

**Borough of Avalon Planning/Zoning Board
Minutes of Work Session/Regular Meeting of May 9, 2023**

Members Present: Jay Gebauer
Chet Johnson
Brian Reynolds
Eric Schiela
Beth Tipping
Sam Wierman
Sue Montanari
Joe Stenger
Chuck O'Hara

Members Absent: James Fleischmann
Tom McCullough
Michele Petrucci
Greg Kizeik

Chairman 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 proposed minutes for the April 11, 2023 Work Session/Regular Meeting. Corrections or changes were made. The motion was made to approve by member Chuck O'Hara and seconded by member Eric Schiela with all eligible members voting in the affirmative.

The Board then considered memorializing Resolution PZ #23-01, Logue, 701 Ocean Drive Application. Corrections or changes were made. A motion was made to approve by member Eric Schiela and seconded by member Brian Reynolds with all eligible members voting in the affirmative.

The Board then considered Application PZ #23-02 variance request for rear yard setback and lot area by Applicants Terrence and Victoria Ryan for Block 33.04, Lots 66.02 commonly known as 292 33rd Street.

Applicant is represented by Keith Davis, Esquire who presented the application. Applicant agreed at the outset to comply with all floor area ratio requirements of the Borough. Terrence Ryan was sworn and testified. He testified that he is the owner of the subject parcel with his wife and seeks to remove the existing single-family one-story structure and replace it with a two-story single-family structure.

Christina Amy was sworn and testified. She was accepted as an expert in architecture. She reviewed the existing site conditions and the proposed site conditions for the Board. In doing so she utilized several exhibits. She testified the existing property is nonconforming for flood, front yard, side yard, and rear yard. The new project will comply with all requirements except for

rear yard and lot area.

Gary Thomas was sworn and testified. He was accepted as an expert planner and prepared the survey of the premises for existing conditions. He testified the lot area is a pre-existing condition with all property developed around the property. There is no land to acquire. The subject parcel is deficient in depth having merely 60 feet in depth instead of the normal for the neighborhood of 100 to 110 feet in depth. He testified as to rear yard setback issue where 5.2 feet exists to the deck and 14.1 feet to the residence. Applicant proposes 14.5 feet to the rear of the house with no deck thereby actually improving the rear yard setback by a small margin.

Mr. Thomas testified the application can be supported under the C-2 analysis in addition to the C-1 analysis. He testified that the subject application protects from flood, advances free flow of traffic by adding parking, and creates a desirable visual effect for the neighborhood. In addition, Mr. Thomas testified the Applicant meets the negative criteria as the impact to the Zone Plan, if any, will be insubstantial and the proposed project will not impair the public good.

Joseph Maffei was sworn and testified. He testified consistent with his report of May 1, 2023. Applicant agreed to meet all of the Board Engineer comments as a condition of approval. The hearing was then open to the public. The following individuals testified at the public hearing. George Southworth, Barbara Zapiec, Karen Halscheid, and Martha Wright all opposed the application.

At the conclusion of public comment Applicant requested an opportunity to adjourn the hearing to see if some of the objecting neighbors' concerns could be addressed by the Applicant and the Board agreed. The matter was postponed to June 13, 2023 at the next regularly scheduled meeting with no further notice to be provided to the public except that which was announced at the meeting.

The Board then undertook old business and received an update from Board Engineer on the quotes for the planning study to incorporate Borough boutique hotels in the Business (B-1) Zoning District. After the report was rendered, the Board directed the Board Secretary to forward the responsive proposals to Borough Council for further consideration. No new business was undertaken.

The meeting was open to public comment whereby two individuals presented comment to the Board. Robert Otto raised concerns regarding the residential district and Martha Wright thanked the Board for asking for digital copies for presentation at any hearing next month.

There being no further business at the conclusion of public comment, the Board entertained a motion to adjourn the meeting. The meeting was closed at 7:39 PM.

Submitted,

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