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| Frank Sippel, Mayorfsippel@townshipoflower.orgKevin Coombs, Deputy Mayorkcoombs@townshipoflower.orgThomas Conrad, Ward 1tconrad@townshipoflower.org | lower township logo from townshipoflower.orgTOWNSHIP OF LOWER2600 Bayshore RoadVillas, New Jersey 08251 | Joseph Wareham, Ward 2jwareham@townshipoflower.orgRoland Roy, Jr., Ward 3 rroy@townshipoflower.orgMichael Laffey, Manager  mlaffey@townshipoflower.org |

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.

LOWER TOWNSHIP ZONING BOARD

A regularly scheduled meeting of the Zoning Board of Adjustment was held on July 10, 2025, at the Lower Township Municipal Building. The meeting was called to order at 6:00 P.M. by Vice-Chairman Kennedy. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Vice Chairman Michael Kennedy

Joseph P. Baker

David F. Brand, Jr.

George Doherty

Robert Sweeten

Ernest Utsch, III

Geoffrey Bostard

Thomas Doherty

 MEMBERS EXCUSED: Chairman James Hanson

Robert Basco, Sr.

STAFF PRESENT: William J. Galestok, Board Secretary

Anthony J. Harvatt, II, Board Solicitor

Patrick Wood, Recording Secretary

William Cathcart, Board Engineer

Kathryn M. Steiger, Zoning Clerk

CORRESPONDENCE:

Handouts:

* List of Board Engineer Vouchers, dated July 09 , 2025
* List of Board Solicitor Vouchers, dated July 09, 2025

Vice Chairman Kennedy read the agenda aloud for the benefit of the public.

Mr. Utsch made a motion to approve minutes from the meeting of June 5, 2025, seconded by Mr. Brand. Motion carried.

Mr. Brand made a motion to approve Board Engineer Vouchers, seconded by Mr. Utsch. Motion carried.

Mr. Sweeten made a motion to approve Board Solicitor Vouchers, seconded by Mr. Bostard. Motion carried.

Mr. Utsch made a motion to approve all resolutions from the meeting of June 5, 2025, seconded by Mr. Brand. Motion carried.

1. Hardship variance application for the construction of a second-floor addition that would encroach into the front yard and side yard setbacks, as well as, exceeding the maximum principal lot coverage, and being deficient in minimum off-street parking. Submitted by Joseph Brennecke & Dilma Riddell for the location known as Block 796, Lot 44, 896 W. Rio Grande Avenue

Mr. Jeffrey P. Barnes, Esq., is representing the applicant.

Mr. Barnes provided the following overview of the application:

* Location and size of lot
* Current structure was built circa 1935
* Project is an addition of second floor and improvements
* Reviewed the square footage of lot is 2500, where 7500 is required, and width/depth requirements, needing variances, due to size
* Building coverage is over percentage
* No parking is planned, as none is available
* Re-noticing has been completed
* New plans were submitted, including photos
* The shed and shower appearing will be removed

Ms. Pamela Fine, was sworn in by Vice-Chairman Kennedy, and provided credentials, which were accepted by the Board.

Mr. Craig Hurless, PE, PP, CME, was sworn in by Vice Chairman Hurless, and provided credentials, which were accepted by the Board.

At the request of Mr. Barnes, Ms. Fine recapped the application and reviewed the status of the existing structure. Results of an inspection determined roof rot, combined with the structure about to collapse. The proposal is for a new building, to be within the footprint of the existing structure. This project will improve the neighborhood, while maintaining the character of the area with the proposed building, which includes a second floor.

Mr. Barnes added this is a unique property, due to lot sizes within the area, where adequate parking has always an issue. The actual property goes beyond the lot, where additional boundaries are on “paper streets,” and noted the rear property was bifurcated by the paper street. If these lots were developed sometime in the future, no variances would be required, based on current ordinances.

Mr. Galestok asked for clarification on whether the request was for an addition, as noted on the application, or for a new home.

Ms. Fine answered the intent was to keep the original home in place, with renovations. Due to the poor condition, this will be a new house. The existing setbacks were discussed.

In response to Mr. Galestok’s question, Mr. Barnes confirmed that discussions with the County are ongoing, due to the street, and further noted other agencies will need to be involved, after this Board’s approval.

Ms. Fine stated the goal is to maintain the look of “old Wildwood,” make everything as compliant as possible, highlighted the first and second proposed floor plans, including the porches and decks, and where the building will be located. The project includes raising the house to meet flood requirements and above base flood levels. The result will be a two-one half story building, with no windows planned on the side property line for fire safety reasons.

At the request of Mr. Barnes, Mr. Hurless presented the following summary of the application:

* Property has unique features for development, due to size of area lots
* Survey shows frontage on W Rio Grande Ave., where the existing structure is in the street
* 50 of the 54 area lots are 25 x 100
* Rear lots are unimproved Right of Ways, where, if improved, the lot size would comply; however, title waterways and wetlands prohibit improvement
* Submits aerial photo of neighborhood, dated 03/19/2025, further documenting similar area lot sizes

Mr. Barnes confirmed to the Board that the proposed structure is a single-family dwelling.

Mr. Hurless continued, as follows:

This is a conforming use within the Marine Development/Single Family Residential (MD-1) Zone and that a neighborhood study was conducted. The objective is to ensure the proposed structure is in line with the area. All the structures are encroaching into the setbacks, due to the narrow size of the lots, wetland buffers, etc. The existing encroachments extend into the streets. This project includes reconstructing the dwelling, raising the building to meet flood requirements, and eliminating encroaching non-conformities. The second story addition is being setback, as to not increase existing non-conformity, within the current Right-of-Way. Back yard setback is actually improving, albeit lot coverage is increased, due to the 25x100 lot size. Parking cannot be remedied and restated adequate street parking is available. Mr. Hurless highlighted justifiable rationale for variances, under c(1) and c(2) criteria.

In conclusion, the project improves and provides stability to the neighborhood, secures safety from fire, natural and/or man-made disasters, due to raising for flood requirements, makes the property visually desirable, promotes adequate light, air, and open spaces, establishment of appropriate population density, and creates no negative impact or negative aspects to the intent or purpose of the Zoning Plans.

In response to the Board’s question on city sewer hookup, Mr. Hurless stated there should be no issue and suggested making this a condition for approval.

 Mr. Joseph Brennecke, applicant, was sworn in by Vice-Chairman Kennedy.

In response to Mr. Barnes request for input, Mr. Brennecke confirmed:

* Parking is not available on site, only street parking. Typically, it is not busy nor an issue.
* Discussions regarding the project with the neighbors are positive and supportive
* Project has been in the planning stages for approximately a year

This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

Mr. Barnes concluded with a summary of the application:

* Based on the original structure of 1935, on a very small lot, this is a unique project
* More aesthetically pleasing structure
* Similar approvals for properties nearby
* May cause other neighbors to improve their properties
* Plans are modest, due to lot size
* Paper streets create hardship
* Creates light, air, open space
* Testimony provided by Ms. Fine, Mr. Hurless, and Mr. Brennecke
* Neighbor acceptance of project

Mr. Brand made a motion to conditionally approve the hardship variance application, seconded by Mr. Baker.

VOTE: Mr. Brand YES Mr. Sweeten YES

Mr. Utsch YES Mr. G. Doherty YES

Mr. Baker YES Mr. Bostard YES

 Vice Chairman Kennedy YES

 Motion was approved.

 A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

1. Hardship variance application for the construction of a front porch roof that would encroach into the front yard setback, submitted by Mark Tanney, Jr. for the location known as Block 141, Lot(s) 48+49, 132 W. Bates Avenue

Mr. Mark Tanney, applicant, was sworn in by Vice-Chairman Kennedy.

Mr. Tanney testified the property was purchased two (2) months ago, and while repairing various items, it was determined the existing stoop cover needs to be replaced. The application request is simply to replace a cover over the stoop. This is consistent with other homes in the neighborhood, who also have covers. The variance is required, since it extends into the front yard setback.

This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

Mr. Sweeten made a motion to conditionally approve the hardship variance application, seconded by Mr. Brand.

VOTE: Mr. Brand YES Mr. Sweeten YES

Mr. Utsch YES Mr. G. Doherty YES

Mr. Baker YES Mr. Bostard YES

 Vice Chairman Kennedy YES

 Motion was approved.

A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

At 6:51 P.M., the Board took a five (5) minute recess. At 6:54 P.M., the meeting was resumed.

1. Hardship variance application for the construction of a first-floor addition that would encroach into the side yard setback, submitted by Gordon Johnston for the location known as Block 517, Lot(s) 21-23, 12 Pinewood Avenue

Mr. Matthew Sprague Architect, P.C., was sworn in by Vice-Chairman Kennedy, and provided credentials, which were accepted by the Board.

Mr. Gordon Johnston, applicant, was sworn in by Vice-Chairman Kennedy.

Mr. Sprague explained the purpose of the application is to construct a 6 x 25.5-foot, single story addition. The existing non-conformities are lot area and lot width. A variance is required for the side yard setback of 7.7 feet, since the other side yard setback is already at six (6) feet. The addition promotes light, air, and open space. Again, this is only a single-story addition, which provides less encroachment than a multi-story addition, and provides a modest expansion of living and dining room space. The result will be a desirable visual environment, with a much better-looking house. There are no detriments to the Master Plan nor the Ordinance.

 This portion of the meeting was opened to the public. No comments were made from the public. This portion of the meeting was closed to the public.

 Mr. Brand made a motion to conditionally approve the hardship variance application, seconded by Mr. Sweeten.

VOTE: Mr. Brand YES Mr. Sweeten YES

Mr. Utsch YES Mr. G. Doherty YES

Mr. Baker YES Mr. Bostard YES

 Vice-Chairman Kennedy YES

Motion was approved.

A memorializing resolution will be prepared by the Board Solicitor to review and

approve at the next scheduled meeting.

At 7:00 P.M., Mr. Brand made a motion to adjourn, seconded by Mr. Baker. Motion carried.

Respectfully submitted,

Patrick L. Wood,

Recording Secretary

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

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