

**Borough of Avalon Planning/Zoning Board
Minutes of Work Session/Regular Meeting of July 12, 2022**

Members Present: James Fleischmann
 Jay Gebauer
 Chet Johnson
 Tom McCullough
 Michele Petrucci
 Brian Reynolds
 Eric Schiela
 Sam Wierman
 Joe Stenger
 Greg Kizeik
 Chuck O'Hara

Members Absent: Beth Tipping

Chair Chet Johnson 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. The Chair then recited the Open Public Meetings Act Statement.

The Board then considered the proposed minutes of the June 14, 2022 Work Session/Regular Meeting. No corrections or changes were made. A motion was made to approve by Member Brian Reynolds and seconded by Member Sam Wierman with all eligible members voting in the affirmative.

There were no memorializing resolutions considered by the Board.

The Chair entertained an update from the Board Solicitor on boutique hotels and the appropriate method to proceed. The Board Solicitor presented a report to the Board suggesting the Board consider amending the Master Plan in order to review whether an overlay in the B-1 District to allow boutique hotels is appropriate. The Board Solicitor suggested that the Master Plan be reopened and an amendment to the Master Plan considered after public hearing in the event the Board chose to proceed in that fashion. A poll of the Board was taken after Board

comment and the Board directed the Solicitor and the Board Engineer to proceed with a review of the Master Plan in the B-1 Zoning District with an eye toward whether it is appropriate to amend the Master Plan to include an overlay in the B-1 Zoning District.

The Board then considered Application PZ #22-06 beach dune review for a single-family residence to be constructed at 5609 Dune Drive Block: 56.03; Lots: 11.02, 13, 15, 17, 19, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 65.02, 67.02, 69.02, 71.02, 73.02, 75.02, 77.02, 79.02 and 81.02 filed by Applicant Danielle and Vahan Gureghian. Applicant is represented by Keith Davis, Esquire who advised the Board that this Application is an amended Application for the same property filed by DANDRA, LLC and resulting in resolution PZ #22-01.

Applicant called Mark Asher, expert, who was sworn and testified. He was accepted as an expert by the Board. He took the Board through his architectural drawings detailing the prior design and the new design. He highlighted the new design carrying a two-car garage where the original design carried a one car garage. He testified that 50 feet was added to the landward side of the residence which was removed from other areas of the residence. There was no change in the area of disturbance. No variances were sought. Applicant agreed as a condition of approval to accept all conditions of the prior approval contained in Resolution PZ #22-01. Applicant agreed to accept as a condition of approval all comments of the Board Engineer contained in the letter of July 5, 2022.

Joseph Maffei, Board Engineer, was sworn and testified. He testified consistent with his report of July 5, 2022. Applicant agreed to accept as a condition of approval to meet with the Board Engineer onsite and submit a site plan showing vegetation. Applicant agreed as a condition of approval to comply with the Dune Vegetation Management Plan.

One member of the public spoke in favor of the Application. After Board discussion and findings of fact, a motion was made to approve the Dune Review Application of the Applicant. The motion was made by Member Sam Wierman and seconded by Member James Fleischmann with all eligible members voting in the affirmative.

There being no further old business before the Board, the Board called for new business. Two items of new business were brought forward. The Board directed Joseph Maffei, Board Engineer, to review whether banning lifts as parking in the Borough was feasible. Mr. Maffei is to provide a report to the Board in the future. Second, the Board raised concerns over a potential problem where variances were granted many years ago, in one example 37 years ago, and are just being acted upon by the property owner. The Board Solicitor explained that variances run with the land and once granted are good until exercised or lost. The Board Solicitor was directed to look into whether an ordinance limiting the type of variances to run with the land was feasible for Avalon. The Board Solicitor agreed to provide a report at a future meeting.

The Board then opened the meeting to public comment on any topic. The only public comment involved the potential overlay in the B-1 Zoning District to allow boutique hotels. Generally speaking, four members of the public came forward and spoke in opposition to the amendment and sixteen members of the public spoke in support of the amendment. Those opposing the amendment raised concerns over quality of life, consideration of residents living near any such facility, supporting review of the Master Plan, whether there was sufficient data before the Board to proceed with a review, concerns over parking, noise, impact of pools at such facilities, repercussions for the future of Avalon, and need for a period of reflection and information to the public.

Those in favor of the consideration of an amendment to the Master Plan to allow an

overlay in the B-1 Zone District focused on the help such facilities will bring to local businesses, need for change in order to support the downtown, need for additional restaurants, need to keep Avalon a vibrant year-round community, provide jobs, and provides a place for socialization where people can meet, learn about Avalon, and potentially move to Avalon.

At the conclusion of public comment there being no further business the meeting was adjourned at 7:38 PM.

Submitted,

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