

North Wildwood Planning Board
Regular Meeting: August 11, 2021
6:30 p.m.

The regular meeting of the North Wildwood Planning Board (Board) was held on the above date & time. Adequate notice of this regular meeting was submitted to the official newspaper 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.

The Board acknowledged & welcomed new Board member Chief Stevenson, who replaced former chief Gallagher, who retired from the City,

D) ROLL CALL

Chairman Robert Davis	Present	Mayor Patrick Rosenello'	Absent
Vice Chair Jodie DiEduardo	Present	Mayor's Designee Valerie DeJoseph	Absent
Chief John Stevenson	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)	Absent
Mr. Ron Peters (Alt.3)	Absent	Ms. Haas (Alt. 4)	Absent

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:

Application No.: P-21-5-1 Michael Cavanaugh

307 E. 2nd Avenue
Block 281, Lot 19
R-1 Zoning District
“c” Variance approval – swimming pool setback

The Board heard & considered the application of Michael & Karen Cavanaugh (Applicant), owners of the property located at 307 East 2nd Avenue, a/k/a Block 281, Lot 19 (Property), seeking ‘C’ variance relief in relation to minimum distance between a pool & structure (eight (8)ft. is required whereas four (4)ft. is proposed) and maximum lot coverage (80% is permitted whereas 88.66% is existing & proposed), in order to install an inground swimming pool in the rearyard of the existing single-family dwelling.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 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 memorialization was approved by the Board. Mr. Harkins & Mr. Auty abstained on the vote.

Application No.: Z-2006-8-4(C) Spruce & Old New Jersey, LLC (aka Champagne Island Motel)

106 West Spruce Avenue
Block 191, Lots 2 & 4
D&E Zoning District
Preliminary & Final siteplan approval, “c” variance approval for parking and/or Interpretation/
Change of Use/Use Variance approval for converting motel to apartments/condominiums

The Board heard & considered the application of Spruce & Old New Jersey, LLC, owner of the properties located at 300 North New Jersey Avenue, 102 West Spruce Avenue, 104 West Spruce Avenue, 106 West Spruce Avenue & 120 West Spruce Avenue, a/k/a Block 191, Lots 2 & 4 (Property), seeking an interpretation of the word “transient use” as set forth within prior approvals in relation to provisions of the City Ordinance in effect in 2006, a D(1) Use Variance in the event the Board provides an unfavorable interpretation, and amended preliminary & final siteplan approval.

The Board Solicitor called for a motion to approve the memorialization of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 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 memorialization was approved by the Board. Chief Stevenson, Mr. Harkins & Mr. Auty abstained on the vote.

H) NEW BUSINESS:

Application No.: P-21-6-1 Dennis Newcomb

110 Delaware Avenue
Block 126, Lot 1
R-2 Zoning
Siteplan approval, w/ “c” variances for Lot Depth & rearyard setback

The Board heard & considered the application of Dennis & Jill Newcomb (Applicant), owners of the property located at 110 Delaware Avenue, a/k/a Block 126, Lot 1 (Property), seeking 'C' variance relief in relation to minimum lot depth (100ft. is required whereas 53ft. is existing & proposed) and minimum rearyard setback (10ft. is required whereas 3.17ft. is proposed), in order to construct a single-family dwelling on a non-conforming irregular lot located in the R-2 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 75ft. x 53ft. (4,013SF) and is located within the City's R-2 Zoning District. Mr. Barnes advised the Board that the Property is currently vacant undeveloped land. Mr. Barnes outlined the history of the Property. He noted that the original single-family dwelling located on site was damaged during Hurricane Sandy. The City eventually took possession/condemn the Property & same was sold by way of a public auction to the Applicants. Mr. Barnes informed the Board that the Agreement of Sale executed by the City & the Applicant provided that the Applicant could reconstruct a single-family dwelling in the prior building footprint without the need to obtain variance relief. Mr. Barnes indicated that the Applicant's redesigned the single-family dwelling to compliment the unique shape of the lot & to ensure the construction of a more aesthetically pleasing structure. Mr. Barnes advised the Board that the Applicant is seeking 'C' variance relief in relation to the minimum lot depth & minimum rearyard setback. He noted that the rearyard setback measures 10ft. to the building itself which complies with the Ordinance; however, the rearyard setback to proposed decks measures 3.17 feet.

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 & proposed Building Elevations, dated May 2021, & revised July 15, 2021, which were received by the Board and which are incorporated herein as fact. Mr. Newswanger testified that the Property was previously developed with a small home which incorporated various 'ad hoc' additions over the years. Mr. Newswanger testified that in designing the proposed single-family home, practical difficulties arose in efforts to utilize the prior building footprint in light of its orientation on the lot. He also indicated that the prior footprint allowed for no off-street parking on site. Mr. Newswanger testified that the proposed structure is designed so that two (2) sides of the structure face the water in order to take advantage of the bayfront views. He indicated that the proposed structure was sited on the northeast side of the lot in order to mitigate the mass of the building & to preserve existing view corridors. Mr. Newswanger reviewed the proposed siteplan for the benefit of the Board. He noted that a driveway is proposed along Delaware Avenue & parking is located in the driveway & within a proposed garage. Mr. Newswanger reviewed the proposed floor plans for the benefit of the Board. He testified that the structure will contain four (4) bedrooms & three (3) bathrooms. Exterior decks are proposed off of the 2nd & 3rd floors to take advantage of the views. Mr. Newswanger advised the Board that the proposed rearyard setback measures 10ft. to the structure itself, and 3.17ft. to the edge of the proposed decks. He noted that the decks extend approximately 7.5ft. off of the building itself, and same will be cantilevered in order to maintain & take advance of waterfront views. Mr. Newswanger presented a proposed 3-D rendering of the structure itself situated on the siteplan for the Board's review. He advised the Board that the rendering is a representation of what will exist relative to the site itself.

Jason Sciullo, P.E., P.P. with Sciullo Engineering Services, LLC was also present at the meeting on behalf of the Applicant. Mr. Sciullo was accepted by the Board as an expert in the field of Engineering & Planning & he was sworn in to testify on the Applicant's behalf. Mr. Sciullo testified that the Property is a unique odd-shaped parcel of land located in the R-2 Zoning District which contains a significant amount of frontage along the waterways. Mr. Sciullo advised the Board that the Applicant is requesting 'C' variance relief in relation to minimum lot depth as 100ft. is required whereas 53ft. is existing & proposed & minimum rearyard

setback as 10ft. is required whereas 3.17ft. is proposed. He noted that the proposed structure & site comply with all remaining area & bulk requirements of the Zoning District. Mr. Sciullo opined that the proposed cantilevered decks are open & minimize any impact on neighboring properties. He advised the Board that the railings will be constructed using wire and/or glass which will maintain light, air & open space as same will not be visible to the public. Mr. Sciullo testified that the lot depth variance is sought under the 'c-1' criteria due to the hardship caused by the irregular shape of the lot & the fact that lot depth does not meet minimum requirements. With respect to the rearyard setback variance, Mr. Sciullo testified that the setback to the building is 10ft. & complies with the Ordinance, however, he confirmed that the rearyard setback to the decks is 3.17ft. Mr. Sciullo 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. Secures safety from fire, flood, panic & other natural & man-made disasters as the building will meet current fire & construction codes & complies with FEMA flood requirements;
- 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 as the proposed single-family dwelling is consistent with the surrounding neighborhood;
- g. Provides sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial & industrial uses & open space, both public & private, according to their respective environmental requirements in order to meet the needs of all NJ citizens;
- i. Promotes a desirable visual environment through creative development techniques & good civic design & arrangement; and
- m. Encourages coordination of the various public & private procedures & activities shaping land development with a view of lessening the cost of such development & to the more efficient use of land;

Mr. Sciullo testified that the Applicant's proposal also contributes to the preservation of the character of the neighborhood. Mr. Sciullo 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 & purpose of the Zoning Map & Land Development Ordinance.

The Board was in receipt of a review memorandum prepared by Board Engineer Mr. Petrella, dated July 28, 2021 which was received by the Board & which is incorporated herein as fact. Mr. Petrella reviewed & confirmed the variance relief sought in connection with this Application.

Chairman Davis then opened the application 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.

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 R-2. The Applicant is the owner of the property & has standing to come before the Board to request preliminary & final siteplan approval requesting Variance approval. The Board found Mr. Newswanger & Mr. Sciullo testimony to be credible & persuasive. With respect to the Application for preliminary & final siteplan approval, the Board finds that the application meets the standards of the Ordinance & the Applicant is entitled to preliminary & final siteplan/variance approval for the proposed development. The purposes of zoning law would be advanced by the proposed development in approval of the application. 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 application of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 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. Based on the majority roll-call vote being affirmative, the application was approved by the Board.

Application No.: P-21-4-1 O'Halloran

314 Central Avenue
Block 217, Lot 9
R-1 Zoning District
Minor Subdivision approval, w "c" variance for Lot Area & Depth

The Board Solicitor announced the formal withdraw of the above referenced application by written email request of the Applicant's attorney/agent. Notice requesting withdrawal was received after the Board meeting had started. The Board Solicitor announced to the public that this application will be formally withdrawn for consideration by the Board.

Application No: Z-2021-1-1 Sunshine Shore Properties, LLC

511 East 11th Avenue
Block 416, Lot 6
OS Zoning District
D(1) Use Variance, a D(5) Density Variance siteplan approval, w/ "c" variances
Final siteplan approval

The Board heard & considered the application of Sunshine Shore Properties, LLC (Applicant), owner of the property located at 511 East 11th Avenue, a/k/a Block 416, Lot 6 (Property), seeking final siteplan approval, in order to convert an existing twenty-four (24) unit motel to ten (10) residential apartments (condos).

Andrew Catanese, Esq. appeared on behalf of the Applicant. Mr. Catanese outlined the nature of the application & the relief sought in connection with same. Mr. Catanese stated that the Property is located at 511 East 11th Avenue in the City's Oceanside (O/S) Zoning District & it is currently developed with a 24-unit motel known as the Harbor Mist Hotel. Mr. Catanese reminded the Board that on May 12, 2021, the Applicant received preliminary siteplan approval, a D(1) Use Variance to permit residential apartments in the OS Zoning District, a D(5) density variance, and 'C' variance relief in relation to off-street parking in order to convert the existing operating motel to a 10-unit residential multi-family apartment building. Mr. Catanese indicated that prior to granting final siteplan approval the Board requested that the Applicant revise the submitted plans in order to depict the reduction of units from twelve (12) to ten (10) & incorporate a storage space for unit owners & the building itself.

Matthew Sprague, R.A. with Matthew Sprague Design, LLC appeared before the Board on behalf of the Applicant. Mr. Sprague was accepted by the Board as an expert in the field of architecture, and he was placed under oath & testified from the proposed floor plan & building elevations, dated October 15, 2020, & revised January 18, 2021, April 2, 2021 & July 22, 2021, which were received by the Board & which are incorporated herein as fact. Mr. Sprague confirmed that the proposed floor plans were revised in order to depict the

reduction from twelve (12) units to ten (10) units. He noted that all of the proposed units contain three (3) bedrooms. Mr. Sprague reviewed the existing & proposed floor plans & building elevations for the benefit of the Board. Mr. Sprague testified that a 300SF storage area has been incorporated on the 1st floor for general building storage & individual storage. Mr. Sprague further testified that ample storage space is also provided within the individual units as there are closets proposed within all bedrooms & a common coat closet as well.

In response to a question posed by the Board, Mr. Sprague testified that all of the revisions made to the plan relate to the interior of the building & there are no modifications proposed to the exterior or the siteplan itself. In response to a question posed by the Board in regards to trash & recycling collection, Mr. Sprague indicated that same would be addressed by individual unit owners and/or by a master deed if the structure was converted to the condominium form of ownership. The Applicant was reminded that all conditions imposed within Resolution Z-2021-1-1 would still apply in connection with final siteplan approval.

The Board did not receive a review memorandum typically prepared by Board Engineer Mr. Petrella. The application was for final siteplan approval only.

Chairman Davis then opened the application 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.

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 Oceanside (O/S). The Applicant is the owner of the property & has standing to come before the Board to request final siteplan approval requesting Use Variance approval. The Board found Mr. Sprague testimony to be credible & persuasive. The Board further found that Mr. Sprague's plan revisions addressed the Boards concerns/requests raised during the May 12, 2021 Board meeting. The following conditions of approval outlined within Resolution Z-2021-1-1 still apply:

- a. The rehabilitation of the site will comport with the depiction of the color rendering & the materials represented by Mr. Sprague will be incorporated;
- b. The Applicant will revise the submitted plans to depict storage space within the proposed units & to address the reduction in the number of units & same will be submitted to the Board at a future meeting for final siteplan approval; and
- c. Ten (10) units will be assigned one (1) parking space & same will be incorporated into the Condominium Master Deed & By-laws and same will be provided to the Board Solicitor for review & approval.

With respect to the Application for final siteplan approval, the Board finds that the application meets the standards of the Ordinance & the Applicant is entitled to final siteplan/Use Variance approval for the proposed development. The purposes of zoning law would be advanced by the proposed development in approval of the application. 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 application of the Resolution as discussed. Motioned by: Vice Chair DiEduardo & 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 application was approved by the Board.

Board members Mr. Greenland & Chief Stevenson identified that they had a conflict with the next application. Both Board members excused themselves from the Board & took a seat in the public seating area.

Application No.: Z-14-8-1(A) 421 W. Spruce Avenue, LLC & DWM RE Holdings, LLC

421 & 429 West Spruce Avenue

Block 102, Lots 19.01 & 19.02

R-2 Zoning District

Preliminary & Final siteplan approval to address unapproved modification/construction

- For prior issued of D(1) Use Variance & w/ “c” variances siteplan approval

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.

The Board had detailed discussions of each of the relief/discrepancies of the siteplan as sought by the Applicant and as listed below;

Applicant is seeking a revised site plan approval for the following:

- a. Relief for the conditions pertaining to the sidewalk as the slope of same may or may not be in compliance required standards;
- b. Relief for the built ramp descending to the Dairy Queen patio area which may or may not be in compliance with ADA standards;
- c. Relief for the stormwater drainage system which was not constructed in accordance with the approved plans;
- d. Relief for the single driveway that was constructed instead of dual or separate driveways in accordance with the approved plans and recorded subdivision;
- e. Relief for the crosswalk within the parking lot which was not installed in accordance with the approved plans;
- f. Relief for the parking area, layout, number of spaces, painting, striping, and traffic arrows, lighting, and handicap parking spaces which were not installed in accordance with the approved plans;
- g. Relief for the trash enclosures not built-in accordance with the approved plans;
- h. Relief for the rear lot line fence height which is not in accordance with the approved plans;
- i. Relief for the rear lot line retaining wall which was not installed in accordance with the approved plans;
- j. Relief for the bollards which were not installed along the rear lot line or the Dairy Queen open patio in accordance with the approved plans and for the masonry wall constructed in-lieu of the cabled fence/bollards in accordance with the approved plans;
- k. Relief for the fencing surrounding the site as the material of the fence is not in accordance with the approved plans;
- l. Relief for the landscaping which was not installed in accordance with the approved plans;
- m. Relief for the Base Flood Elevation which does not meet the minimum requirements for the Don Martin Realty Building; and

- n. Relief for the bike rack which was not installed on the Dairy Queen property in accordance with the approved plans.

Regarding the sidewalk grade at the frontage of the property, the sidewalk grade in front of the Don Martin Realty building does comply with the ADA standards. The sidewalk grade in front of the Dairy Queen building may not comply with ADA standards. According to the Applicant there is no way to conform to the 2% grade without raising the curb to exceed the 8" curb requirements and creating trip hazards. When the sidewalk was replaced, the Applicant simply maintained the grade that the State created when redoing Route 147.

Regarding the ramp, the Dairy Queen is preexisting and was not required to be ADA compliant. The ramp was installed for the ease of patrons.

Regarding the stormwater drainage system, all aspects of the stormwater drainage shown on the approved plan exist on site. The plan was significantly enhanced. The plan shows a retaining wall of approximately 35'. This would have caused water run-off onto the adjoining neighbor's properties. The Applicant installed 240' of retaining wall; 150' along the entire back property line 40' from the rear property line along the Easterly property line and 50' from the rear property line on Westerly lot line. By doing this, the Applicant eliminated any claims of water run-off onto neighboring properties. The Applicant installed a stone drainage field exceeding dimension of 40'x40'. The drainage field services 50% of the lot coverage and all the roof drainage from the Don Martin Realty Building. The plan as approved had nearly all storm water runoff entering Spruce Avenue, a street that floods constantly.

Regarding the driveway, a cross easement will be prepared and recorded with the County Clerk's office for driveway access between the two properties.

Regarding the crosswalk and the handicap parking spaces, the crosswalk striping as shown on the approved plans is no longer applicable due to the relocation of the handicap spot. The handicap spot was relocated to a position that better serves handicap patrons as they do not have to cross any drive isle and they are parking at the handicap ramp access point.

Regarding the parking area, layout, number of spaces, painting, striping, and traffic arrows the existing conditions have been enhanced from the conditions shown on the approved plans.

Regarding the parking lot lighting, the parking lot is shielded to provide 180-degree lighting. The Applicant will provide the specifications by way of verbal testimony at the hearing.

Regarding the number of parking spaces, the as-built apartments receive an additional three parking spaces and the commercial operation receives an additional four parking spaces.

Regarding the trash enclosures, trash is contained in the garage for the Don Martin Realty Building and it is maintained in the alley at the Dairy Queen Building. To construct the trash depot as shown on the approved plans would eliminate two parking spaces and would cause trash trucks to have a more difficult time servicing the Property, adding time to service and creating congestion in the parking lot. Further, the trash depots would have been out in the open and far less appealing to the eye.

Regarding the rear lot line fence, the approved plan calls for a 5' fence and the existing fence is 5'. The fence is tied to the retaining wall which is approximately 2' above grade on the neighboring side. Prior to

installing the fence, the Applicant contacted the Zoning Officer for guidance who informed the Applicant to install the 5' fence.

Regarding the rear lot line retaining wall, the 240' of retaining wall; 150' along the entire back property line 40' from the rear property line along the Easterly property line and 50' from the rear property line on Westerly lot line, eliminates claims of water run-off onto neighboring properties.

Regarding the bollards on the approved plans, the bollards were no longer applicable due to the redesign.

Regarding the masonry wall, the Applicant believes the reinforced masonry wall provides better protection to the patrons providing equal or enhanced aesthetic value, creating additional flower beds.

Regarding the fence material, due to the heavy winds at the Property, the Applicant elected to install a fence that would allow air flow and provide nearly the same aesthetic value. Solid Vinyl fences, as shown on the approved plans, are easily blown apart on the island where exposed to full blunt winds as is the case here.

Regarding the landscaping, there is more than sufficient landscaping on the Property, specifically four additional flower beds in excess of what is shown on the plans. The Planning Board secretary made the determination that the landscaping was not as extensive as shown on the plans before the landscaping was finished.

Regarding the Base Flood Elevation, the Don Martin Real Estate Building was constructed at elevations in accordance with the approved plan. At the time the plans were drawn and approved, neither the architect nor the building inspector was aware that on a mixed-use building, base flood elevation is rated on the lowest enclosed grade, which is in this case the garage floor. This differs from residential structures which base flood is on the lowest habitable floor.

Regarding the bike rack, the Applicant will place a bike rack on the site. The bike rack will have to be placed in the rear of the Dairy Queen building. As such, the bike rack will likely not be used and potentially cause the loss of a parking space.

A restrictive deed for the Dairy Queen property will be prepared and recorded with the County Clerk's office restricting that no cooking requiring an Ansul system shall be allowed.

Based on the myriad of issues & substantial changes that are expected to the siteplan as discussed with the Board, Applicant & attorney of the Applicant, that all parties decided that more time is necessary to properly submit the requested/required documentation & plans.

Mr. Barnes requested adjournment of the application due to the fact the Applicant was not prepared to continue with the application based on the myriad of issues concerning the construction of the site & how it relates to the Board's prior approval.

The Board Solicitor announced adjournment of the above referenced application by request of the Applicant's attorney/agent. Notice requesting adjournment was received after the Board meeting had started. The request for adjournment also provided for time limit wavier under the NJ Municipal Land Use Law {NJ-MLUL} (NJSA 40:55D-1 et. seq.) & the Ordinance (Chap. 276-1 et. seq.) as announced by the Board Solicitor. The Board Solicitor announced to the public that this application will be adjourned to the October 13, 2021

meeting & no further public notice will be or is required to be provided. With that being said, the application was adjourned.

Board member Board members Mr. Greenland & Chief Stevenson returned to the Board dais at the conclusion of the application.

I) ZONING OFFICER REPORT:

Dan Speigel, Zoning Officer/Construction Official, did not have any items to report to the Board.

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:

The Board Solicitor presented to the Board the approval of July 14, 2021 Meeting minutes. The Board Solicitor called for any discussion or corrections to the minutes. The Board Secretary corrected typos to the Board members presence at last month's meeting. No further discussion to the minutes. Motioned as proposed by Mr. Harkins & 2nd by Chief Stevenson. Based on the affirmative majority roll-call vote of the Board members to memorialize the Meeting Minutes, the Meeting Minutes were approved.

K) UNFINISHED BUSINESS:

Motion against Pileggi v. Zoning Brd of Adjustment, North Wildwood
Filed by Anthony Harvatt, Esq. on city resident
Correspondence from Board Solicitor R. Belasco to Judge Julio Mendez, AJSC
Correspondence only, No formal Board action

The Board Solicitor gave an update on the above court motion. No Board formal action was required.

The Board Solicitor gave an update on the Atlantic City Electric electric meter proposed Ordinance by the City of Wildwood.

L) COMMUNICATION(S): None presented.

The Board Secretary updated the Board members that Ordinance No. 1844 which amended the Land Development Ordinance to permit existing residential properties in the Central Business District (CBD) Zoning District to utilize the adjacent residential zoning district requirements. This Ordinance was adopted on August 3, 2021 by City Council. The Board supported this amendment to City Council by Resolution last month. This information was for Board information only & no formal action was necessary.

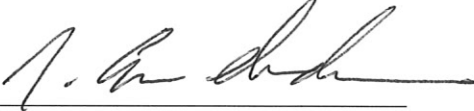
The Board Secretary updated the Board members that Ordinance No. 1837 which amended the Land Development Ordinance to prohibit any type of Cannabis Business in the City of North Wildwood. This Ordinance was adopted on May 18, 2021 by City Council. This information was for Board information only & no formal action was necessary.

M) REPORTS: None presented.

N) MEETING ADJOURNED:

Meeting was adjourned at 10:20pm, on motioned by Chief Stevenson & 2nd by Mr. Greenland. Based on the affirmative roll-call vote of the Board members, the motion to adjourn was approved.

APPROVED: 9/14/21
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.

