

**Borough of Avalon Planning/Zoning Board
Minutes of Work Session/Regular Meeting of May 10, 2022**

Members Present: James Fleischmann
 Jay Gebauer
 Chet Johnson
 Brian Reynolds
 Eric Schiela
 Beth Tipping
 Sam Wierman
 Joe Stenger
 Greg Kizeik

Members Absent: Tom McCullough
 Michele Petrucci
 Chuck O'Hara

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

The Board considered the minutes of the April 12, 2022 Work Session/Regular Meeting. Corrections or changes were made. The motion was made to approve by Member James Fleischmann and seconded by Member Sam Wierman with all eligible members voting in the affirmative.

The Board then considered memorializing Resolution for PZ #22-03, application of Francis and Shirley Pietrini for the property located at 115 78th Street. Corrections or changes were made. The motion was made to approve by Member Jay Gebauer and seconded by Member James Fleischmann with all eligible members voting in the affirmative.

Chairman Chet Johnson announced to the public application PZ #22-02, application of Brian and Lynn Neville was withdrawn by the Applicant with no further action to be taken by the Board.

The Board then called application PZ #22-04, application of 2688 Dune Drive, LLC for Block 2604, Lots 43.01, 43.02, 44.01, 44.02, 45.01 and 45.02. Applicant came before the Board seeking waiver of site plan approval with no variances having amended the application for waiver of site plan approval previously seeking parking variance.

Applicant was represented by Cory Gilman, Esquire. Edward Kennedy, principal of 2688 Dune Drive, LLC was sworn and testified. He testified as to the history of the subject parcel and the goal of the Applicant to turn the parcel into a pop-up restaurant, family oriented with a seafood concept. He envisioned dining in the outside area of the facility with games toward the rear of the property such as cornhole, Jenga, etc. He testified the property will close at 10 o'clock in the evening. He intends to serve lunch from 12:30 PM and dinner from 5:30 to 9:30 PM. No

service after 10:00 PM. He anticipates employing eleven employees.

He testified there would be no seating inside of the physical building and no service inside the physical building. The only thing that would be inside the building are restrooms, kitchen area, food prep, and storage.

Mr. Kennedy testified trash would be coordinated from inside the building with no dumping of trash outside the physical building with all trash stored within the building until trash day.

He envisioned an outside bar. Half of the bar would service clientele and the other half would be a service bar for servers. He confirmed he has purchased a liquor license and is in the process of moving that license to the location of the subject property.

He envisions acoustic music live to be completed by 9:00 PM and no amplified music permitted. All fixtures to be temporary and movable including the bar and pergola. There will be no tent but may be umbrellas.

Steven Fenwick was sworn, accepted as an expert, and testified. He testified he reviewed the survey and the original plan which called for seating in the interior of the structure. He then took the Board through A 22–205, concept design plan prepared by himself which removed the seating from inside the premises. He laid out to the Board how the plan would function. He testified he envisioned 8-foot evergreens potted and removable along the exterior perimeter of the property with a six-foot fence along the side and rear yards and a 4-foot fence in the front yard. He took the Board through the location of the handicapped parking space. He took the Board through the concept of using parking bumpers to create parking along Dune Drive and testified as to the lighting at the site.

He testified as to the Astroturf over the entire paved asphalt area and the remodel of the existing sign.

The Board heard from Joseph H. Maffei, Board Engineer who was sworn and testified. He testified consistent with his Review Letter of May 3, 2022. They went through each of the various comments and the comments generally became conditions of approval for the Applicant. Specific conditions of approval are set forth in the approving memorializing resolution. The matter was open to the public.

Five members of the public came forward, were sworn, and testified. Three members of the public supported the project and two members of the public opposed the project.

A motion was made to approve site plan waiver with the time limitation of one year for the Applicant to return to the Board and obtain full site plan review for the subject parcel and with Applicant to place curbing and sidewalk along Dune Drive to eliminate the driveway and provide on-street parking immediately and to comply with any and all other conditions set forth in the memorializing resolution. The motion was carried by the Board through a 8 to 1 vote in favor of approving the motion.

The Chair then called for old business of which he raised the issue of boutique hotels and the potential rezone of the business district to allow for same. The Chair set forth a timeline for consideration of the issue to resolve the issue one way or the other before the Board. He requested all members of the Board to submit to the Board Engineer any comments relative to the Boutique Hotel Overlay District in the B-1 Zoning District within 30 days of May 10, 2022. He advised the matter would be considered at the June meeting for discussion on the topic. He further advised the matter would be placed orally on the July 2022 meeting agenda for a full discussion, hopefully with a proposed zone plan from the Board Engineer and a final review and vote on whether to forward the proposal to Council in August 2022.

The Chair then called for new business. Member Brian Reynolds raised the issue of expanding the use of native plants. He provided literature to the Board which he received from the Environmental Commission and requested the Board to consider further action.

No further new business was brought forward. The matter was then open to comment from the members of the public. Liz Ann Tracy indicated she had concerns about the sufficiency of things for children to do in the Borough and concerns regarding parking and traffic flow particularly on Dune Drive. Doug Macauley came forward indicating he had concerns relative to the Boutique Hotel Overlay Zone in the B-1 District. John Ginelli came forward indicating that he thought it was a good idea to add something for the children to be considered at the same time as the overlay district. No further public comment came forward.

There being no further business to conduct the meeting was closed at 7:57 PM.