

North Wildwood Planning Board
Special Meeting: April 21, 2021
6:30 p.m.

The special meeting of the North Wildwood Planning Board (Board) was held on the above date & time. Adequate notice of this special meeting was submitted to the official newspaper(s) of the City of North Wildwood (AC Press) & local newspapers. An Agenda was posted on the main bulletin board at City Hall, well in advance of the meeting date & on the City web site.

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'	Present
Vice Chair Jodie DiEduardo	Present	Mayor's Designee Valerie DeJoseph	Present
Chief Matt Gallagher	Present	Mr. William Green	Absent
Mr. John Harkins	Present	Councilman David Del Conte	Absent
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)	Present	Ms. Haas (Alt. 4)	Present
		Mr. Robert L. Belasco (Board Solicitor)	Present
		Mr. Ralph Petrella (Board Engineer)	Present
		Eric Gundrum, (Board Secretary)	Present

The Board Solicitor announced that the Board quorum has been established.

E) SWEARING IN OF PROFESSIONALS:

The Board Solicitor did conduct the truth swearing of the Board's professionals as it was necessary for tonight's meeting.

F) MOTIONS FOR ADJOURNMENTS: None presented.

G) MEMORIALIZATIONS: None presented.

Upon the appearance of Mayor Rosenello, Board Member & Mayor's Designee Ms. DeJoseph would not vote on the application(s), however she was welcomed to listen in on the testimony presented to the applications.

H) NEW BUSINESS:

P-21-3-3(A) Beach Creek Marina, Inc.
(aka Ocean Bay Club @ NW Marina) – Phase 1

Block 152, Lot 1

510-610- New York Avenue

NWM Zoning District

Block 152 Redevelopment Area Zoning District

Preliminary & Final Siteplan approval

Variance relief for any necessary variances & waivers including a flexible (C) variance to allow the 2nd floor of 8th floor penthouse apartments to be constructed above the 8th-floor assembly, a flexible (C) variance for an additional apartment to be occupied by the building manager & a flexible (C) height variance, less than 10%, for an architectural spire on top of the Lighthouse building.

The Board heard & considered the “Phase 1” application of Beach Creek Marina, Inc. (Applicant), the owner of the property located at 510-610 New York Avenue, a/k/a Block 152, Lot 1 (Property), seeking preliminary & final siteplan approval in connection with four (4) buildings & attendant site improvements & infrastructure situated in the Block 152 Redevelopment Area, and ‘C’ variance relief to permit an 8th floor of livable space within the existing Marina Bay Towers building, to permit 166 residential units whereas only 165 residential units are permitted in accordance with the Amended Redevelopment Plan, and to permit a maximum building height of 84.7ft. for the lighthouse structure whereas only 78ft. is permitted, in order to renovate & expand the existing buildings located on site. The property is located in the North Wildwood Marina (NWM) Zoning District.

Salvatore Perillo, Esq., of the Law Offices of Salvatore Perillo, Esquire appeared on behalf of the Applicant. Mr. Perillo outlined the nature of the application & the relief sought in connection with same. Mr. Perillo reviewed the history of the Property & the approximate 15-year history of litigation that ensued between the Applicant, the City of North Wildwood, the Fair Share Housing Center & various other entities. Mr. Perillo indicated that as a result of a lawsuit settlement between the City of North Wildwood, the Applicant & various other parties, a Redevelopment Plan was amended which governed development of the existing Marina Bay Towers, marina, lighthouse & restaurant buildings, and the City also rezoned the underlying & neighboring parcel of land to the NWM Zoning District.

Mr. Perillo reminded the Board that it reviewed the amended Redevelopment Plan & the Ordinance outlining the NWM Zoning District & ultimately determined that they were consistent with the City's Master Plan & also furthered the purposes of the settlement agreement reached between the parties. Mr. Perillo informed the Board that this Application involves the rehabilitation & expansion of the existing Marina Bay Towers building, the expansion of the mixed-use boathouse building located on site which houses the offices, repair, public bathrooms, marina store & a residential unit, the renovation of the lighthouse building to improve the marina food & beverage service improvements & add four (4) dwelling units on its upper floors, and the renovation & expansion of the existing marina restaurant structure into a 4-story building which will house a 2-story restaurant, a marina club space, and a swimming pool/lounge area.

Mr. Perillo advised the Board that the renovation of the existing Marina Bay Towers building will allow for the restoration of up to 80 existing affordable housing units & the development of 25 additional affordable housing units consistent with the settlement agreement adopted by the City pursuant Resolution No. 96-20 & as ordered by the courts.

The Board was in receipt of the following plans:

- a. Site & architectural plans prepared by Landmark Architectural Design, LLC & Mims Architecture, PL, dated March 30, 2021.
- b. Floor plans & building elevations pertaining to phase 1(B), the boathouse/marina use building, prepared by Mims Architecture, PLC, dated March 2021.
- c. Floor plans & building elevations pertaining to phase 1(C), the marina lighthouse/guardhouse building, prepared by Mims Architecture, PLC, dated March 2021.
- d. Floor plans & building elevations pertaining to phase 1(D), the Ocean Bay Marina Club & Restaurant building, prepared by Mims Architecture, PLC, dated March 2021.
- e. A proposed Phase 1 siteplan prepared by Bowman Consulting Group, Ltd., dated March 30, 2021.
- f. A Traffic Impact Assessment, prepared by Safe Highway Engineering, LLC.
- g. A stormwater management report prepared by Bowman Consulting Group, Ltd. dated March 30, 2021.

Mr. Perillo distributed a total of 56 exhibits which were received by the Board & which were marked as follows:

- h. Exhibit A-1 - Aerial Photo of Site (existing conditions)
- i. Exhibit A-2 - Aerial Photo of Site with Shaded Zoning Areas depiction
- j. Exhibit A-3 - Master Cover Sheet (LandMark Sheet MCS)
- k. Exhibit A-4 - CAM 020 Color Rendering
- l. Exhibit A-5 - CAM 050 Color Rendering
- m. Exhibit A-6 - Phase I Colored Site Plan Layout (Bowman Sheet ____)
- n. Exhibit A-7 - Ocean Bay Vistas (Cover Sheet, Sheet CS)
- o. Exhibit A-8 - Ocean Bay Vistas (Ground Floor & First Floor Plans, Sheet A-1.1)
- p. Exhibit A-9 - Ocean Bay Vistas (Second through Fourth Floor Plans, Sheet A-1.2)
- q. Exhibit A-10 - Ocean Bay Vistas (Fifth and Sixth Floor Plans, Sheet A-1.3)
- r. Exhibit A-11 - Ocean Bay Vistas (Bi-Level Seventh/Eighth Residential Floor, Sheet A-1.4)
- s. Exhibit A-12 - Ocean Bay Vistas (Roof Plan, Sheet A-1.5)
- t. Exhibit A-13 - Ocean Bay Vistas (Bilevel Penthouse Sample, Sheet A-1.14)
- u. Exhibit A-14 - Ocean Bay Vistas (Multi-Purpose Space at First Residential Level, Sheet A-1.18)
- v. Exhibit A-15 - Ocean Bay Vistas (Recreation Space at Penthouse, Sheet A-1.9)
- w. Exhibit A-16 - Ocean Bay Vistas (Elevation, Sheet A-2.0)
- x. Exhibit A-17 - Ocean Bay Vistas (Elevation, Sheet A-2.1)
- y. Exhibit A-18 - Ocean Bay Vistas (Elevation, Sheet A-2.2)
- z. Exhibit A-19 - Ocean Bay Vistas (Elevation, Sheet A-2.3)
- aa. Exhibit A-20 - Ocean Bay Vistas (Elevation, Sheet A-2.4)
- bb. Exhibit A-21 - CAM 060 Color Rendering
- cc. Exhibit A-22 - Boathouse (Ground Floor and Second Floor Plan)
- dd. Exhibit A-23 - Boathouse (Third Floor Plan)
- ee. Exhibit A-24 - Boathouse (Fourth and Fifth Floor Plan)
- ff. Exhibit A-25 - Blow up of Boathouse from CAM 010 Color Rendering
- gg. Exhibit A-26 - Lighthouse (Cover Sheet, Sheet CS)
- hh. Exhibit A-27 - Lighthouse (Ground Floor and First Floor Plan, Sheet DD 2.1)

- ii. Exhibit A-28 - Lighthouse (Second and Third Floor Plan, Sheet DD 2.2)
- jj. Exhibit A-29 - Lighthouse (Fourth and Fifth Floor Plan, Sheet DD 2.3)
- kk. Exhibit A-30 - Lighthouse (Elevation, Sheet DD 3.1)
- ll. Exhibit A-31 - Lighthouse (Elevation, Sheet DD 3.3)
- mm. Exhibit A-32 - Lighthouse (Building Section, Sheet DD 4.1)
- nn. Exhibit A-33 - Blow up of Lighthouse from CAM 010 & 040 Color Rendering
- oo. Exhibit A-34 - Marina Club & Restaurant (1st Restaurant Floor Plan, Sheet SD 2.1)
- pp. Exhibit A-35 - Marina Club & Restaurant (Second Restaurant Floor Plan, Sheet SD 2.2)
- qq. Exhibit A-36 - Marina Club & Restaurant (Third Marina Club Floor Plan, Sheet SD 2.3)
- rr. Exhibit A-37 - Marina Club & Restaurant (Fourth Marina Pool Club Floor Plan, Sheet SD 2.4)
- ss. Exhibit A-38 - Marina Club & Restaurant (Roof Plan, Sheet SD 2.5)
- tt. Exhibit A-39 - Marina Club & Restaurant (West Elevation, Sheet SD 3.1)
- uu. Exhibit A-40 - Marina Club & Restaurant (South Elevation, Sheet SD 3.2)
- vv. Exhibit A-41 - Marina Club & Restaurant (Building Section, Sheet SD 4.1)
- ww. Exhibit A-42 - Blow up of Marina Club & Restaurant Building from CAM 010 Color Rendering
- xx. Exhibit A-43 - CAM 010 Color Rendering
- yy. Exhibit A-44 - CAM 080 Color Rendering
- zz. Exhibit A-45 - CAM 090 Color Rendering
- aaa. Exhibit A-46 - Ground Floor
- bbb. Exhibit A-47 - Parking Decks
- ccc. Exhibit A-48 - Owners' Fitness and Business Center
- ddd. Exhibit A-49 - Typical Residential Floor Levels 1-11
- eee. Exhibit A-50 - Bi-Level Dwelling Unit Floors
- fff. Exhibit A-51 - Roof Recreational Space Floor Plan
- ggg. Exhibit A-52 - Building Elevation, Sheet A-2.0
- hhh. Exhibit A-53 - Building Elevation, Sheet A-2.1
- iii. Exhibit A-54 - Building Elevation, Sheet A-2.2
- jjj. Exhibit A-55 - Building Elevation, Sheet A-2.3
- kkk. Exhibit A-56 - Building Section, Sheet A-3.0

Mr. Paul Coccoziello, the owner of Beach Creek Marina, Inc., appeared & he was placed under oath to testify before the Board. Mr. Coccoziello provided the Board with an overview of the project & the history of the Property. Mr. Coccoziello testified that the Property consists of a total of two (2) city blocks & a portion of 5th Avenue that was previously vacated by the City. Mr. Coccoziello advised the Board that the he intends to rehabilitate & improve the site which will be rebranded as the Ocean Bay Club, which is intended to create an all-inclusive club/community atmosphere that's affordable for senior citizens & open to the community at large. Mr. Coccoziello indicated that the existing Marina Bay Towers building will be renamed Ocean Bay Vistas. He reviewed the amenities that will be provided on site to service residents & the public at large. Mr. Coccoziello testified that no changes are proposed to the current horizontal footprint of the existing Marina Bay Towers building. He advised the Board that the he intends to complete the proposed development in 4-phases:

- a. Phase 1(a) will consist of the renovation & expansion of the existing Marina Bay Towers building.
- b. Phase 1(b) will consist of the renovation of the existing mixed use residential/marina services building.
- c. Phase 1(c) will consist of the renovation of the existing marina/lighthouse/guard house building which was designed to emulate the appearance of a lighthouse. He reviewed the proposed floor plan associated

with this building.

- d. Phase 1(d) will consist of the renovation/construction of a new restaurant/club facility.

Board members questioned the Applicant's plans for the existing ground floor commercial space. Mr. Coccoziello testified that these units will be utilized for staging purposes during construction; however, following the completion of construction the plan is to locate commercial tenants to occupy these spaces. Mr. Perillo informed the Board that, in addition to preliminary & final siteplan approval, the Applicant is also requesting 'C' variances to permit an 8th floor of livable space within the existing Marina Bay Towers building, to permit 166 residential units whereas only 165 residential units are permitted, and to allow the proposed building height of 84.7ft. for the lighthouse structure whereas only 78ft. is permitted.

A question arose in regards to the number of boat slips located on site & whether or not same would be replaced during construction. Mr. Coccoziello testified that the current dock configuration would remain; however, he noted that the docks themselves would be replaced during Phase 2 construction along with the existing bulkhead. In response to a question posed by the Board, Mr. Coccoziello engineer expert testified that most of the crushed shells located on site will be removed and these areas will be paved.

A discussion ensued between the Board & the Applicant's professionals in regards to off-street parking in an effort to ensure that the completed project will meet the minimum required off-street parking requirements. Mr. Coccoziello engineer expert reiterated that the total number of off-street parking spaces at the time that construction is completed will exceed the minimum requirements. With respect to parking, Mr. Coccoziello engineer expert testified that a portion of the provided off-street parking will be lost when the construction of the Spires Building, commences. He indicated that, in the event all parking is lost, the site would be deficient by 22 off-street parking spaces; however, he advised the Board that when Phase 2 is completed there will be an excess of approximately 59 off-street parking provided on site. Board members expressed concerns about the fact that the Applicant currently utilizes a portion of the parking area for boat storage during the winter months. As a condition of approval, the Applicant will not store boats on site in areas where off-street parking will exist.

Board members raised concerns in relation to the condition of the existing bulkhead & boardwalk. Board members indicated that these items are in a state of extreme disrepair & present safety concerns. As a condition of approval, the Applicant will repair/replace the bulkhead from the property line located on 5th Avenue to 10ft. past the southern end of the Restaurant Building & no Certificate of Occupancy (C/O) will be issued for the restaurant/club building until said repairs are completed. The proposed existing apartment, mixed-use marina & lighthouse renovations & improvements may proceed & be issued a C/O prior the repair/replacement of the bulkhead. As a condition of approval, the Applicant will refurbish the entire length of the existing Boardwalk temporarily for safety purposes as soon as these approvals become final.

Mr. Perillo advised the Board that, but for the de minimis variances requested, the Applicant's proposal complies with the restructuring plan approved by the Court, and the parameters of the Amended Redevelopment Plan which arose out of a settlement reached between the parties in an effort to resolve pending litigation. Mr. Perillo advised the Board that the Applicant's primary objective is to renovate the 1st 4-floors of Marina Bay Towers to accommodate the affordable housing units for senior citizens. A discussion ensued in regards to rent controls & compliance with the Fair Housing Act.

The Board was in receipt of a review memorandum prepared by Board Engineer Mr. Petrella, dated April 12, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed & confirmed the relief sought by the Applicant for the benefit of the Board. He reviewed the history of the

Board's consistency review of the Amended Redevelopment Plan & the North Wildwood Marina Zoning District. The Applicant advised the Board that there was no objection to complying with the comments/conditions set forth within Mr. Petrella's review memorandum. As a condition of approval, the Applicant will maintain any & all sewers & utilities located on site.

Chairman Davis then opened the application for general public comment. A total of twelve (12) members of the public addressed the Board in connection with this application, more specifically;

- a. Diane Maguire, owner of the property located at 123 W. 4th Avenue, appeared & she was placed under oath to testify before the Board. Ms. Maguire expressed concerns in relation to the height of the proposed structure, the process that was undertaken to adopt the Amended Redevelopment Plan & to establish North Wildwood Marina District. She expressed additional concerns in regards to off-street parking & the condition of the boardwalk.
- b. Joe Walls, owner of the property located at 210 W. 7th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Walls expressed concerns in regards to parking & drainage. He inquired as to the construction timeframe & when the project would be completed.
- c. Jacquelyn McDade, owner of the property located at 212 W. 7th Avenue, appeared & she was placed under oath to testify before the Board. Ms. McDade indicated that she was opposed to the Applicant's proposal. She expressed concerns in relation to parking, flooding & the need for repairs to the existing bulkhead.
- d. Ann Tourish, owner of the property located at 206 W. 7th Avenue, appeared & she was placed under oath to testify before the Board. Ms. Tourish expressed concerns about safety & flooding. She questioned who would be responsible if her home was damaged during construction.
- e. Andy Knoll, owner of the property located at 125 E. 6th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Knoll advised the Board that he was opposed to the project & he questioned whether the project would ever actually be completed.
- f. Francis Staples, owner of the property located at 127 W. 5th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Staples expressed concerns in relation to affordable housing, parking & flooding. He indicated that this project will change the identity of the community.
- g. James McGrath, owner of Unit 207 of Marina Bay Towers, appeared & he was placed under oath to testify before the Board. Mr. McGrath indicated that he supports the project. He requested that the Board approve the application so that necessary repairs to the Marina Bay Towers building could be completed.
- h. Dolores McCoach, owner of Unit 310 of Marina Bay Towers, appeared & she was placed under oath to testify before the Board. Ms. McCoach indicated that she supports the project, & she commended the Applicant for the steps he's taken to repair the structure.
- i. Linda McGrath, owner of Unit 207 of Marina Bay Towers, appeared & she was placed under oath to testify before the Board. Mrs. McGrath expressed support for the application.
- j. Ruth Hatala, owner of the property located at 301 Central Avenue, appeared & she was placed under oath to testify before the Board. Ms. Hatala expressed opposition to the project & she indicated that the aesthetics of the proposed structures do not fit in with the identity of the community.
- k. Bill Shouldis, owner of the property located at 119 E. 5th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Shouldis indicated that he does not support the project. He expressed concerns in relation to flooding, parking & traffic.
- l. Carol Breisch, owner of the property located at 213 W. 4th Avenue, appeared & she was placed under oath to testify before the Board. Ms. Breisch raised concerns in relation to the impact that the project would have on traffic in the community & the surrounding neighborhood.

No additional members of the public spoke out in favor or against the application. Accordingly, the public portion of this application was closed. Chairman Davis closed the public portion of the application.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the application. 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 NWM. The Property is located at 510-610 New York Avenue, a/k/a Block 152, Lot 1 & it is governed by a Redevelopment Plan that addresses zoning regulations specific to this site all of which is located within the NWM Zoning District. The Property is currently developed with mixed uses, specifically a structure identified as Marina Bay Towers which provides affordable housing to senior citizens, commercial space, a marina & a restaurant/club. The Applicant is requesting preliminary & final siteplan approval & ‘c’ variance relief. The Applicant is proposing to renovate & expand the existing residential structure, Marina Bay Towers, to contain a total of 166 units, 105 of which will be maintained as affordable housing units & 51 units which will be sold at market-rate. The Board finds the testimony of the Applicant & the Applicant’s professionals to be credible & persuasive. The Applicant agreed to the following conditions of approval to be set forth in the approval Resolution. The Board finds that the Applicant’s proposal is compatible with the surrounding neighborhood & specifically meets the intent & purpose and the goals & objectives of the Amended Redevelopment Plan, the NWM Zoning District & the City’s Master Plan. The Board further finds that the Applicant has met the requirements of the Ordinance in relation to the proposed siteplan. The purposes of zoning law would be advanced by the proposed development in approval of the application. With respect to the ‘c’ variance relief sought by the Applicant, the Board found that the Applicant has presented evidence of a hardship specific to the Property. The Board finds that the Applicant has satisfied the requirements for seeking ‘c’ variance relief siteplan approval. The Board further finds that the proposal is compatible with the surrounding neighborhood & that the requested relief can be granted without substantial detriment to the public good & without substantially impairing the intent & purpose of the Ordinance & Zoning Map. Furthermore, the Board finds that the purposes of the NJ-MLUL will be advanced by the application & the benefits of granting same substantially outweigh any potential detriments. No additions or correction to the finding of facts. No discussion on the facts. The Board accepted the findings of fact.

The Board Solicitor called for a motion to approve the memorialization of the Board Resolution as discussed. Motioned by: Mr. Harkins & 2nd by Mr. O’Connell. 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 memorialization was approved by the Board.

P-21-3-3(B) Beach Creek Marina, Inc.
(aka Ocean Bay Club @ NW Marina) – Phase 2

Block 152, Lot 1

510-610- New York Avenue

NWM Zoning District

Block 152 Redevelopment Area Zoning District

Preliminary Siteplan approval

Variance relief for any necessary variances and waivers including a flexible (C) variance to allow the 2nd floor of 12th floor penthouse apartments to be constructed above the 12th floor, a flexible (C) height variance, less than 10%, for a roof top spire & an aviation warning light 10 feet above the 230-foot maximum height for the property & a flexible (C) variance to permit all of the proposed hotel units to have cooking facilities.

The Board heard & considered the “Phase 2” application of Beach Creek Marina, Inc. (Applicant), the owner of the property located at 510-610 New York Avenue, a/k/a Block 152, Lot 1 (Property), seeking preliminary plan approval in connection with a proposed mixed-use high-rise building & attendant site improvements & infrastructure situate in the northeast area of the Property, including ‘c’ variance relief to permit a 13th floor of livable space within the proposed Spires building, a height variance to permit a spire & an aviation warning light (230ft. is permitted whereas 240ft. is proposed), and to permit cooking facilities within proposed hotel units (25% of rooms are permitted to have cooking facilities whereas 100% is proposed), and a waiver in relation to the size of proposed off-street parking spaces (8.5ft. x 18ft. and 8.5ft. x 16ft.), in order to construct said mixed-use high rise structure containing 60 condominium/hotel dwelling units & 84 dwelling units and various amenities & commercial areas. The property is located in the North Wildwood Marina (NWM) Zoning District.

Salvatore Perillo, Esq., of the Law Offices of Salvatore Perillo, Esquire appeared on behalf of the Applicant. Mr. Perillo outlined the nature of the application & the relief sought in connection with same. Mr. Perillo reviewed the history of the Property & the approximate 15-year history of litigation that ensued between the Applicant & various other parties, the City of North Wildwood, the Fair Share Housing Center & various other entities. Mr. Perillo indicated that as a result of a settlement between the City of North Wildwood & the Applicant adopted by the City pursuant Resolution No. 96-20, the City rezoned a portion of the Property to the NWM Zoning District which governs development of the proposed structure. Mr. Perillo advised the Board that this application consists of Phase 2 of the redevelopment of the Marina Bay Towers site. He stated that Phase 2 is integral to the success & feasibility of Phase 1 to provide all 105 affordable senior citizen dwelling units pursuant to the settlement agreement & related court Orders. Mr. Perillo reminded the Board that it previously reviewed the Ordinance outlining the NWM Zoning District & ultimately determined that it was consistent with the City’s Master Plan & also furthered the purposes of the settlement agreement reached between the parties. He noted that a high-rise residential structure is a permitted use within this Zoning District.

The Board was in receipt of the following plans:

- a. Site & architectural plans prepared by Landmark Architectural Design, LLC and Mims Architecture, PLC, dated March 30, 2021.
- b. A proposed siteplan prepared by Bowman Consulting Group, Ltd., dated March 30, 2021.
- c. A Traffic Impact Assessment, prepared by Safe Highway Engineering, LLC.
- d. A stormwater management report prepared by Bowman Consulting Group, Ltd. dated March 30, 2021.

Mr. Perillo distributed a total of 56 exhibits which were received by the Board and which were marked as follows:

- e. Exhibit A-1 - Aerial Photo of Site (existing conditions)
- f. Exhibit A-2 - Aerial Photo of Site with Shaded Zoning Areas depiction
- g. Exhibit A-3 - Master Cover Sheet (LandMark Sheet MCS)
- h. Exhibit A-4 - CAM 020 Color Rendering
- i. Exhibit A-5 - CAM 050 Color Rendering
- j. Exhibit A-6 - Phase I Colored Site Plan Layout (Bowman Sheet ____)
- k. Exhibit A-7 - Ocean Bay Vistas (Cover Sheet, Sheet CS)
- l. Exhibit A-8 - Ocean Bay Vistas (Ground Floor & First Floor Plans, Sheet A-1.1)
- m. Exhibit A-9 - Ocean Bay Vistas (Second through Fourth Floor Plans, Sheet A-1.2)
- n. Exhibit A-10 - Ocean Bay Vistas (Fifth and Sixth Floor Plans, Sheet A-1.3)
- o. Exhibit A-11 - Ocean Bay Vistas (Bi-Level Seventh/Eighth Residential Floor, Sheet A-1.4)
- p. Exhibit A-12 - Ocean Bay Vistas (Roof Plan, Sheet A-1.5)
- q. Exhibit A-13 - Ocean Bay Vistas (Bilevel Penthouse Sample, Sheet A-1.14)

- r. Exhibit A-14 - Ocean Bay Vistas (Multi-Purpose Space at First Residential Level, Sheet A-1.18)
- s. Exhibit A-15 - Ocean Bay Vistas (Recreation Space at Penthouse, Sheet A-1.9)
- t. Exhibit A-16 - Ocean Bay Vistas (Elevation, Sheet A-2.0)
- u. Exhibit A-17 - Ocean Bay Vistas (Elevation, Sheet A-2.1)
- v. Exhibit A-18 - Ocean Bay Vistas (Elevation, Sheet A-2.2)
- w. Exhibit A-19 - Ocean Bay Vistas (Elevation, Sheet A-2.3)
- x. Exhibit A-20 - Ocean Bay Vistas (Elevation, Sheet A-2.4)
- y. Exhibit A-21 - CAM 060 Color Rendering
- z. Exhibit A-22 - Boathouse (Ground Floor and Second Floor Plan)
- aa. Exhibit A-23 - Boathouse (Third Floor Plan)
- bb. Exhibit A-24 - Boathouse (Fourth and Fifth Floor Plan)
- cc. Exhibit A-25 - Blow up of Boathouse from CAM 010 Color Rendering
- dd. Exhibit A-26 - Lighthouse (Cover Sheet, Sheet CS)
- ee. Exhibit A-27 - Lighthouse (Ground Floor and First Floor Plan, Sheet DD 2.1)
- ff. Exhibit A-28 - Lighthouse (Second and Third Floor Plan, Sheet DD 2.2)
- gg. Exhibit A-29 - Lighthouse (Fourth and Fifth Floor Plan, Sheet DD 2.3)
- hh. Exhibit A-30 - Lighthouse (Elevation, Sheet DD 3.1)
- ii. Exhibit A-31 - Lighthouse (Elevation, Sheet DD 3.3)
- jj. Exhibit A-32 - Lighthouse (Building Section, Sheet DD 4.1)
- kk. Exhibit A-33 - Blow up of Lighthouse from CAM 010 & 040 Color Rendering
- ll. Exhibit A-34 - Marina Club & Restaurant (1st Restaurant Floor Plan, Sheet SD 2.1)
- mm. Exhibit A-35 - Marina Club & Restaurant (Second Restaurant Floor Plan, Sheet SD 2.2)
- nn. Exhibit A-36 - Marina Club & Restaurant (Third Marina Club Floor Plan, Sheet SD 2.3)
- oo. Exhibit A-37 - Marina Club & Restaurant (Fourth Marina Pool Club Floor Plan, Sheet SD 2.4)
- pp. Exhibit A-38 - Marina Club & Restaurant (Roof Plan, Sheet SD 2.5)
- qq. Exhibit A-39 - Marina Club & Restaurant (West Elevation, Sheet SD 3.1)
- rr. Exhibit A-40 - Marina Club & Restaurant (South Elevation, Sheet SD 3.2)
- ss. Exhibit A-41 - Marina Club & Restaurant (Building Section, Sheet SD 4.1)
- tt. Exhibit A-42 - Blow up of Marina Club & Restaurant Building from CAM 010 Color Rendering
- uu. Exhibit A-43 - CAM 010 Color Rendering
- vv. Exhibit A-44 - CAM 080 Color Rendering
- ww. Exhibit A-45 - CAM 090 Color Rendering
- xx. Exhibit A-46 - Ground Floor
- yy. Exhibit A-47 - Parking Decks
- zz. Exhibit A-48 - Owners' Fitness and Business Center
- aaa. Exhibit A-49 - Typical Residential Floor Levels 1-11
- bbb. Exhibit A-50 - Bi-Level Dwelling Unit Floors
- ccc. Exhibit A-51 - Roof Recreational Space Floor Plan
- ddd. Exhibit A-52 - Building Elevation, Sheet A-2.0
- eee. Exhibit A-53 - Building Elevation, Sheet A-2.1
- fff. Exhibit A-54 - Building Elevation, Sheet A-2.2
- ggg. Exhibit A-55 - Building Elevation, Sheet A-2.3
- hhh. Exhibit A-56 - Building Section, Sheet A-3.0

Mr. Paul Coccoziello, the owner of Beach Creek Marina, Inc., appeared & he was placed under oath to testify before the Board. Mr. Coccoziello provided the Board with an overview of the project & the history of the Property. Mr. Coccoziello summarized the Application arguing that the Applicant's proposal complies with the amended zoning ordinance approved by the Court and enacted by City Council. He stated that the Applicant's proposal will create an upscale condominium option in North Wildwood which will provide an all-inclusive residential club atmosphere.

A discussion ensued in relation to a proposed encroachment within the 5th Avenue public right-of-way. A portion of 5th Avenue was previously vacated by City Council & the Applicant indicated that they intend to request that the City vacate an additional portion of 5th Avenue to accommodate the proposed encroachment. As a condition of approval, the Applicant will pursue an amendment to the Ordinance vacating a portion of 5th Avenue from City Council.

The Board was in receipt of a review memorandum prepared by Board Engineer Mr. Petrella, dated April 12, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed & confirmed the relief sought by the Applicant for the benefit of the Board. He reviewed the history of the Board's consistency review of the NWM Zoning District. The Applicant advised the Board that there was no objection to complying with the comments/conditions set forth within Mr. Petrella's review memorandum. As a condition of approval, the Applicant will maintain any & all sewers and utilities located on site.

Chairman Davis then opened the application for general public comment. No public members wished to speak on behalf of the application or to the Board at this time. No comment was offered. Chairman Davis closed the public portion of the application.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the application. 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 NWM. The Property is located at 510-610 New York Avenue, a/k/a Block 152, Lot 1 & it is governed by a Redevelopment Plan that addresses zoning regulations specific to this site all of which is located within the NWM Zoning District. The portion of the property associated with Phase 2 is currently under-developed & is utilized for site infrastructure, parking & it also services the marina located on site. The Applicant is proposing to construct a 13-story high-rise mixed-use structure which will provide a mix of hotel & owner-occupied units. A total of 60 condominium/hotel units & 84 market rate dwelling units are proposed. The Applicant is requesting preliminary siteplan approval. The Applicant is also requesting 'c' variances to permit a 13th floor of livable space within the proposed Spires building, a height variance to permit a rooftop spire with an aviation warning light (230ft. is permitted whereas 240ft. is proposed), and to permit cooking facilities within proposed hotel units (25% of rooms are permitted to have cooking facilities whereas 100% is proposed). The Board finds the testimony of the Applicant & the Applicant's professionals to be credible & persuasive. The Applicant agreed to the following conditions of approval to be set forth in the approval Resolution. The Board finds that the Applicant's proposal is compatible with the surrounding neighborhood & specifically meets the intent & purpose and the goals & objectives of the Amended Redevelopment Plan, the NWM Zoning District & the City's Master Plan. The Board further finds that the Applicant has met the requirements of the Ordinance in relation to the proposed siteplan. The purposes of zoning law would be advanced by the proposed development in approval of the application. With respect to the 'c' variance relief sought by the Applicant, the Board found that the Applicant has presented evidence of a hardship specific to the Property. The Board finds that the Applicant has satisfied the requirements for seeking 'c' variance relief siteplan approval. The Board further finds that the proposal is compatible with the surrounding neighborhood

& that the requested relief can be granted without substantial detriment to the public good & without substantially impairing the intent & purpose of the Ordinance & Zoning Map. Furthermore, the Board finds that the purposes of the NJ-MLUL will be advanced by the application & the benefits of granting same substantially outweigh any potential detriments. No additions or correction to the finding of facts. No discussion on the facts. The Board accepted the findings of fact.

The Board Solicitor called for a motion to approve the memorialization of the Board 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. Based on the majority roll-call vote being affirmative, the memorialization was approved by the Board.

I) ZONING OFFICER REPORT: None presented.

J) PUBLIC PORTION:

Chairman Davis then opened the meeting for general public comment. No further public members wished to speak on behalf of the meeting or to the Board at this time. No comment was offered. Chairman Davis closed the public portion of the meeting.

J) APPROVAL OF MINUTES: None presented.

K) UNFINISHED BUSINESS: None presented.

L) COMMUNICATION(S): None presented.

M) REPORTS: None presented.

N) MEETING ADJOURNED:

Meeting was adjourned at 11:34pm, on motioned by Vice Chair DiEduardo & 2nd by Ms. Haas. Based on the affirmative roll-call vote of the Board members, the motion to adjourn was approved.

APPROVED: _____

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.