

North Wildwood Planning Board
Regular Meeting: February 21, 2024
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 (Cape May County Herald) & 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'	Absent
Vice Chair Jodie Di Eduardo	Absent	Mayor's Designee Mr. Doug Miller	Absent
Chief John Stevenson	Absent	Bill Auty	Absent
John Harkins	Absent	Councilman James Kane	Absent
George Greenland	Present	Bill O'Connell	Present
Ron Peters (Alt. 1)	Present	Sharon Cannon (Alt. 3)	Absent
Valerie DeJoseph (Alt. 2)	Present	Scott McCracken (Alt. 4)	Present

Mr. Robert Belasco (Board Solicitor)	Present
Mr. Ralph Petrella (Board Engineer)	Absent
Jim Verna, City Engineer, representing Mr. Petrella in lieu of 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 professional as it was necessary for tonight's meeting.

F) MOTIONS FOR ADJOURNMENTS: None presented.

G) MEMORIALIZATIONS:

Application No: P-23-10-5 56th Street Rentals, LLC (aka Sandy Shores Motel)

2511 Atlantic Avenue

Block 257; Lot 1

M/C Zoning District

Preliminary & Final siteplan approval & ‘c’ variance relief in order incorporate additional off-street parking at the property

The Board heard & considered the application of 56th Street Rentals, LLC seeks preliminary & final siteplan approval & ‘c’ variance relief in order renovate the existing site/parking lot to incorporate additional off-street parking at the property located at 2511 Atlantic Avenue, North Wildwood, NJ, a/k/a Block 257, Lot 1. The property is located in the Motel/Commercial (M/C) Zoning District. Based on the majority roll-call vote being negative, the approval Resolution was not approved by the Board. The application was denied by the Board.

The Board Solicitor called for a motion to approve the memorialization Board Resolution as discussed. Motioned by Mr. O’Connell & 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 Resolution was approved by the Board. Board members Ms. DeJoseph & Mr. McCracken abstained from the vote.

Application No: Z-17-7-2(A) Kevin McArdle

601 Central Avenue

Block 245; Lot 4

R-1 Zoning District

Minor siteplan approval, a D(1) Use Variance & ‘C’ variance relief in order to add a swimming pool & modification to garage to a duplex residence in the R-1 single-family Zoning District.

The Board heard & considered the application of Kevin McArdle requests a D(2) Use variance as well as various “C” variance(s) relief in relation to minimum distance between a pool and structure (8ft. is required whereas 4ft. is proposed to a garage, 3ft. is proposed to the principal structure, and 1ft. is proposed to a cantilevered 2nd floor deck), and minimum parking space size (9ft. x 18ft. is required whereas 9ft. x 14.7ft. is proposed) in connection with the proposed expansion of a non-conforming use (duplex property in R-1 Single-family Zoning District) in order to install a swimming pool in the rearyard/driveway area & modify/construct a proposed accessory garage to serve the new swimming pool. The property is located in the R-1 single-family Zoning District.

The Board Solicitor called for a motion to approve the memorialization Board Resolution as discussed. Motioned by Mr. Greenland & 2nd by Ms. DeJoseph. 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 Resolution was approved by the Board. Board members Ms. DeJoseph & Mr. McCracken abstained from the vote.

Application No: Z-22-10-1(A) Yarrow

306 Central Avenue

Block 217; Lot 19

R-1 Zoning District

Minor siteplan approval, a D(1) Use Variance & 'C' variance relief in order to expand non-conforming use of duplex residence & variance relief for setback distance between two ((2) principal structures in the R-1 single-family Zoning District.

The Board heard & considered the application of Stephen Yarrow, Diane Yarrow, Geremiah Giampa, & Colleen Glynn (Applicant), seeking a D(2) Use variance pertaining to the expansion of a non-conforming use, & 'C' variance relief in relation to minimum frontyard setback (10ft. is required whereas 8.2ft. is existing & proposed), minimum rear yard setback (10ft. is required whereas 2.1ft. is existing & proposed), minimum side yard setback to the 2.5-story dwelling (8ft. is required whereas 1.4ft. & 25.5ft. are proposed), minimum side yard setback to the 1-story dwelling (8ft. is required whereas 12.2ft. & 4ft. are existing & proposed), and minimum total side yard setback (20ft. is required whereas 17ft. is proposed), in order to construct a 2nd floor rear deck over an existing one-story sloped roof section of the front building & extending said deck beyond the 1-story section to extend to the width of the building.

The Applicant is returning to the Board as the Applicant/Architect discovered the rear deck will not comply with the requirements for Board approved distance between the two (2) structures as originally approved. None of the approved conditions will change as a result of the proposed project. The property is located in the R-1 single-family Zoning District.

The Board Solicitor called for a motion to approve the memorialization Board Resolution as discussed. Motioned by Mr. O'Connell & 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 Resolution was approved by the Board. Board members Ms. DeJoseph & Mr. McCracken abstained from the vote.

Application No: Z-23-11-1 2100 NJ Ave, LLC (aka Bank of America property)

101 W. 21st Avenue & 2100 New Jersey Avenue

Block 168, Lots: 11 & 12

CBD Zoning District

D(1) Use variance in order to permit the development of a single-family dwellings on the proposed 50ft. x 100ft. lots fronting on to New Jersey and 21st & 22nd Ave(s) and major subdivision approval

The Board heard & considered the application of 2100 NJ Ave, LLC (Applicant), owner of the properties located at 101 West 21st & 2100 New Jersey Avenue(s), a/k/a Block 168, Lots 11 & 12 (Property), seeking Major subdivision approval in order to subdivide a 100ft. x 200ft. lot into five (5) 50x100 lots fronting onto New Jersey Avenue & an individual 50ft. x 100ft. lot fronting on to 22nd Avenue in connection with the properties located at 2100 New Jersey Avenue (aka Bank of America bank property). A D(1) Use Variance in order to permit the development of a single-family residential dwellings with swimming pools & separate garages with the exception of the proposed 50ft. x 100ft. lot fronting on 22nd Avenue being reserved for future development. The property is exclusively located in the Central Business District (CBD) Zoning District consisting 25,000 square feet in total.

The Board Solicitor called for a motion to approve the memorialization Board Resolution as discussed. Motioned by Mr. Greenland & 2nd by Ms. DeJoseph. 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 Resolution was approved by the Board. Board members Ms. DeJoseph & Mr. McCracken abstained from the vote.

H) NEW BUSINESS:

Application No.: Z-21-11-2(A) North Shore Bricks, LLC

301 New York Avenue

Block 186, Lot 2

R-2 Zoning District

Amended site plan approval, re-affirming (d)2 Use variance for the expansion of a non-conforming use, & 'c' variance(s). The Planning Board previously approved a substantially similar application in January of 2022. The pending application proposes to expand the previously approved 2nd floor.

The Board heard & considered the application of North Shore Bricks, LLC (Applicant), owner of the property located at 301 New York Avenue, a/k/a Block 186, Lot 2 (Property), seeking amended preliminary & final siteplan approval, a D(2) Use variance for the expansion of a non-conforming use, & 'C' variance relief in relation to minimum sideyard setback (10ft. is required whereas 1.7ft. is existing & proposed), minimum frontyard setback (10ft. is required whereas 0ft. & 1.6ft. are existing & proposed), minimum rearward setback (10ft. is required whereas 1.7ft. is existing & proposed), maximum building coverage (70% is permitted whereas 89% is existing & 86.23% is proposed), maximum lot coverage (80% is permitted whereas 100% is existing & proposed), and off-street parking (28 off-street parking spaces are required whereas 0 are existing & proposed), in order to expand a previously approved 2nd-floor deck to an existing non-conforming restaurant & bar to add 36 additional outdoor seats thereby increasing the total number of 2nd-floor outdoor deck seats to 100. The Property is located in the R-2 Single-family/duplex residential Zoning District.

Mr. Anthony Monzo, Esq. appeared on behalf of the Applicant & outlined the nature of the application & the relief sought in connection with same. Mr. Monzo informed the Board that the Property is currently developed with a bar/restaurant, doing business as the North Shore Bar & Kitchen, which is located at the intersection of 3rd & New York Avenues. Mr. Monzo advised the Board that the Applicant appeared before the Board on January 12, 2022 in connection with a proposal to renovate the existing restaurant/bar & to reconfigure the 2nd-floor in order to construct an outdoor deck containing a total of sixty-four (64) seats.

A total of 130 seats were proposed within the interior of the existing restaurant/bar. In 2022, the Applicant received preliminary & final siteplan approval, a D(2) Use variance for the expansion of a non-conforming use, and multiple bulk variances; many of which were associated with pre-existing non-conforming conditions. The Applicant also received a parking variance in connection with the 2022 approvals as a total of 24 off-street parking spaces were required whereas zero (0) off-street parking spaces existed or were proposed.

Mr. Monzo distributed a copy of Planning Board Resolution Z-2021-11-2 which memorialized the approvals granted to the Applicant during the January 12, 2022 meeting, which was received by the Board & which was marked as Exhibit A-1. Mr. Monzo informed the Board that the only proposed modification to the Applicant's original proposal is to increase the total number of seats on the 2nd-floor deck from 64 to 100. Mr. Monzo advised the Board that during construction the Applicant was required to replace structural steel which allowed the Applicant to increase the total permitted load on the 2nd-floor thereby opening up the possibility of

allowing more patrons on the outside deck. The additional thirty-six (36) seats require an additional four (4) off-street parking spaces.

In response to a question posed by the Board in regards to construction delays, Mr. Monzo indicated that the Applicant experienced issues with the original contractor who was ultimately terminated. A new contractor, RDM Construction Services, was retained to clean up the site & the Applicant is waiting for a decision on the pending application before recommencing construction.

Ryan Fitzpatrick, the principal of North Shore Bricks, LLC, appeared & he was placed under oath to testify before the Board. Mr. Fitzpatrick discussed the history of the Property & the issues that he's experienced during construction. Mr. Fitzpatrick testified that the project has been delayed for months due to the shortcomings of the original contractor which has resulted in significant financial losses. Mr. Fitzpatrick testified that during renovations significant structural issues were identified which necessitated replacing existing steel within the building. Mr. Fitzpatrick further testified that, as a result of installing new steel, it was determined that the 2nd-floor deck could accommodate additional patrons which in turn would offset financial losses. Mr. Fitzpatrick advised the Board that he anticipates that it will take approximately four (4) months to complete the project.

Mr. Gerald Blackman, Jr., A.I.A., P.P., N.C.A.R.B., with OSK Design Partners, P.A., appeared, he was recognized as an expert in the fields of architecture & planning, and he was placed under oath to testify before the Board from the proposed site & architectural plans, dated December 17, 2021 & last revised September 29, 2023, which were received by the Board & which are incorporated herein as fact. Mr. Blackman reviewed the existing & proposed site conditions for the benefit of the Board. Mr. Blackman noted that the surrounding neighborhood consists of residential uses. The existing North Shore Bar & Kitchen is a pre-existing non-conforming use within the R-2 Zoning District. A public parking lot is located at the intersection of New York & 4th Avenues. Mr. Blackman reviewed the approvals that were granted to the Applicant back in January 2022, noting that the only modification to the previously approved plans is the addition of thirty-six (36) seats on the 2nd-floor deck. He indicated that the 1st floor will be renovated consistent with the approvals that were memorialized within Board Resolution Z-2021-11-2. Mr. Blackman testified that the renovated structure will comply with modern construction, fire & flood codes, and the entire site will be ADA accessible. Mr. Blackman advised the Board that the Applicant's proposal necessitates the need for a D(2) Use expansion of a non-conforming Use Variance as the current use is not permitted within the Zoning District. Mr. Blackman reviewed the 'C' variances that are also being requested. He indicated that the requested 'C' variances, with the exception of off-street parking, were previously approved in January of 2022 & same are not being exacerbated in connection with this modified proposal. Currently, there are no off-street parking provided on site. With respect to the required off-street parking variance, Mr. Blackman testified that the site is fully developed & there is no viable location to add off-street parking to the site. He indicated that the only realistic way to add off-street parking would be to demolish & reconstruct the entire structure.

Board Members suggested that the Applicant approach City Council in an effort to pursue the designation of an on-street parking space for use by Uber & Lyft drivers.

Mr. Blackman testified that the majority of the North Shore's patrons arrive by foot or bicycle, and he reiterated that public parking is provided in the surrounding neighborhood to accommodate patrons who travel to the restaurant/bar by car. As a condition of approval, the Applicant will explore installing bike racks along 3rd Avenue outside of the public right-of-way & depict same on revised plans. Mr. Blackman opined that the Applicant is experiencing a hardship due to the existing site layout which presents practical difficulties in complying with the Ordinance & which supports granting the requested variance. Mr. Blackman further opined

that several of the purposes of Zoning, outlined within N.J.S.A. 40:55D-2, are advanced in connection with this application & support the relief sought by the Applicant 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;
- b. Secures safety from fire, flood, panic & other natural & man-made disasters; and
- i. Promotes a desirable visual environment through creative development techniques, good civic design & arrangement.

Mr. Blackman further opined that the application can be granted as there are no substantial detriments to the public good & the application does not substantially impair the intent or purpose of the Zoning Map & Ordinance. Mr. Blackman testified that the Property is particularly suited to accommodate the proposed expansion of the non-conforming use as there is no change to the footprint of the previously approved building, & the need for four additional off-street parking spaces is de minimis considering the site has operated for decades with no parking & there is available public off-street parking available in the neighborhood.

In response to a Board question, Mr. Blackman testified that the area of the 2nd-floor deck that's intended to be utilized to accommodate additional patrons was originally planned to be a flat roof. The additional 2nd-floor seating is proposed to be located in the middle third of the structure adjacent to New York Avenue. Board Members raised concerns in regards to the increase in seating & the fact that same exacerbates a parking situation wherein no off-street parking spaces are provided on site. Board Members raised concerns in regards to noise emanating from the 2nd-floor deck & the impact on the surrounding neighborhood. Mr. Fitzpatrick testified that he intends to call last call by 9:30pm, and he indicated that, as represented at the last hearing, he intends to close down the 2nd-floor deck by 10pm. Mr. Fitzpatrick further testified that there will be no amplified music played on the 2nd-floor deck, and any music that is played would cease by 10pm.

The Board was in receipt of a review memorandum prepared by Board Engineer Ralph Petrella, dated January 31, 2024, which was received by the Board & which is incorporated herein as fact. James Verna, III, City Engineer, appearing for Mr. Petrella who was absent for tonight's meeting, reviewed & confirmed the relief sought by the Applicant for the benefit of the Board.

Chairman Davis then opened the application for general public comment. Two (2) members of the public addressed the Board in connection with this application, namely:

- a. Edward Heuser, owner of the property located at 211 West 4th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Heuser advised the Board that parking is already a problem in the neighborhood & he has no concerns about the Applicant's proposal & a deficiency of four (4) additional parking spaces.
- b. Jioacchiono Mattera, owner of the property located at 135 West 4th Avenue, appeared & he was placed under oath to testify before the Board. Mr. Mattera advised the Board that he has concerns about the lack of off-street parking. He indicated that the addition of 36 outside seats amounts to an overdevelopment of the site. He expressed additional concerns about noise impacting adjacent residential properties.

With no additional members of the public spoke out in favor or against the application, Chairman Davis closed the public portion of the application.

In response to questions & concerns raised by the public & the Board, the Applicant agreed, as a condition of approval, that an eight (8)-foot wall will be installed along the south & east sides of the 2nd-floor deck to act as a buffer to neighboring properties.

The Board members then discussed & summarized the application as presented. The Board then discussed the finding of facts on the variance approval. Each Board member gave reasoning for their view of the facts & the application as it relates to the application. Mr. O'Connell "volunteered" for the finding of facts. Mr. O'Connell reiterated to the address and Block & Lot of the property as stated in the application. The property is located in the R-2 Zoning District, as a pre-existing non-conforming restaurant & bar. The Property is currently developed with a 1.5-story restaurant/bar in various stages of construction. The existing bar/restaurant is not a permitted use in the R-2 Zoning District. The Applicant received approvals in January of 2022 to renovate the existing bar/restaurant. The renovations included the construction of a 64-seat 2nd-floor deck. The Applicant is now before the Board seeking to amend the prior approvals to increase the number of 2nd-floor seats from 64 to 100 seats. In light of the fact that restaurants/bars are not permitted uses within the R-2 Zoning District, a D(2) expansion of a non-conforming Use variance is required in connection with this Application. The Board is in receipt of a proposed siteplan & architectural plans, dated December 17, 2021 & last revised September 29, 2023. Said plans were prepared by Gerald Blackman, Jr., A.I.A., P.P., N.C.A.R.B., with OSK Design Partners, P.A. Mr. Blackman reviewed the existing & proposed floor plans & architectural elevations for the benefit of the Board. He reviewed the proposed renovations associated with this project & he highlighted the materials that the Applicant intends to use during construction. Mr. Blackman indicated that during the reconstruction of the building, structural issues were identified which required that steel be replaced throughout the structure. These structural improvements increased the load that the 2nd-floor deck could accommodate allowing for thirty-six (36) additional seats on the 2nd-floor. He identified the variance sought in connection with this Application and he addressed the positive & negative criteria which supports the relief sought by the Applicant. Mr. Blackman identified several of the purposes of Zoning that are advanced in connection with this Application. The Board received testimony from Ryan Fitzpatrick, the Applicant & owner Property. Mr. Fitzpatrick reviewed the history of the Property & he provided the Board with an overview of his vision for the site. Mr. Fitzpatrick discussed issues he has experienced during construction which have delayed the project & which have resulted in financial losses. The Board found Mr. Blackman & Mr. Fitzgerald's testimony to be credible & persuasive. Two (2) members of the public spoke in favor of the application. The Applicant must comply with any & all conditions of approvals imposed within Resolution Z-21-11-2 & during this hearing. With respect to the requested D(2) Use variance, the Board finds that the Applicant has presented special reasons which advance the purposes of Zoning & which justify the granting of the requested variances. Moreover, the Board determined that the Property can accommodate the expansion of the existing non-conforming use as the Applicant is proposing to reduce the noise potential by building a wall shielding neighboring properties to the south & east. The Board finds that the expansion is simply tied to the Applicant's proposed renovations & the intention to maintain two (2) principal structures on site. Two (2) persons provided public comment was received, in the positive nature, while justifying the lack of parking is a historical problem. The Board finds that the Applicant has presented valid reasons which advance the purposes of Zoning which justify the granting of the aforementioned approval. In addition, the Board finds that the fact that the Property meets all requirements which provides additional justification for granting the Use/"C" variance/siteplan approval. The Board found that the Applicant did establish that granting the siteplan & variance approval would advance the purposes of Zoning, to the public good, to the City's municipal Land Use Ordinances & to the City's Zoning Map. The Board finds that the Applicant has satisfied the requirements for Use variance/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 Board Resolution as discussed. Motioned by Mr. O'Connell & 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 Resolution was approved by the Board. Chairman Davis voted no on the application.

I) ZONING OFFICER REPORT:

Dan Spiegel, Zoning Officer/Construction Official, gave a brief update of the organization/status of the Construction/Planning & Zoning Office. Mr. Spiegel mention all staff are cross-trained with displaces of Planning & Zoning, Construction, Tax Assessor & Fire Prevention. All staff assist in each other to complete duties of the office & assist City residents in their inquiries & questions. Mr. Spiegel announced that current City Construction Office staff/Tax Assessor assistant Joe Balbore obtained Fire Inspector certification to do fire inspections as well as will be assisting with Zoning inspections/enforcement issues. He is now taking classes in Zoning. Mr. Spiegel mention there are a lot of zoning “issues” occurring in the City.

Mr. Spiegel mention the combined team of Eric Gundrum & Joe Balbore conducts zoning reviews of all Construction Permit applications as well as potential city residents applying to the Planning board for approval. It takes a multi-faceted team in some cases to decipher the applications. Additionally, the Board Solicitor as well as the Board Engineer are consulted in some more difficult cases.

Mr. Spiegel also mentioned the case of a motel property offering the rent/sale of Low-Speed Vehicles (LSV) contrary to previous Planning Board approval & Land Development Ordinance requirements. The application for mercantile license was denied, whereas the Applicant attempted to circumvent the approvals by still renting the LSV’s against City law & requirements. The LSV’s are supposed to be remove, subject to a Judge’s decision on summons eventually issued by the Zoning Officer. Mr. Spiegel emphasized that the team is working well in deciphering applications. The office is extremely busy as construction is mushrooming in the city.

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.

K) APPROVAL OF MINUTES:

The Board Solicitor presented to the Board the approval the January 10, 2024 Board Re-Organization Meeting Minutes. The Board Solicitor called for any discussion or corrections to the minutes. No further discussion or corrections proposed. Motioned as proposed by Ms. DeJoseph & 2nd by Mr. O’Connell. Based on the affirmative majority roll-call vote of the Board members to memorialize the Meeting Minutes. Board members Mr. McCracken & Ms. DeJoseph abstained from the vote.

L) UNFINISHED BUSINESS: Marina Bay Towers

The Board Solicitor reported on last month’s meeting request on the status of Marina Bay Towers affordable housing/development plans. The Board Solicitor reported he had a telephone conversation with the Court’s Special Master Mark Gibson who reported not much has occurred since last report. Not much to update or development has occurred. A separate foreclosure/re-structure order/court matter was recently extended for one-year by the Judge Blee who is overseeing all court matters as it relates to Marina Bay Towers. With this extension granted, the Marina Bay Towers has another year to restructure its finances for the development &

overall development plan of the site. Mr. Gibson expressed & relayed his frustration of the delays. There is a general lack of communication with the Applicant/Developer of Marina Bay Tower. The Applicant/Developer has expressed a desire to reformulate his overall development plans in a conceptual nature. Mr. Gibson has requested a revised schedule for the development plan, but has not received anything as of yet. The Applicant/Developer is soliciting additional investors/partners at this time. The Applicant/Developer has provided documentation in court-related matters on a timely basis as per Mr. Gibson. While the foreclosure court case is the “lynch-pin” in the whole matter, with extension granted, the Applicant/Developer has been granted another year to come up with the plan to be implemented.

Chairman Davis requested the Board Solicitor to stay alert/monitor the matter.

Mr. Greenland mentioned the aspect of construction in Wildwood City along Pacific Avenue. He mentioned the side of buildings are blank walls, while fronts of the building are on side streets. Several Board Solicitor & Board members expressed a different opinion on the future building plans. The Board Solicitor mentioned one development along Pacific Avenue development on the old Shamrock Bar location has very articulate building details along Pacific Avenue.

Board member Chief Stevenson related a Cape May County Prosecutor case with condo/motel bookings at Champagne Island location. Chairman Davis related his concern about motel/condo conversions.

Board member asked the status of the North Shore Bar/restaurant location on 3rd & New York Avenue(s). The Board Solicitor mentioned that the case between owner & former contractor is in filed lawsuit which is public knowledge. Chairman Davis also related his concern of the status of current state of the building appearance, pending resolution of the lawsuit of the property. A new contractor has been hired to complete the construction. Zoning Officer Speigel gave a quite update on the status based on new contractor status/on-site.

M) COMMUNICATION(S):

The Board Solicitor announced NJ proposed legislation concern accessory dwelling on lots occupied by single-family homes. Proposed legislation would allow this type of use without Planning Board approval. Legislation is in draft form subject to committee action and further amendment. The Boad Solicitor will update on the legislation as its progress commences.

The Board Solicitor announced that Administration wishes to amend the Motel/Commercial (M/C) Zoning District to prohibit duplexes in the within the district. Mr. Belasco will draft ordinance as such, and will submit same for comments before the Board ratifies any amendment to the Ordinance.

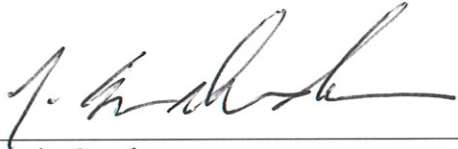
The Board Solicitor notified the Board that Marina Bay Towers/Affordable housing provisions may be in jeopardy due to the fact Marina Bay Towers did not meet their obligation per the Planning Board approval. It appears the Applicant wishes to re-amend its approval of the application. Marina Bay Tower may have defaulted on its obligation as part of the responsibilities of various court cases with the City.

N) REPORTS: None presented

O) MEETING ADJOURNED:

Meeting was adjourned at 8:42pm, on motioned by Ms. DeJoseph & 2nd by Vice Chair DiEduardo. Based on the affirmative roll-call vote of the Board members, the motion to adjourn was approved.

APPROVED: 3/18/24
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.