

Planning/Zoning Board of Adjustment Meeting

July 1, 2013

4400 New Jersey Avenue

Wildwood, NJ 08260

The meeting of the Wildwood Planning/Zoning Board of Adjustment was called to order on July 1, 2013, by Chairman Porch at 6:00 PM at Wildwood City Hall, 4400 New Jersey Avenue, Wildwood, NJ.

Chairman Porch led the Pledge of Allegiance.

Chairman Porch read the Open Public Meetings Act.

Roll Call:

Present: Timothy Blute, Daniel Dunn, Dorothy Gannon, Elizabeth Hargett, Jason Hesley, Todd Kieninger and Michael Porch.

Absent: Carol Bannon, Anthony Leonetti, Mark Richardson and Denise Magilton.

Also present: Mr. Raymond Roberts, Mr. William Kaufmann and Ms. Elaine Flounders.

New Business:

Tricia Varallo- Application #05-13Z

Applicant seeks C Variance and Side Yard Setback.

The Applicant was sworn in prior to testimony. As six Board Members were present, the Applicant was given the opportunity to reschedule August 5, 2013. The Applicants stated they would like to proceed.

Mr. Varallo testified he purchased 316 and 318 West Youngs Avenue. He wishes to demolish both existing properties and construct two single family homes. He explained he would like to offer for sale homes that are compatible with other homes on the market and would like to build an extra foot on either side of the home.

Todd Kieninger asked about fire hazard to neighboring properties. Daniel Dunn stated the main concern for firefighters would be access for ladders and apparatus. Discussion ensued. Mr. Varallo explained fire rated doors and windows would be installed.

Mr. Roberts asked the applicant how high the new building would be and explained two parking spots are required. Mr. Varallo answered parking for two cars will be on the first level.

Mr. Varallo also testified the building will be under 35'. Mr. Roberts stated it must be 33 ½ feet as part of his approval. Mr. Roberts stated the height must be verified and the property must be developed according to the submitted plans.

Mr. Edward Augsberger spoke in favor of Mr. Varallo's plans stating most buyers prefer single family homes as opposed to condominiums and the new homes will beautify the area.

Mr. Kaufmann asked for a Motion to grant Preliminary and Final Approval.

Motion- Daniel Dunn

Second- Dorothy Gannon

Roll Call- Unanimously Approved

Bernadino Varallo- Application #06-13Z

Applicant seeks C Variance and Side Yard Setback.

Due to the uniformity to Application #05-13Z, all areas of concern were discussed on the prior Application.

Chairman Porch asked for a Motion to grant Preliminary and Final Approval

Motion- Timothy Blute

Second- Dorothy Gannon

Roll Call- Unanimously Approved

Bernadino Varallo- Application # 07-13Z

Applicant seeks Waiver Relief.

Applicant wishes to install a 13 X 30 in ground pool with a 7 foot Windjammer fence. The Applicant passed out brochures of proposed fence, 6 foot with lattice top.

The Applicant explained the pool will be concrete with a liner and a 3 X 6 cartridge filter and built above flood level. Mr. Roberts asked if there would be an outside shower and if the pool would be heated. Applicant answered no. Mr. Roberts asked for submission of plans with sight triangle, gates and pump house. Applicant meets requirements as 70 % lot coverage is allowed, the Applicant has proposed 68%.

Motion- Daniel Dunn

Second- Todd Kieninger

Roll Call- Unanimously Approved

Old Business- Ordinance #971-13 Amendment

After discussion, the Board found #971-13 Amendment to be in compliance with the Wildwood City Master Plan.

Motion- Daniel Dunn

Second- Jason Hesley

Roll Call- Unanimously Approved

Stephanie Bennett- Application #14-11P

Applicant seeks Performance Bond Waiver.

Applicant was sworn in. Ms. Bennett testified her plans were approved to construct a miniature golf course. Work has begun and she is now required to post a Performance Bond in the amount of \$109,000.00. She stated she is unable to acquire the Bond and will have to abandon the project. Mr. Roberts spoke about the cost of construction estimate and explained the purpose of the Performance Bond being in place.

Applicant plans to open for business on July 31, 2013. Discussion ensued. Mr. Kaufmann stated it is within the rights of the Board to waive the Performance Bond due to hardship. The Applicant is still required to post a Maintenance Bond when construction is complete and is to be based on the original Performance Bond.

Motion- Timothy Blute

Second- Todd Kieninger

Roll Call- Unanimously Approved.

Old Business:

William Shoffler, Sr- Application #04-13

Applicant seeks D1 Use Variance and Waiver.

Applicant is proposing a 40x48 ship store, 38 boat slips and 45 parking spaces.

Jeffrey Barnes, Attorney for the Applicant, William Kaufmann and Jason Hesley discussed an Ordinance vacating right of way.

Mr. Kemp, a semi-retired land surveyor was sworn in. Mr. Kemp showed plans from January 2006 with proposed street vacations. Mr. Kemp stated he had prepared plans for the City Council for future development and prepared legal descriptions prior to vacation of the streets. He stated in September 2006, a Resolution was passed with approval on condition the right of way had been vacated. Jason Hesley asked for a Deed of Consolidation.

Mr. Barnes, Mr. Shoffler and Mr. McVey of MV Associates were sworn in.

Mr. McVey, Engineer for the Applicant, showed colored renderings of the proposed site and parking lot. He stated it is in the R2 Zone. He explained the new ship store will have 3 handicap parking spaces with a chair lift to be constructed 2 feet above flood level and built on timber piles. The Applicant is proposing a height of 39.9', the City Ordinance allows 35'. Applicant states he will conform and abandon his request for Variance. The parking lot will be stone with landscape along the front of the lot. There are to be no fuel pumps or water or sewer service. The north side is to be grass with a 6 foot fence. Proposed are four 15 foot lights directed e water and set on timers or sensors toward the water and set on timers or sensors.

Chairman Porch expressed his concern about minimizing the impact on the Condominium owners. He stated he feels there should be more of a buffer between the parking lot and the Condominiums.

Jason Hesley asked if the parking lot lights are noisy. Mr. McVey stated they do make a humming noise from time to time. Mr. Barnes asked about reducing the height to reduce the glare. Mr. Roberts said lowering the height will lower the foot candles. Mr. Shoffler stated adjustments can be made and he will conform. He will also be using LED lights designed for parking lots.

Barbara Allen, Certified Land Use Planner gave testimony. She stated she had evaluated the project and, based upon her expertise in the field, feels the Application is consistent with the Wildwood City Master Plan.

Mr. Roberts stated the Applicant has addressed the height issue and has a surplus of two parking spaces. The parking spaces are to be lined with reflectors along the interior parking lot.

Applicant is to submit revised plans and a copy of the CAFRA permit to Engineer Raymond Roberts.

Bob Hesser of 4603 Niagara Avenue spoke in favor of the Marina but had concerns about parking outside of the parking lot.

Chairman Porch asked for a Motion to Approve Preliminary and Final Approval.

Motion – Todd Kieninger

Second- Elizabeth Hargett

Roll Call- Unanimously Approved

Seeing no further business, Chairman Porch asked for a Motion to adjourn.

Motion- Todd Kieninger

Second- Timothy Blute

Meeting adjourned at 9:45 PM

The preceding minutes are a summary of events that occurred during this meeting on the above mentioned date in compliance with New Jersey State Statute 40:55D, 2-7-6. These minutes are not nor are they intended or represented to be a verbatim transcription taken at the meeting or from an audio tape of the meeting. Minutes may not reflect the order in which items were discussed.
