

CORRESPONDENCE:

Handouts:

List of Acting Board Engineer voucher dated March 17, 2017.

List of Board Solicitor vouchers dated March 28, 2017.

List of Board Engineer vouchers dated April 6, 2017.

The New Jersey Planner: January/February 2017, Vol. 78, No. 1.

Chairman Hanson read the agenda for the benefit of the public.

Mr. Brand made a motion to approve the March 2, 2017 minutes. The motion was seconded by Mr. Kennedy. Motion carried.

Mr. Sweeten made a motion to approve Board Solicitor vouchers. The motion was seconded by Mr. Brand. Motion carried.

Mr. Brand made a motion to approve Acting Board Engineer voucher. The motion was seconded by Mr. Kennedy. Motion carried.

Mr. Sweeten made a motion to approve Board Engineer vouchers. The motion was seconded by Mr. Brand. Motion carried.

Mr. Kennedy made a motion to approve the resolutions from the March 2, 2017 meeting. The motion was seconded by Mr. Brand. Motion carried.

3. Extension of use variance & preliminary subdivision, submitted by Carol Murray-Negron & B. Craig Bretz Living Trust for the location known as Block 410.01, Lots 82 & 84, Fulling Mill Road.

Mr. Frank Corrado, Esq., represented the applicants.

Mr. Corrado explained to the Board in 2008 a use variance was approved to allow residential. In 2009 preliminary subdivision approval was granted. He explained the Permit Extension Act has extended the approval several times. He explained in 2012 an extension was granted by the Board, but this was also extended through the Permit Extension Act. He explained there have been no more Permit Extension Acts granted by the State and the expiration for approval is June 30, 2017. He explained his clients are seeking a one year extension to expire June 30, 2018.

There was a discussion about granting a two-year extension to expire June 30, 2019.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Brand made a motion to approve a two-year extension to expire June 30, 2019. The motion was seconded by Mr. DiStefano.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

1. Use & hardship variance and minor subdivision applications for the creation of three (3) newly described lots. Use variance to allow residential use in a GB-II zone. Hardship variances needed for lot area, frontage & width, submitted by Maurice DiFelice for the location known as Block 137, Lots 10 & 25-29, 1201 Bayshore Road.

Mr. Christopher Gillin-Schwartz, Esq., represented the applicant.

Mr. Gillin-Schwartz explained to the Board that with only six Board Members present, they would like to continue the application until next month agreeing to waive time constraints and requiring no new notice.

Chairman Hanson made an announcement the application would be continued until the May 4, 2017 and no new notice would be required.

2. Use & hardship variance and minor site plan applications to expand the structure vertically. The existing marina and marina business would remain and the vertical expansion would be for the existing residential use. Use variance needed for height and two uses (residential & commercial). Hardship variances needed for front yard setback and curb cut size, submitted by Bikini Bottom, LLC for the location known as Block 813, Lot 7, 817 Shawcrest Road.

Mr. Ronald Gelzunas, Esq., represented the applicant.

Mr. Gelzunas explained there used to be a couple of gas pumps on the property that were removed. He explained there used to be gas tanks that were removed. He explained what his client would like is to have a house with garage below and 15 boat slips.

Mr. Andrew Bechtold, Licensed Architect, Mr. Mike Sklencar, owner and Ms. Brittany Sklencar, owners daughter, were sworn in by Chairman Hanson.

Mr. Bechtold explained they would like to construct a four-bedroom house. He explained the Martinelli survey shows the condition of the property pre-Sandy, showing the docks.

Submitted into evidence as A-1 was an aerial photo of Shawcrest, the Martinelli survey and a photo of tanks. Submitted into evidence as A-2 were elevations of the proposed.

Mr. Bechtold reviewed the elevations with the Board. He explained the house will be raised for flooding purposes and for better views. He explained the structure would be expanded four feet on each side. He explained the cupola was added for aesthetic purposes. He explained it is 38' to the roof line and the cupola is 6' above the roof line. He explained single family dwellings have a height limit of 35', but for other permitted uses the allowable height is 65'.

Mr. Galestok asked if this would be a single family dwelling? Mr. Gelzunas explained it was a single family dwelling. Mr. Galestok explained a cupola is for commercial uses only.

Mr. Galestok asked if the existing structure would be torn down? Mr. Bechtold explained it would be torn down. Mr. Galestok explained Chapter 107 allows a property owner to repair or raise a structure three feet in the same footprint that would exceed the allowed height, not for a tear down and rebuild. It was asked if the height is measured from the base flood elevation? Mr. Galestok explained the height is measured from ground, not base flood elevation. Mr. Bechtold explained the existing grade is at six feet.

Mr. Bechtold explained they have provided parking spaces, but 90% of the applicant's clients for boat slips are within the Shawcrest area. He explained they would walk, ride a bike or use their golf carts to get to the site. He explained they are providing seven parking spaces and two golf cart spaces. He explained they feel what is provided is more than sufficient. He explained if landscaping is required, they would like to keep it low so views are not obstructed. He explained they would add the boat slips to the plan. He explained they are not proposing any lighting and feel lighting is not needed. He explained run-off would be directed to the bay or the

street. He explained the property is in the AE9 flood zone and that would be added to the plan. He explained what is proposed is aesthetically pleasing, it's a betterment to the area, advances the zone and zone plan, they are preserving light, air and open space and there is no detriment to the public or public good.

Mr. Carr summarized Engineer's comments dated March 30, 2017.

Mr. Sklencar explained the garage would primarily be winter storage for jet skis and john boats.

Mr. Bechtold explained a lateral expansion is allowed under CAFRA. He explained if they add an ADA parking space, they would lose one parking space. Mr. Carr explained this is a requirement that cannot be waived by the Board.

Mr. Galestok read Bureau of Fire Safety comments dated March 3, 2017.

The Board explained there is no other proposed storage on the property except the garage. They explained the two parking spaces in the garage would be useless with other things being stored in there. It was also stated with 15 boat slips no bathroom facilities are provided. Mr. Carr explained there are no Zoning Codes for bathroom requirements. The Board explained there's no indication of a trash enclosure on the plan. Mr. Gelzunas explained they could provide a trash enclosure. There was a discussion that there will be some repair work done on this site. Mr. Sklencar explained he is not hiring any mechanics and the garage would be used for storage only. Mr. Sklencar agreed to a condition that there will be no repair services on site.

Mr. Bechtold explained even if the owners do not park inside, there is still the two outside parking spaces in front of the garage door and the other parking spaces and the two golf cart parking spaces.

It was asked if the applicant would be using any of the boat slips for himself? Mr. Sklencar explained they will be using three or four of the slips.

Mr. Bechtold explained they can add a vinyl trash enclosure along side the house.

The Board explained that lighting is needed even if it is on the docks themselves. Mr. Sklencar agreed to add lights on the docks.

Mr. Bechtold explained even if the parking spaces inside are not used, they still have the required number of parking spaces. He explained he would work it out so there is an ADA parking spot and no loss of a parking space.

There was a discussion about bathrooms. Mr. Harvatt explained the site is existing without bath facilities. He explained they can do this. Mr. Gelzunas explained they are reducing the marina operation by removing the tanks and pumps.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Gelzunas explained they are making the site better. He explained there is an existing marina without any parking. He explained they are creating on-site parking. He explained they are preserving open space on the lot and not taking out a lot of ground area.

Mr. Carr explained that he recommends the trash area have screening. Mr. Bechtold explained they will use vinyl fencing.

Mr. Kennedy made a motion to conditionally approve the use variance for the two uses on site. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

Mr. Kennedy made a motion to conditionally approve the use variance for the height of the house. The motion was seconded by Mr. DiStefano.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

Mr. Kennedy made a motion to conditionally the minor site plan and hardship variances applications. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Brand	NO	Mr. DiStefano	NO
	Mr. Utsch	NO	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion denied.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

- 6. Revised final site plan application to amend the previous approval, create a phased plan and construct an overhang in lieu of the building addition, submitted by David & Donna Burkhardt for the location known as Block 496.01, Lot 11.04, 252 Fishing Creek Road.

Mr. David Burkhardt, applicant, and Mr. Vincent Orlando, PE, were sworn in by Chairman Hanson.

Marked into evidence was a colorized rendering of the site plan.

Mr. Orlando explained this site had previously received approval to expand the site. He explained they would like to phase the plan. He explained they would also like to revise the previous approval and instead of constructing an addition, just construct a roofed area.

Mr. Carr summarized Engineer's comments dated March 30, 2017.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Brand made a motion to conditionally approve this application. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

- 7. Use variance & minor site plan application for a 10 x 18 detached walk-in cooler for the brewery, submitted by HCSV Foundation for the location known as Block 505, Lot 13.02, 733 Seashore Road.

Mr. Stephen Banks, Esq., represented the applicant.

Mrs. Patricia Salvatore, Ms. Clair Juechetur, and Mr. Lewis Conley, Jr., PP, were sworn in by Chairman Hanson.

Mr. Banks explained they are proposing to expand a non-conforming use in the zone. He explained that they are proposing a 10 x 18 x 8 cooler to store beer that is made on site. He explained the cooler would have the same pine siding as the brewery.

Mr. Conley explained the cooler is an inherently beneficial use. He explained the village

has been in operation for 40 years. He explained there is no impact to the zone or zone plan. He explained there is no impact to traffic or parking. He explained the cooler would be clad with timber and will fit into the village.

Mr. Carr summarized Engineer's comments dated March 31, 2017.

Mr. Conley explained because of the size of the property, they are asking for a waiver from providing a full survey.

Mr. Galestok read Bureau of Fire Safety comments dated March 23, 2017 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated April 5, 2017 in which they approved this application.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Kennedy made a motion to conditionally approve the use variance application. The motion was seconded by Mr. Brand.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

Mr. Brand made a motion to conditionally approve the minor site plan application. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

8. Hardship variance application to construct a single family dwelling on a lot deficient in lot area & depth, submitted by Fabio Pawlus for the location known as Block 86, Lots 5-7, Hudson Avenue.

Mr. Fabio Pawlus, applicant, and Mr. William Sweeney, Licensed Land Surveyor, were sworn in by Chairman Hanson.

Mr. Sweeney explained there is an existing shed on the property that would be removed. He explained Mr. Pawlus would like to construct a single family dwelling on a lot deficient in lot area and lot depth. He explained that just about every lot in the area is undersized.

Mr. Pawlus explained the proposed new house would meet all the setbacks and coverage requirements and would not be out of character for the neighborhood.

The Board asked if there was adjoining vacant property available? Mr. Pawlus explained there was not.

This portion of the hearing was opened to the public. There were no public comments. This portion of the hearing was closed to the public.

Mr. Brand made a motion to conditionally approve the application. The motion was seconded by Mr. Sweeten.

VOTE:	Mr. Brand	YES	Mr. DiStefano	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Kennedy	YES	Chairman Hanson	YES

Motion carried.

A memorializing resolution will be prepared by the Board Solicitor for the Board to review and approve at the next scheduled meeting.

Mr. Utsch made a motion to adjourn at 8:30 P.M. The motion was seconded by Mr. Sweeten. Motion carried.

Respectfully submitted,

Lisa A. Schubert,
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.