

**Borough of Avalon Planning/Zoning Board
Minutes of Work Session/Regular Meeting of July 11, 2023**

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

Members Absent: Tom McCullough
Beth Tipping

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. Chairman Johnson then recited the Open Public Meetings Act Statement.

The Board considered the proposed minutes of June 13, 2023 Work Session/Regular Meeting. Corrections or changes were made. A motion was made to approve by Member Sam Wierman and seconded by Member James Fleischmann with all eligible members voting in the affirmative.

There were no memorializing resolutions.

The Board then considered application PZ #23-04 minor subdivision without variances sought by property owner Craig Worton whose address is 435-437 20th Street and 455 20th Street located in Block 19.06, Lots 122.435, 122.437 and 123. Craig Worton was sworn and testified. He was not represented by an attorney. He testified the Applicant seeks to subdivide 10 feet from Lots 122.35 and 122.37 and move those 10 feet over to Lot 123. The effect of the subdivision will be to create two 50-foot conforming duplex lots.

Joseph Maffei, Board Engineer, was sworn and testified. He testified consistent with his report provided to the Board dated June 29, 2023. Applicant agreed as a condition of approval to comply with all of the Board Engineer comments.

Martha Wright of 632 7th Street was sworn and testified. She posed several questions to the Board.

There being no further public comment the matter was referred back to the Board. At the conclusion of the hearing the Board voted to grant the subdivision.

The Board then considered application PZ #23-05 wherein Applicant sought variances to build a new single-family structure wherein the Owner/Applicant Dean, Bekas, residing at 890 21st Street Block 22.09, Lots 2, 7 and 9. John Halbruner engineer and architect testified in reference to the specific parameters of the proposed project. He testified to justify the variances sought those being minimum lot frontage where 40 feet is required and 25 feet is existing; front yard to building on the north side where 15 feet is required and 6.5 feet is existing; side yard on east side of the building where 5 feet is required and 3 feet is proposed; side yard total building 15 feet required, 8.17 feet proposed; rear yard covered porch where 9 feet is required, 3 feet is proposed; and stairway setback to stairs where the ordinance limits the setback to 26 feet and Applicant proposes 29 feet.

Applicant accepted various conditions as a condition of approval. Applicant accepted to modify the plans to show the shower/trash enclosures as well as the HVAC which shall conform to the ordinance. Applicant agreed to improve the easement existing in front of Applicant's parcel to RSIS standards removing the clamshells presently existing and to maintain the easement in perpetuity. Applicant to submit a deed to the Board Attorney confirming said easement.

Applicant agrees as a condition of approval to install a fire suppression system for the entire building commercial type NFPA 13. Applicant agrees as a condition of approval to utilize type 5A construction and fire rate both sides of said construction. Applicant agreed as a condition of approval to fire rate the deck and carport. Applicant agreed as a condition of approval to install a supervised fire alarm system. Applicant agreed as a condition of approval to place a fire pump on-site. Applicant agreed as a condition of approval to remove the vinyl fence on the north side of the property and to not install a fence in the future on the north side of the property. Applicant agreed to tie the Applicant's bulkhead reconstruction into the Borough bulkhead to the north with the Borough's approval. Applicant shall install the bulkhead at the Applicant's expense and per plans approved by the Borough. These are conditions of approval.

Joseph Maffei was sworn and rendered report to the Board dated June 28, 2023. Richard E. Dean, Sr. was sworn and rendered report to the Board dated May 1, 2023.

The meeting was open to the public and Martha Wright was sworn and testified she opposes the Application. Travis Marshall was sworn and testified relative to concerns regarding fire access and parking on the inbound 21st Street.

At the conclusion of public comment, the matter was placed to a vote before the Board with the Board approving the variances sought by the Applicant with the conditions stated under both the C-1 and C-2 criteria.

The Board then considered Application PZ #23-05 seeking variance relief for width of curb cut were 20 feet maximum is permitted and 30 feet is proposed for Applicant/Owner, Frank and Aimee Russomano, property located at 5024 Ocean Drive, Block 49.05, Lots 3 and 4.01. John Halbruner was sworn and testified advising the Board that the property has ten parking spaces situated and approved on it. He testified the additional 10-foot driveway would eliminate the need for on street parking for users of the residence and would not eliminate any on street

parking. He generally testified that the benefits of the deviation substantially outweigh the impact of the variance. He cited various Municipal Land Use purposes which he indicated were advanced by the granting of the variance. He testified there would be no negative impact in the neighborhood and no impact on the Zone Plan.

Blane Steinman was sworn and testified. He confirmed the Applicant would comply with the Board Engineer's comments as a condition of approval.

Joseph Maffei was sworn and testified consistent with his June 29, 2023 report.

The matter was open to the public. Martha Wright was sworn and testified that she opposes the Application. There was no further public comment. At the conclusion of the hearing the Board voted to deny the variance application.

There was no new or old business. The matter was open for public comment on any topic. Martha Wright came forward and advised the Board that she liked the digital display that was used during one of the hearings.

At the conclusion of public comment, no further business was undertaken. The motion was made to adjourn the meeting. The meeting was closed at 8:42 PM.

Submitted,

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