

**BOROUGH OF AVALON PLANNING AND ZONING BOARD**  
**Minutes of Work Session/Regular Meeting of February 9, 2021**

Members Present: James Fleischmann  
Chet Johnson  
Jamie McDermott  
Michelle Petrucci  
Eric Schiela  
Sam Weirman  
John Morrison  
Joe Stenger

Members Absent: Tom McCullough  
Dr. Brian Reynolds  
Beth Tipping

Chairman Jamie McDermott called the meeting to order at 6:00 PM and led the Board in the Pledge of Allegiance. A roll call of members present was made. Chairman McDermott then recited the Open Public Meetings Act Statement.

The Board then considered minutes for the January 12, 2021 Work Session/Regular Meeting. Corrections or changes were made. A motion was made to approve by Member James Fleischmann and seconded by Member Chet Johnson with all eligible members voting in the affirmative.

The Board then considered the memorializing Resolution PZ#20-03, application of TK12 Holdings, LLC seeking preliminary and final major site plan with variances which was denied. Corrections or changes were made. The motion was made to adopt by Member Joe Stenger and seconded by Member Eric Schiela, with all eligible members voting in the affirmative.

The Board then considered application PZ#19-16, application of Andrew Buchanan seeking to appeal the Zoning Official's decision as continued from November 10, 2020. The Board was advised that a Superior Court judge had imposed a stay on the hearing moving forward at this meeting. The Board was advised additional information would be forthcoming upon receipt of the actual lawsuit and documents submitted by Mr. Buchanan to the Superior

Court.

The Board then considered application PZ#20–12, application of Worton and Welsh, seeking minor subdivision without variances. Thomas Welsh, with business address of 2589 Ocean Drive, Avalon, New Jersey, was sworn and testified. He testified he is one of the owners of the subject property and seeks to create two conforming lots from a single oversized lot for the property located in Block 19.06, Lots 120, 121 and 122 with a common address of 431 and 445 20th Street, Avalon. The property is located in the R–2B Zoning District. No variances were sought. Applicant relied upon plans prepared by Thomas Amey Shaw, Inc. dated July 13, 2020, with the most current revision date of October 28, 2020.

At the conclusion of Mr. Welsh’s testimony, the Board heard from the Board Engineer, Joseph Maffei. He was sworn and testified. He testified consistent with his report dated February 2, 2021. Applicant agreed to comply with all of the requirements contained in Mr. Maffei’s report.

The matter was open for public comment and there was none. The Board then engaged in Board discussion and motion to grant the minor subdivision application. The motion was made by Member Sam Weirman and seconded by Member Michele Petrucci with all eligible members voting in the affirmative.

The Board Chairman then called for old business. Mr. Maffei provided the Board with an update on the Chapter 27 review and comments. Mr. Maffei presented his comment memorandum dated February 1, 2021 to the Board. The memorandum was reviewed by the Board, with the Board secretary directed to forward to counsel a request to accept the changes in the Zoning Code as suggested by Mr. Maffei in that letter, except for the suggested changes in Section 27–7.2.E.1(h). The Board referred that particular issue for further review. Prior to finalizing the above-noted recommendation, the Board opened the matter to public comment.

Martha Wright of 632 7th Avenue, Avalon commented that she would like to see the pools/buffers and landscaping addressed. She raised concerns concerning the CAFRA permit and why the minimum setback from the bulkhead line was changed from 9 feet to 7 feet. Jack Dunleavy of 3109 First Avenue, Avalon indicated that he supported parking at restaurants in the various zones. Finally, Gary Thomas of Thomas Amey Shaw presented that he was in favor of allowing pools with CAFRA approval to be as close as 5 feet to the bulkhead line rather than 7 feet. He also expressed concerns regarding buildings, sheds, garages, and cabanas within the setbacks for the side yards and bulkhead lines. He further expressed concern regarding fences and trees which had the ability to grow to a height etc. in the side yards and rear yards blocking people's view from the street of the bay.

Chairman McDermott called for new business of which there was none. The matter was then open for public comment on any topic. Martha Wright of 632 7th Avenue, Avalon came forward again and complained that she was having difficulty hearing the discussion on the call-in lines and preferred a different method of allowing public access. In light of COVID, she also requested that the Board update its rules regarding accepting written comment. John Dinelli of 2878 Avalon Avenue, Avalon came forward indicating that he agreed with Ms. Wright's comments. No other people spoke during the public comment portion.

There being no further business to conduct, the meeting was closed at 7:02 PM.

Respectfully submitted,

*/s/ Paul J. Baldini*  
Paul J. Baldini, Esquire