

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT

MEETING MINUTES

APRIL 21, 2021

The Upper Township Zoning Board of Adjustment held a special meeting on April 21, 2021. This was a virtual meeting that was called to order at 6:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Present: James Burger, Sherrie Lisa Galderisi, Richard Mashura, Karen Mitchell, Mark Pancoast, Lynn Petrozza, Christopher Phifer, Andrew Shawl, Larry Trulli, Acting Chairman Matthew Unsworth.

Absent: Paul Casaccio.

Also, in attendance were Jeffrey Barnes, Board Solicitor, Paul Dietrich, Board Engineer, Shelley Lea, Board Secretary and Zoning Officer.

APPLICATIONS

STRATHMERE MOTEL INC – BLOCK 834 LOT 1 – BA 09-2020

Continuation of an application for preliminary and final site plan approval, a use variance for the expansion of a non-conforming use in the RC zone, a D6 variance for the height of the proposed structure and possible bulk variances to construct a 15-unit hotel at 513 Commonwealth Avenue in Strathmere.

SWEAR IN PAUL DIETRICH – TIFFANY MORRISEY – SHELLEY LEA

Vice Chairman Unsworth opened the meeting to the public.

Al Clark, 5 E Randolph Avenue, was sworn in. He is a year-round resident and is within 200' of the motel. He is opposed to the application. He agrees with the testimony given by all of his neighbors. He feels that comparisons made to other shore towns are inaccurate since Strathmere is not like any other seaside community. He asked the board to uphold the current master plan and zoning ordinance and not approve this non-conforming structure. He feels it is important to control impervious surface and water runoff and ambient lighting. His concerns are the septic, odor, increased traffic, parking problems and demand for services. He builds power plants and is very familiar with Municipal wastewater treatment plants and is involved in environmental permitting. He sees no sense in granting the proposed application and concurs with the comments made in objection to the application.

Christian Storz, 13 E. Sumner Avenue, was sworn. He has been paying taxes since 1952. He stated the residents are no longer the majority in this town from Thursday to Monday. Strathmere provides bars and restaurants for the residents of Ocean City. He is counting on the zoning board to support the laws that have been put into place. He is concerned about traffic, flooding, standing water, septic and safety. He feels this does not fit in Strathmere. He feels granting the variances will benefit only a few and change the lives of many now and in the future.

Denis White, 4 W. Sherman Avenue, was sworn. His property is directly across from the motel. He has lived here full time for 13 months and sees this building every day. He feels the proposed building will greatly impact the noise and traffic. He doesn't believe much consideration was given to traffic.

John Dougherty, 34 E Whittier Avenue, was sworn. He has been a resident in UT since 1977, 30 years in Palermo and 14 in Strathmere. He is a retired building contractor. He served on the subcommittee that made recommendations to the planning board. He agrees with Steven Hawk that the applicant is not entitled to a variance because it will maximize the properties potential. Revisions have been made to the proposed building, but it is still 4 stories and three levels of living area above the ground floor level and still requires a height variance. He feels a use variance is a big deal and should not include three other variances. He feels the application is a giant overreach and asked the board to deny it.

Wendy Dougherty, 34 E Whittier Avenue, was sworn. She is in support of her neighbors in opposition of this application. She feels the lives of the residents of Strathmere will be impacted if this application is granted. The proposed hotel threatens their lifestyle. She feels the application should be opposed due to the density, parking, traffic flow, inadequate septic plans, removal of green space, air flow and direct violation of the zoning ordinance. She stated the motel has not been open for 3 years. She asked the board to uphold the newly adopted ordinance and deny the variances.

David Cummings, 1808 S Commonwealth Avenue, was sworn. He objects to the Strathmere Motel application and agrees with the testimony of prior objectors. He moved here several years ago from Sea Isle City to escape its overdevelopment and overcrowding. He feels the proposed hotel does not fit in Strathmere. The hotel is not compatible with the Strathmere community or the new ordinance. The owner's vision of a boutique motel in Strathmere will be a nightmare to its residents if granted. He is concerned about traffic and parking. He stated that most visitors bring more than one car for their week vacation and will leave no street parking. He is concerned about the septic and feels it will have a negative impact on the quality of life. He is concerned about property values. He stated that in recent years the master plan has been reviewed and concerns about overdevelopment and the size and height of structures in Strathmere have been raised. The applicant has not described any financial hardships that he will suffer if the application is not approved and should have to submit a financial analysis. He discussed spot zoning. He asked the board to vote no.

Richard King, Attorney for the applicant, provided a photo of Mr. Cummings property and asked if he thought the structure was quaint. He asked about the testimony given regarding subdividing the property and constructing single family homes.

Kelly Tjoumakaris, 6 E Randolph Avenue, was sworn. She purchased her home in Strathmere for the peace and tranquility of the island, its native ecosystems and the absence of crowds. She stated there is currently not enough parking, the beaches are overcrowded and there is flooding. She loves Strathmere and she does not want to see these things become worse.

Elaine Holsomback, 29 Sumner Avenue, was sworn. She lives in Strathmere in the summer and Palermo full time. She finds the proposed motel reminiscent of row homes in New York city and will take away the charm of Strathmere. She feels Strathmere is becoming overbuilt. She is concerned about parking. She asked the board to uphold the master plan.

Charles Dall'Acqua, 33 Sumner Avenue, was sworn. He moved from Sea Isle to Strathmere 17 years ago because of overcrowding. He is concerned about additional traffic and flooding. He asked the board to deny the application since it is only for one person's financial gain.

Valerie Dall'Acqua, 33 Sumner Avenue, was sworn. She is concerned about parking, the environment, flooding and trash. She is opposed to the increase in density and intensity. She asked the board to uphold the zoning ordinance.

Deborah Rivel, 10 E Seacliff Avenue, was sworn. She is opposed to the application. She is concerned about the impact this project will have on the open space, birds, habitat, wildlife and the quality of life. Strathmere is under the Atlantic flyway that is traveled by millions of migrating shorebirds every single year. The state parks and surrounding marshes are home to 12 endangered and threatened species of birds. The springs and summers are filled with birds and other wildlife. Because of its open spaces and low profiles our beaches can and do support wildlife. She stated the building heights are rising and the space between buildings is shrinking and as a result open space, trees and habitats are disappearing. She agrees with her neighbors in opposition to the proposed hotel and urges the board to deny this proposal.

Linda Evancich, 700 S Commonwealth Avenue, was sworn. She agrees with the objectors that spoke before her. She feels the cons outweigh the pros in the project. She objects.

Joseph Evancich, 700 S Commonwealth Avenue, was sworn. He agrees with the objections raised by his neighbors. He hopes the board denies this proposal.

Herbert Hollinger, 113 W Putnam Road, was sworn. He asked that the board deny this application. He stated the residents have worked hard to keep development like this from being built.

Judy Hollinger, 113 Putnam Road, was sworn. She concurs with the testimony by Deborah Rivel. She is concerned about the ecosystem on the barrier island. She urges the board not to grant the use variances.

Victoria Green, 2 W Winthrop Avenue, was sworn. She finds this small village does not have the infrastructure to support the proposed development. The towns infrastructure cannot withstand the increase in parking, septic and water runoff, the summer vacationers. The fire company does not have the equipment to reach the highest floor and there is no law enforcement. She asked the board to uphold the current zoning codes and deny the application.

Mark Berger, 2 W Winthrop Avenue, was sworn. He supports the comments by his neighbors. His concerns include the building size, obstruction of views, additional lighting, sounds, and the impact on the environment, parking and public safety. Granting the variances would have an impact on the environment and the community. He urged the board to reject the proposal.

Lisa Carr, 33 E Webster Avenue, Strathmere, was sworn. She is opposed to the variances requested by the Strathmere Motel and agrees with the testimony of the previous objectors. She feels the request is not within the spirit or intent of the Resort Commercial zoning codes and believes the variances should be denied. She asked the board to uphold the new codes.

There was a short break at this time.

Rosalind Chadwick Garrigle, 6 and 10 E Vincent Road, was sworn. She referred to variances that her neighbors were granted that led to nothing but flooding in her yard.

Juliette and James Shlucter, 14 Randolph Avenue, were sworn. They are full time residents of Strathmere. They agree with the comments made by their neighbors. She feels there are far too many risks and very few benefits. They oppose the project.

John Williams, 301 S Commonwealth Avenue, was sworn. He agrees with his neighbors that have testified before him. He is opposed to the application. Mr. King shared a picture of the home owned by Mr. and Mrs. Williams.

Kelly Williams, 301 S Commonwealth Avenue, was sworn. She supports her neighbors.

Shirley White, 9 Vincent Road, was sworn. She owns the original schoolhouse in Strathmere. She feels the size of the proposed rooms qualifies them as a residential unit. She feels the rooms will be sold as condos. She asked the board to enforce the master

plan and deny the requested variances. Mr. King advised that the rooms have been reduced to 600 square feet.

Maryann McCormac, 309 S Bayview Drive, was sworn. She agrees with the testimony of her neighbors that the proposed motel would be harmful to the quality of life in Strathmere. She urged the board to vote no to the proposal.

Walter McCormac, 309 S Bayview Drive, was sworn. He stated there are over 100 people viewing this application. He shared that it is unusual to have this many objectors. He hopes the board gives them every consideration.

Don Rainear, 9 Putnam Avenue, was sworn. He feels the application will contribute to the environmental dangers and quality of life. He feels the application impairs the intent and purpose of the zoning ordinance. He urged the board to protect the residents of Strathmere by denying the application. He stated that motel would create parking problems. He supports his neighbors in opposition of this project.

Ed DiMarcantonio, 17 Putnam Avenue, and 523 Route US 9 South, in Marmora, was sworn. He is opposed to the applicants request for variances and asked the board to deny the application.

Beth DiMarcantonio, 17 Putnam Avenue, was sworn. She agrees with her neighbors and asked the board to deny the proposed motel application.

Eleanor Garvey, 13 E Vincent Avenue, was sworn. She agrees with the objections of neighbors. She is opposed to the building of this monstrosity. She urged the board to uphold the codes from May 2020.

Frank Garvey, 13 E Vincent Avenue, was sworn. He stated the proposed hotel is in direct contrast to the quaintness of Strathmere. He asked the zoning board to stand firm on the codes that were approved in May 2020.

Jennifer Wright, 6 W Tecumseh Avenue, was sworn. She asked the board not to grant the variances and to stay within the township code.

Rob Wright, 6 W Tecumseh Avenue, was sworn. He is opposed to the building as it is currently planned.

Joyce Wilson, 2 E Webster Avenue, was sworn. She agrees with comments made by her neighbors in opposing this motel. She is concerned about the survival of the birds, the natural beauty of the beaches, protecting the fragile environment and the history of Strathmere. She asked the board to vote against the hotel to protect the quality of life for the residents and visitors of Strathmere.

Leonard Wilson, 2 E Webster Avenue, was sworn. He feels this will be a nightmare to the residents of Strathmere if approved. He agrees with the objections that have been raised.

Paul Zaun, 9 E Webster Avenue, was sworn. He concurs with his neighbors and objects to the application.

John Schmelzer, 108 S Bayview Drive, was sworn. He is in opposition to the motel. He stated that Strathmere is their permanent residence.

Mary Schmelzer, 108 S Bayview Drive, was sworn. She stated the variances requested for this project call into question the integrity of the recently enacted master plan. The plan is vital to the survival of an island that cannot sustain the increasing density. She asked the board to decline the proposal.

Rosemarie Whelan, 33 E Sherman Avenue, was sworn. She agrees with the testimony given by her neighbors. She asked the board to adhere to the master plan.

Margot Therre, 101 W Whittier Avenue, was sworn. She is opposed to the proposal. The quality of the water is at risk with the increased building in Strathmere. The hotel could bring an imbalance to the eco system.

Virgil Procaccino, 204 Neptune Avenue, was sworn. He asked the board to consider the overwhelming support of the community. He asked the board to uphold the master plan.

Nisa Becker Procaccino, 204 Neptune Avenue, was sworn. She is opposed to the scale and design of this project and its commercial impact on the community. She is concerned about parking and septic systems. She asked the board to uphold and respect the newly adopted zoning ordinance. She is concerned about the lack of green space in Strathmere and the impact on the animals.

Stephen Bell, 101 S Bayview Drive, was sworn. He agrees with his neighbors in opposing this application. He stated the hotel would significantly impact parking. He is concerned about emergency vehicle access and the quality of life. He stated the proposed inn would have inadequate parking and would not be capable of accommodating its guest. He urged the board to uphold the recently established zoning ordinance and master plan. He feels the granting of these variances would create a precedent and would have great implications on the future of Strathmere. He asked the board to object the application.

Colleen Cox Snee, 14 E Webster Road, was sworn. She feels this development does not belong in the delicate Eco structure of this barrier island. She asked that the board honor the intention of the newly adopted master plan.

Miles Cheleden, 34 E Vincent Avenue, was sworn. He testified that his house constructed without variances. He finds the number of variances being requested is offensive.

Jackie Cheleden, 34 E Vincent Avenue, was sworn. She agrees with the objections of her neighbors and asked the board to vote against the application.

Paul Trumbull Jr., 40 Vincent Avenue, was sworn. He asked the board members to adhere to the present zoning guidelines. He concurs with the objections stated by his friends and neighbors.

John Duffy, 22 E Winthrop Avenue, was sworn. He agrees with the testimony of the prior objectors. He feels the proposed structure is out of character and will create additional traffic, parking issues, septic and stormwater issues, less open space, more impervious cover, more trash, more noise, light pollution, and more density.

Charles Vandergrift, 9 S Commonwealth Avenue, agrees with all the previous testimony against this project. He asked the board to vote no.

Debbie Vandergrift, 9 S Commonwealth Avenue, was sworn. She stated that the trailer park should not be used for a comparison of the transient population. She agrees with her neighbors who oppose this application. She stated the local fire company does not have the equipment to reach the top of the building. She urged the board to vote no on this application.

Andrew O'Brian, 1 W Winthrop Avenue, was sworn. He agrees with the previous testimony by his neighbors and hopes the board votes no on this application.

Ted Kingston, 5 E Willard Road, was sworn. He is a member of the planning board and served on the planning board subcommittee. He discussed the history of the motel. He feels the owner of the motel should discontinue the motel use. He feels that if a non-conforming use on a property is demolished that any new structures should be in conformance with the ordinance. He stated that four members of the subcommittee are objecting to the use variance. The hotel has been non-conforming since the creation of the very first zoning ordinance. He feels that any comparison should be to the master plan and zoning ordinance and not the trailer park in Strathmere. He feels that granting a variance for height will set a precedent. He discussed building heights and flood levels. He feels that being asked by an applicant to rewrite the zoning laws because it doesn't suite them is inappropriate. He stated there is no hardship and the applicant knew what he was buying. He asked the board to protect the neighborhood and deny the variance. Mr. King stated that the application was amended to eliminate the height variance with the exception of the mechanicals for the elevator and to bring the front yard setback more into compliance. He stated the height of the roof is 35' above flood. He asked for the facts in which Mr. Kingston based his comment that the applicant is ruining the roof line. Mr. Dietrich testified the applicant continues to require a height variance since the plan

shows a flat roof and doesn't meet the 4/1 pitch. Mr. King also asked if motels were discussed during the subcommittee meeting. Mr. Kingston stated the motel is nonconforming and not much discussion took place about the motel. There was also no discussion regarding making motels conforming.

Charles Mellon, 6920 Boyer Street, Philadelphia, PA, was sworn. He agrees with his friends and neighbors who are in opposition of this application to build a hotel. He feels that granting the application would destroy the vibe of Strathmere and would make parking difficult.

Sophia Wisniewska, 10 S Bayview Drive, was sworn. She agrees with all the concerns of her neighbors and asked that the board deny the application and uphold the master plan and zoning ordinance.

Mr. Unsworth stated the public portion of the meeting is closed. He announced that Mr. Went will be given the opportunity at the next meeting to give his summations along with Mr. King. Tiffany Morrissey stated that after listening to the testimony she would like to make some additions to her report. The next meeting will be May 13, 2021 at 6:30 p.m.

ADJOURNMENT

A motion to adjourn the meeting was made by Mrs. Galderisi, seconded by Mr. Phifer, and approved. The meeting was adjourned at 9:55 p.m.

Submitted by,

Shelley Lea