant submits the re-design of plans. The Applicant & attorney for Applicant accepted the motion to table the application.

J) ZONING OFFICER REPORT:

Dan Speigel, Zoning & Construction Official for the City of North Wildwood did not have anything to report. However, he did mention that the NJ Courts due to the Covid-19 Pandemic are utilizing only “Zoom” video conferencing software for court infractions and most cases are being postponed. All Zoning Violations/summons have been indefinitely delayed at this time.

K) PUBLIC PORTION:

Chairman Davis then opened the meeting for general public comment. No members of the public were in attendance at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

L) APPROVAL OF MINUTES: – November 18, 2020 meeting  
December 9, 2020 meeting

The Board Solicitor presented to the Board the approval the November 18, 2020 & December 9, 2020 regular Meeting Minutes. The Board Solicitor called for any discussion or corrections to the minutes. No discussion or corrections proposed. Motioned as proposed by Vice Chair Eduardo & 2<sup>nd</sup> by Mr. Harkins. Based on the affirmative majority roll-call vote of the Board members to memorialize the Meeting Minutes, the Meeting Minutes were approved.

M) UNFINISHED BUSINESS: –

The Board Secretary presented no items for discussion.

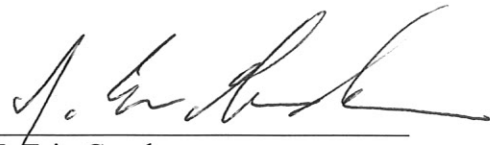
N) COMMUNICATION(S): None presented

O) REPORTS: - None presented

P) MEETING ADJOURNED:

Meeting was adjourned at 12:00am, on motion by Vice Chair Eduardo & 2<sup>nd</sup> by Mr. Harkins, with all present members voting in the affirmative.

APPROVED: 2/26/2021  
Date

  
\_\_\_\_\_  
J. Eric Gundrum  
Board Secretary

*This is an interpretation of the action taken at the meeting by the Secretary, and not a verbatim transcript.*

