



## CORRESPONDENCE:

### Handouts:

List of Board Engineer vouchers dated July 2, 2020.

List of Board Solicitor vouchers dated July 2, 2020.

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

Mr. Brand made a motion to approve the minutes from the June 4, 2020 meeting. The motion was seconded by Mr. Sweeten. Motion carried.

Mr. Kennedy made a motion to approve the Board Engineer vouchers. The motion was seconded by Mr. Brand. 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 the resolutions from the June 4, 2020 meeting. The motion was seconded by Mr. Kennedy. Motion carried.

4. Hardship variance application to construct a single family dwelling on a lot deficient in lot area, frontage, width, depth and encroaching into the front & side yard setbacks and exceeding allowed building coverage, submitted by Bernard Dera for the location known as Block 497.08, Lot 3, 26 Trotter Way.

Mr. Bernard Dera, applicant, was sworn in by Chairman Hanson.

Mr. Dera explained he is seeking a hardship variance to construct a single family dwelling on an undersized lot. He explained he would like to construct a 26 x 60, 1,560 square foot single family dwelling that would be 40' from the front property line, with side yard setbacks or 20' and 28'. He explained he has septic approval for this lot. He explained there are similar size houses and lots in the area. He explained this subdivision was called Breakwater Village and was approved for different setbacks, but he was unable to find the paperwork.

The Board asked if the houses were deed restricted for size? Mr. Dera explained he couldn't find anything for this subdivision.

Mr. Dera explained there was no vacant land available.

The Board asked if he was the contract purchaser or if he owned the lot. Mr. Dera explained he was the contract purchaser, but with Covid and with the delay of coming before the Board, he has since purchased the property.

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 this application. The motion was seconded by Mr. Brand.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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 13.8' x 13.8' rear addition encroaching into the rear yard setback, submitted by Russell & Virginia Brierly for the location known as Block 230, Lot 21, 220 Cardinal Avenue.

Mr. Russell Brierly, applicant, was sworn in by Chairman Hanson.

Mr. Brierly explained to the Board he currently has a 2-story house with all the bedrooms upstairs. He explained because of health reasons, he and his wife would like to construct a 13 x 13 addition to the rear of the house. He explained there is an existing deck and the addition would partially cover the deck. He explained they are requesting a rear yard setback variance.

The Board asked what the side yard setback would be? Mr. Brierly explained it would be approximately 6'.

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. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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.

3. Use & hardship variances and preliminary & final site plan applications to construct six (6) townhouse units - three (3) buildings with two (2) units each. Hardship variances needed for lot area, distance between buildings and encroaching into the front yard setback, submitted by Island West Development, LLC for the location known as Block 697, Lots 3-7, 9510 Pacific Avenue.

Ms. Doreen Corino, Esq., represented the applicant.

Mr. Joe Maffei, PE, PP, was sworn in by Chairman Hanson.

Ms. Corino reviewed the exhibits.

Mr. Maffei explained they are proposing to demolish the existing restaurant and construct three buildings with two units in each building. He explained the plan has been revised to include 14' separation between the buildings. He explained one building will face Richmond Avenue and the other two face Pacific Avenue. He explained they are proposing 10' side yard setbacks and 20' front yard setback. He explained what is proposed is aesthetically better with multiple buildings than one building. He explained they are acceptable to the Board Engineer comments.

Mr. MacPherson summarized Engineer comments dated June 1, 2020.

Mr. Brian Newswanger, Licensed Architect, was sworn in by Chairman Hanson.

Mr. Newswanger explained they could change the trestles and decks to vary the appearances of the buildings.

Mr. MacPherson asked if the stormwater area would be maintained by a homeowner's association? Ms. Corino explained they haven't determined yet if there would be a homeowner's association.

The Board asked if there would be municipal trash pick-up or private? Mr. Corino explained she believes it would be municipal pick-up.

Mr. Galestok read Bureau of Fire Safety comments dated March 18, 2020 in which they found this application acceptable.

Mr. Galestok read Cape May County Planning Board comments dated March 12, 2020.

This portion of the hearing was opened to the public.

Mr. Michael Giuda was sworn in by Chairman Hanson.

Mr. Giuda asked how many units there would be with the three buildings? Mr. Maffei explained there would be two units per building.

Mr. Giuda explained he lives next door to this property and there is a problem with the stormwater. He explained the existing runs off to the street and pools in front of his property.

Mr. Giuda explained he is in favor of what is proposed.

Mr. Maffei explained the drainage would be moved. He explained the property itself will have better drainage with the removal of the existing paving and they will have green areas.

Mr. Giuda asked how many parking spaces per unit there would be? Mr. Maffei explained there would be three. He explained there would be two inside and one outside the unit.

Mr. Giuda asked if it would be possible to have Richmond Avenue made one-way? Mr. Harvatt explained to Mr. Giuda this Board doesn't have jurisdiction to do this. He explained he would have to approach Township Council for this.

Mr. Giuda asked when construction would begin? Mr. Corino explained she doesn't know when it would begin.

Mr. Giuda asked what the setback to his property would be? Mr. Maffei explained there would be a 10' side yard setback and 14' between the proposed buildings.

This portion of the hearing was closed to the public.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	YES
	Chairman Hanson	YES		

Motion carried.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Brand made a motion to conditionally approve the preliminary & final site plan applications. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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.

6. Use variance & preliminary & final subdivision applications for the creation of four (4) newly described lots. Use variance to allow residential in a General Business zone, submitted by Mark Platzer for the location known as Block 820, Lot 2.05, 8100 Bayview Drive.

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

Mr. Corrado explained they are before the Board seeking approval for a four-lot subdivision. He explained they were before the Board previously for a six-lot subdivision which they were approved for. He explained the six-lot subdivision had a road proposed. He explained the proposal before the Board tonight does not have a road and all lots would have access to Bayview Drive.

Mr. Vince Orlando, PE, and Mr. Mark Platzer, applicant, were sworn in by Chairman Hanson.

Mr. Orlando explained the approval for the six-lot subdivision was granted September 2018. He explained they went to DEP for approval and through negotiations they eliminated the road and now have four lots. He explained they do have a CAFRA permit for four residential lots. He explained there would be one driveway access on for proposed Lots 3 & 4 and one

driveway access for proposed Lots 1 & 2. He explained there would be a driveway access easement on Lot 2 for Lot 1. He explained this property does not have frontage on the street. He explained Wildwood Crest owns the strip of land in front of this property, but they have an easement from them. He explained the lots are approximately 16,000 to 29,000 square feet in lot area. He explained what is proposed is keeping in line with the previous application. He explained the area is developed with residential uses, so what is proposed would be consistent with the area. He explained there would be no homeowner's association. The lots would be owned fee simple. He explained what is proposed would have no negative impact to the area. He explained they have no exceptions to the Board Engineer comments.

Mr. Orlando explained residential is a suited use for this property. He explained three parking spaces are provided per lot. He explained the footprint shown on the plan is the maximum. He explained there is adequate access for emergency vehicles.

Mr. Galestok explained they do not have Bureau of Fire Safety comments, but there is proof of submission.

Mr. MacPherson summarized Engineer's comments dated June 29, 2020.

Mr. Corrado explained they are asking the Board to apply the R-4 standards to this property with regards to swimming pools. Mr. Galestok explained he agrees with this.

Mr. Galestok explained this is the type of development that is beneficial to the area. He explained the zoning is General Business and there are a lot of uses that could be at this location that would be very disruptive to the area.

Mr. Orlando explained public water is available.

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. Corrado explained what is proposed is consistent with the neighborhood.

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

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Kennedy made a motion to conditionally approve a permit where a lot does not abut a

Township street. The motion was seconded by Mr. Brand.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	YES
	Chairman Hanson	YES		

Motion carried.

Mr. Brand made a motion to conditionally approve the preliminary & final subdivision application. The motion was seconded by Mr. Kennedy.

VOTE:	Mr. Kennedy	YES	Mr. Brand	YES
	Mr. Utsch	YES	Mr. Sweeten	YES
	Mr. Doherty	YES	Mr. Basco	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.

9. Discussion regarding End of the Road, LLC, (Bayshore Mall) previously approved February 6, 202, Block 741.01, Lot 28.01, 3845 Bayshore Road.

Mr. Jeffrey Barnes, Esq., represented the applicant.

Mr. Barnes explained to the Board his client was before the Board in 2019 for a minor site plan and conditional use for a 50 seat indoor movie/theater. He explained this was to be in half of the old 'Sears' store. He explained the landlord has approached his client and would like to relocate her to one of the smaller 3,000 square foot stores as to not have to divide the 'Sears' store in half. He explained they would like to modify the resolution if possible. He explained this would not increase the number of seats.

Mr. Galestok explained he doesn't feel this needs to come in for a modified approval. He explained this is just changing store fronts. He explained there are no parking issues. He explained he brought this to the Board because he likes the Board to know.

There was a discussion that no formal vote is needed to modify the resolution. This can be done administratively.

There was a discussion about having in-person meetings. Mr. Galestok explained he was

trying to accomplish this, but it is difficult with the amount of people allowed in the room. When you count the Board members and staff, it reduces the number greatly with the remaining allowed in the room.

Mr. Brand made a motion to adjourn at 7:15 P.M. The motion was seconded by Mr. Kennedy. 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.