

.UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
DECEMBER 5, 2024

The meeting of the Upper Township Zoning Board of Adjustment was held at Township Hall at 2100 Tuckahoe Road, Petersburg. The meeting was called to order at 6:30 p.m.

**SUNSHINE ANNOUNCEMENT**  
**SALUTE TO THE FLAG**  
**ROLL CALL**

Member	Attendance
James Burger, Alt #1	Present
Paul Casaccio, Chairman	Absent
Sherrie Galderisi	Absent
Tom Jackson Alt #2	Present
Richard Mashura	Present
Lynn Petrozza	Present
Christopher Phifer	Absent

Member	Attendance
Donald Rainear, Alt #3	Absent
Andrew Shawl	Present
Matthew Unsworth	Present
Hobie Young, Alt #4	Present

Also, in attendance were Jeffrey Barnes, Board Solicitor, Greg Schneider, Board Engineer and Liz Oaks, Board Secretary and Zoning Officer.

Greg Schneider and Liz Oaks were sworn.

**TABLED APPLICATIONS**

**GRECCO, JASON – BLOCK 600 LOTS 45 & 46 – BA 19-2024**

Applicant is seeking site plan approval with a use variance to construct a 4,900 square foot office/retail building, a 10,080 square foot greenhouse, an outside storage area, a parking lot and stormwater basins to be utilized as part of a proposed retail garden center at 442/444 Route US 9 South in Marmora, NJ.

*Tabled to the January 9, 2025 meeting.*

**APPROVAL OF THE NOVEMBER 14, 2024 MEETING MINUTES**

A motion to approve the minutes was made by Mr. Mashura and seconded by Mr. Shawl.

In favor: Burger, Jackson, Mashura, Shawl, Unsworth

Abstain: Petrozza, Young

**APPLICATIONS**

**TRYKOWSKI, TERESA – BLOCK 552 LOT 5 – BA 15-2024**

Applicant is seeking variance relief for a front yard setback of 21.42' where 50' is required and to allow an accessory structure in the front yard to construct a pool at 26 New Bridge Road in Seaville, New Jersey.

Attorney:

Variance Plan prepared by:

Survey prepared by:

Avery Teitler

Thomas/Bechtold

James W. Boney

Dated: 8/30/24

Dated: 7/16/24

Variances:

- Maximum Impervious Coverage of 33.5% where 30% is permitted.
- Minimum Pool Setbacks of 21.42' where 50' is required.
- Allow an accessory structure in the front yard when not permitted.

Mr. Teitler – The property located at 26 New Bridge Road located in the Seaville section of the township. It is an undersized lot with 15,000 square feet and located in the R Center Residential district with an existing single-family dwelling. The applicant is seeking approval to construct a 14.6' X 27.7' inground swimming pool in the rear of their property. A variance is required because the property has frontage on two streets, New Bridge and Cole, as a result does not have a rear yard. And the pool is only setback at 21.42' off Cole. There is also a variance required for impervious coverage of 33.5% where 30% is permitted. These are the only variances required. The pool setback encroachment does not hinder anyone's view or reduce any light, air or open space. The testimony and evidence will show that there is no substantial detriment to the public good. Nor the zone plan or zoning ordinance.

Andrew Bechtold, Architect, 599 Shore Road, Somers Point, was sworn as an expert.

Mr. Bechtold – They are proposing a modest pool in the other front yard of the existing property. It is a unique situation because of the two frontages. Cole Avenue is similar in the neighborhood in which it runs along the backyard for others. Undersized lots, such as this, generally allow for a total coverage of 70% and if it weren't for the two front yards would be conforming. The pool takes up less than 14% of the rear yard. It will not create any runoff to the neighbors. This is the best location for the pool. They wouldn't want to put it on New Bridge and there is no room on the side of the house. There had been an above ground pool before on this property and it was the same location. There will be no impact on the neighbors. The property is well screened, and the pool will be in ground. There will be no blocking of views so there is no impact on light, air, and open space. The street itself is an additional buffer. The variances can be granted under the C2 criteria. If it abutted a neighbor, the setback would only be 15'. It matches the neighborhood. There is no substantial detriment to the public good.

Mr. Schneider added that the standard undersized lot allowed 70% coverage. Coming to the board for an accessory structure in the front yard reverts to the 30% requirement used on full size lots.

The meeting was open to the public. Hearing no one and seeing no one the public portion was closed and the meeting returned to the board for findings of fact.

Mr. Shawl – The applicant, Teresa Trykowski, has come before the board regarding her property located at 26 New Bridge Road, in the Seaville section of town, also known as block 552 lot 5. The applicant is proposing to construct an in-ground pool in the rear of her existing single-family dwelling. The property is unique in that it has frontage on New Bridge which is the access point and frontage along Cole Avenue in the rear. They seek a variance to allow an accessory structure in the front yard. With a C variance for setback of 21.42' from Cole Avenue where 50' is required. A normal rear yard setback is 15' when it is abutting another property. Maximum building coverage of 33.5% where 30% is allowed in a conforming sized lot. The pool is keeping in character with the neighborhood. The pool takes up less than 14% of the rear yard. There is enough pervious surface to handle any runoff. The location is the best option given the property and its location. The location is in an area that does not obstruct views and does not interfere with light, air, and open space. There was testimony from the professional that there would be no substantial detriment to the zoning plan or public health by granting the variances. He agrees with

the testimony they heard and believes the variances can be granted without detriment to the zone plan or public.

Mr. Mashura – Concurs with Mr. Shawl and adds that the pool will be enclosed with a pre-existing safety fence.

Mr. Jackson – He believes a pool is a great amenity to add and is in favor of the application.

Ms. Petrozza – Concurs with her colleagues and feels the special reasons have been met. She is in favor of this application.

Mr. Burger – Nothing to add. He is in favor of the application.

Mr. Young – Concurs with Mr. Shawl and states that there are numerous similar situations in the township. He is in favor of the application.

Mr. Unsworth – Agrees with his colleagues and is in favor of the application.

A motion to approve the application as submitted was made by: Mr. Jackson  
The motion was seconded by Ms. Petrozza  
In favor: Burger, Jackson, Mashura, Petrozza, Shawl, Young, Unsworth

ZOLL, JOHN – BLOCK 758 LOT 13 – BA 16-2024

Applicant is seeking a variance for the height of a septic wall in the front yard of 8' where 4' is permitted at 117 Taylor Avenue in Strathmere, New Jersey.

Attorney: Scott DeWeese  
Variance Plan prepared by: James E. Chadwick Dated: 9/29/24  
Variances:

- C Variance for height of a septic wall of 8.5' where 4' is permitted in the front yard with a 3' fence/guardrail atop the retaining wall to ensure safety.

Mr. DeWeese – Representing the applicant, John Zoll, regarding his property located at 117 Taylor Avenue in the Strathmere section of the township identified on the municipal tax map as block 758 lot 13 and is within the RR zoning district. The applicant is seeking bulk variance relief relating to the maximum permitted height of a septic field wall and maximum allowed height of fencing atop the septic field wall. The original application included a groundwater recharge system that may not be needed any longer.

James Chadwick, Professional Engineer and Registered Architect, 1348 Asbury Avenue, Ocean City, was sworn as an expert.

Mr. Chadwick – The property is located on Taylor Avenue in Strathmere. Has been a previously developed land for many years. Originally a single story, single-family residence. The property has a significant amount of wetlands. The prior owner enlisted another engineer to submit applications with the DEP to redevelop the property. Within that process they defined the limits of the wetlands. They obtained approvals with the DEP to remove existing and rebuild in the same footprint including exterior stairs. The Cape May County Health Department approved a new on-site sewage disposal system. Any new septic systems must comply with Chapter 9A site testing and design requirements. If you can't meet certain criteria you must apply to the DEP for a

treatment works approval (TWA). It is similar to the application tonight. The DEP approved the TWA. With the approval of the TWA, they were able to obtain approval from the DEP. They received construction permits and there is now an improved structure being constructed on site. A septic field wall is akin to a fence in the township ordinance. The ordinance restricts a fence height in the rear yard of 6' and in the front yard of 4'. The DEP mandate the septic be in the front yard due to flood prone areas and wetlands. The DEP approval for the TWA and the approval by the Cape May County Department of Health mandated that the septic system retaining wall, the top of the wall, was to be at elevation 11.5'. The site ground elevations immediately surrounding are about elevation 3. The top of the septic wall is approximately 8'. The variance is to allow for the mandated height. There are 2 other properties in the area that have their septic systems in the front yard and are over 4' high. They propose to utilize the ground area as a lounging area which will need to include a safety fence. They are requesting a variance for a railing system that will put the height at about 11'. The proposed septic wall height is mandated by the DEP and the additional fencing is mandated by safety codes. This is a seashore house and they don't want to obstruct views more than they have to. They guard rail system they propose is a cable rail system. This design is virtually invisible and will match the residence. The waiver for groundwater recharge system is no longer needed as it was already installed and inspected by the township. They only need the variances for the septic wall and fence. He believes the purposes of zoning will be enhanced.

- (a.) To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare.
  - The replacement of the septic system promotes public health by separating from the ground water.
- (b.) To secure safety from fire, flood, panic and other natural and man-made disasters.
  - This new house is raised significantly per ordinance. It is constructed with break away walls because it is within the Coastal A Zone. It is constructed per ordinance to protect from flood. And the septic system retaining wall protects the septic system from flood as well.
- (i.) To promote a desirable visual environment through the creative development techniques and good civic design and arrangements.
  - They have designed an attractive structure, replacing a dwelling that had exceeded its life.

Mr. Chadwick believes there would be no substantial detriment to the public good or substantially impairing the intent and purpose of the zone plan and zoning ordinance. There would be more detriment to the public leaving the structure that was originally on site. The applicant could also be granted the variances under the C1 hardship criteria due to the wetlands and limitations that are imposed. And while complying with the DEP requirements they create a hardship. He believes the benefits outweigh any detriments. They would finish with stucco and install a perimeter planter at the elevation with ivy that would cascade down creating almost a living wall. They had considered installing something like this at grade but the flooding with salt water would kill any vegetation. The ivy would be an evergreen that would be green year-round. The cable rail system to match the residence will be aesthetically pleasing. The project will not create any runoff problem with neighboring properties.

The meeting was open to the public. Hearing no one and seeing no one this portion was closed and the meeting returned to the board for findings of fact.

Mr. Shawl – The applicant, John Zoll, comes to the board regarding his property at 117 Taylor Avenue in Strathmere also known as block 758 lot 13. The applicant is in the process of constructing a single-family dwelling to replace an older structure. As part of the septic application the septic system must be elevated. They have received NJDEP approval. We heard testimony that the new dwelling is aesthetically an improvement to the neighborhood and the new septic system is state of the art. The County and NJDEP have approved the location of the dwelling. During the application process it was discovered that septic sheet piling is treated as fencing per ordinance. Anything over 4’ high requires a variance. The septic system is 8’ tall and in order to use the space on top they need a 3’ high safety fence on top and will need a variance for that as well. There are 2 other properties in the neighborhood that have a similar issue. The fence on top of the wall is a cable system to minimize impact on the view and aesthetically matches the residence. The design of the house and septic are a benefit to the neighborhood. We heard testimony from the professional that the purposes of zoning include (a.), (b.), and (i.). We heard testimony there would be no substantial detriment to the public good or the zone plan and zoning ordinance. The benefits outweigh any detriment. We heard testimony that the extent of wetlands, where there was an existing home and septic, create a hardship. There was no public comment. He believes the variances can be granted due to the special reasons.

Mr. Mashura – The applicant agrees to make the wall aesthetically pleasing.

Mr. Jackson – Concurs. He adds that he is aware of the substantial increase of cost to upgrade to a cable system and believes it is a great improvement.

Ms. Petrozza – Concurs and is in favor of the application.

Mr. Burger – Believes the applicant has been forced into this situation and is in favor of the application.

Mr. Young – Concurs. He suggests that the applicant agree to submit an elevation or as-built to show aesthetic improvement as a condition of approval.

Mr. Unsworth – Concurs with the board and professionals. He confirms the applicant agrees to the condition of approval suggested by Mr. Young.

A motion to approve the application with the condition of submitting an as built  
was made by: Mr. Jackson  
The motion was seconded by Ms. Petrozza  
In favor: Burger, Jackson, Mashura, Petrozza, Shawl, Young, Unsworth

YONKAUSKE, ANGELIQUE – BLOCK 506 LOTS 11 - 23, 30 AND 36 - 40 – BA 17-2024

Applicant is seeking variance relief for a front yard setback of 8.7’ where 50’ is required and to allow an accessory structure in the front yard for a pool at 304 Mistletoe Avenue in Marmora, New Jersey.

Attorney: Pat Whelan  
Survey prepared by: Gibson Associates Dated: 8/26/24  
Variance plan prepared by: Gibson Associates Dated: 10/1/24

Variations:

- To allow an accessory structure, a pool, in the front yard where one is not permitted.
- A setback of 8.7’ where pools require a 10’ setback and front yard requires a 50’ setback.

Mr. Whelan – He is here to represent Ms. Yonkausk. She is seeking a variance for a pre-existing pool in the rear yard of a home she recently purchased. The property is unique in the fact that it not only has the street frontage of Mistletoe, but it also has two paper streets creating 3 front yards. The location of the pool is essentially the rear yard of the home as shown in the aerial provided. They have already had discussions with the construction official about safety and they have already installed a fence.

Louis Scheidt, Engineer with Gibson Associates, 522 Sea Isle Boulevard, was sworn as an expert.

Mr. Scheidt – Everything complies with bulk standards. The only reason they are here is due to an accessory structure in a front yard. The property is in a very isolated location with a lot of buffering. The property and pool are consistent with the neighborhood. It does not interfere with light, air, and open space. There is no negative impact. There are no plans that he could find in the near future to improve the paper streets. They aren't looking to build something it is already built. There is no substantial detriment to the public good. No substantial detriment to the zone plan and zoning ordinance. They believe the pool has been on the property for about 20 years.

The meeting was open to the public. Hearing no one and seeing no one this portion was closed and the meeting returned to the board for findings of fact.

Mr. Shawl – The applicant, Ms. Yonkausk, comes before the board regarding her property at 304 Mistletoe Avenue also known as block 506 lots 23, 30 AND 36 – 40 on the municipal tax map. The applicant has a pre-existing above ground pool on a property that has 3 front yards. The pool is located 8.7' from the property line that fronts on Oakland Avenue which is unimproved. The developed property is surrounded by trees. There is an access road on Mistletoe which serves as a driveway to the residence. We heard testimony that it complies with the bulk requirements. Except for the pool in the front yard and the setback of 8.7' where 50' is required for a front yard. The location of the pool provides light, air, and open space. There is no negative impact on the neighborhood and public health. There is no substantial detriment to the zone plan and zoning ordinance. There was no public comment. He believes the variance can be approved for special reasons stated by the expert.

Mr. Mashura – Nothing to add.

Mr. Jackson – Nothing to add.

Ms. Petrozza – Nothing to add.

Mr. Burger – Nothing to add.

Mr. Young – Nothing to add.

Mr. Unsworth – Concurr. He lives in the neighborhood and didn't know there was a pool there. There is open space around you that is most likely undevelopable due to small lot sizes and wetlands.

A motion to approve the application as submitted was made by: Mr. Jackson  
The motion was seconded by Mr. Young  
In favor: Burger, Jackson, Mashura, Petrozza, Shawl, Young, Unsworth

HAWKEYE, LLC – BLOCK 842 LOT 3 – BA 18-2024

Applicant is seeking variance relief for two front yard setbacks, 3.17' and 8.4' where 15' is required, side yard setback of 2.3' where 6' is required, rear yard setback of 0' from the bulkhead where 10' is required and building coverage of 40.1% where 27% is permitted to raise a single-family dwelling at 100 South Bayview Drive in Strathmere, New Jersey.

Attorney: Keith Davis - Nehmad, Davis & Goldstein  
Zoning Board Submission prepared by: Christina Amey Architect Dated: 9/5/24

Engineer: Craig Hurless, Hurless Planning and Engineering  
Survey prepared by: DeVaul Survey Dated: 6/28/22  
Exhibits

- Exhibit 1 – Rendering
- Exhibit 2 – Aerial close up
- Exhibit 3 – Aerial distant

Variations:

- Building coverage of 40.1% where 27% is permitted.

Existing nonconforming conditions:

- Two front yard setbacks of 8.4' and 3.17' (1' to steps) where 15' is required.
- Side yard setback of 2.3' where 6' is required.
- Rear yard setback of 0' from bulkhead where 10' is required.

Mr. Davis – Representing the applicant, Hawkeye, LLC with the managing member Dr. Coyle Connelly that will be using the property as a summer residence. The property is located at 100 S. Bayview Drive in the RR zone also known as block 842 lot 3 on the municipal tax map. This is an existing undersized lot that fronts on the bay. There is an existing single-family home on the property. The proposal is to renovate and elevate the home. The existing home does not meet the current flood requirements. They will be introducing a garage to the structure which will add 2 parking spots where there are currently none. The property is undersized, and they are unable to acquire surrounding land to increase the size. There are some pre-existing non-conformities that are related to the existing structure that will remain. When the home is elevated, they will need to add a staircase to reach the finished first floor that triggers a setback variance to the steps and the shower. They believe that the overall benefits by providing a flood compliant home, adding parking where none currently exists, and an overall aesthetic improvement outweigh any negative impact associated with the variances.

Dr. Coyle Connolly, 301 E. Oak Street, Moorestown was sworn.  
Craig Hurless, Professional Planner, 507 Heritage Court, Galloway was sworn as an expert.  
Christina Amey, Architect, 761 Asbury Avenue, Ocean City was sworn as an expert.

Dr. Connolly – He is the managing member with the controlling interest of Hawkeye, LLC., which owns 100 South Bayview Drive. The property is currently a “quaint crab shack” that is deteriorating. He wants to improve the look and make it livable. He considers it a labor of love and intends on using it for him and his family.

Ms. Amey – There is currently a 3-bedroom single-family dwelling with a newer septic system. There is no parking, and the house is not compliant at all. They are proposing to raise the dwelling 3' above what the township requires to allow for 2 parking spaces underneath making the parking compliant. They have made the garage as high as possible given the pitch. They have added steps, the number of bedrooms remains the same. There is no increase in habitable space. There is an existing flat roof on the bayside they propose a railing to be utilized as a deck.

Ms. Amey gave a brief description of the plans and aerials submitted with the application.

Ms. Amey – There is an existing nonconformity with the impervious coverage that will be improved from 53.1% to 44.2%, therefore eliminating that nonconformity. The new variance being requested is for building coverage and side yard setback due to the new steps needed to enter the home. The impervious coverage is being reduced because of an area of paving being removed. The proposed is smaller than the surrounding neighborhood. The height is 7.9' lower than the maximum allowed height. The shower setback is proposed at 3.83' where 6' is required. The steps are at 3.2' where 6' is required. They do not

only propose raising the dwelling but renovating. The façade will be replaced, some windows and this is located in the Coastal A Zone which requires break away walls.

This supports the following purposes of zoning:

- (i) To promote a desirable visual environment through creative development techniques and good civic design and arrangement.

Mr. Shawl – Is the FAR affected?

Ms. Amey – There is no change in the FAR, it is existing, nonconforming.

Mr. Unsworth questioned the septic.

Ms. Amey – She did not design nor install the septic. It was required for the sale of the home.

Mr. Hurless – They have an existing nonconforming structure on a nonconforming lot. The lot does not comply with lot area, lot frontage, or lot depth. The minimum requirements in the RR Zone are 4,000 square feet lot area and a 40' X 100' frontage and depth. The lot area is 2,782 square feet with 35' lot frontage and 80' lot depth. Approximately 25% of the property falls into the waterway. The structure is completely nonconforming. The front yard setback with respects to Bayview, the steps project out to the right of way which is at a 0' setback. They intend to improve to a 1' setback. The front yard on Whittier has a 15' front yard setback requirement with 8.4' existing and 8.4' proposed. The rear yard bulkhead has a 10' setback requirement where 0' is existing and 0' is proposed. The side yard stair is 2.3' existing where 1.58' is proposed. The lot is a parallelogram oriented toward Whittier where the structures are oriented to Bayview, so the structure is skewed on the lot. The side yard shower has a 6' setback and is tucked into the structure with a proposed setback of 3.8'. the existing building coverage is 36.3% with proposed 40.1%, due to the stairs, where 27% is permitted. The existing nonconforming impervious coverage is 53.1% where 45% is the maximum, they are reducing to 44.2%. the FAR is existing nonconforming at 56% where 54% is permitted. This is approximately 72 square feet. There is no existing parking, and they propose 2 off street parking spaces. He believes the variances can be granted under the C1 or hardship criteria due to the narrowness, shape, and shallowness of the lot. There is no way the structure could ever comply. The rear portion of the lot is in the bay by about 25% and the lot is skewed. He believes the variances can be granted under the C2 or substantial benefit criteria due to the design. It is a better zoning alternative in complying with the ordinance. He believes there are 3 special purposes of the act they are advancing.

- (b) To secure safety from fire, flood, panic, and other natural and man-made disasters.
  - The township ordinance encourages the compliance of flood requirements.
  - Reducing the lot coverage from 53.1% to a conforming 44.2% also promotes safety by improving stormwater characteristics of the lot.
  - They are complying with the new stormwater requirements.
- (c) To provide adequate light, air, and open space.
  - They are reducing lot coverage.
  - The setbacks are staying the same or improving.
  - They are not going as high as permitted. They propose 28' where 35' is permitted.
- (i) To promote a desirable visual environment through creative development techniques and good civic design and arrangement.
  - The proposed design is a desirable visual environment.
  - They are going straight up.

Mr. Hurless – He does not believe there is any substantial detriment to the public good. He does not believe there is any substantial detriment to the intent or purpose to the zone plan or zoning ordinance. The re-exam states the RR District is specifically zoned for residential development in Strathmere. Building coverages, FAR, and heights are utilized to ensure the scale of the residential structures maintain the charm of Strathmere and Whale Beach. They are not increasing the FAR and they are adding parking. He believes a 1,574 square foot home is modest for the neighborhood. There is mention of encouraging decks. They are utilizing a flat roof to be used as a deck. The design is open and airy. It is recommended that homes be

elevated to accommodate for future road improvements. They established a minimum garage floor elevation that they have complied as much as possible. The ordinance includes stormwater management controls and that is the requirement to provide 100' of the stormwater recharge trenches that they are able to provide. He does not believe there is any detriment to what they propose.

The meeting was open to the public.

Linda Bateman, 14 E. Tecumseh Avenue, was sworn. Ms. Bateman was involved in the revision of the ordinance. When this was done the idea was that every lot was looked at and should reduce variances. She was concerned as to why this wasn't a tear down. It has been through numerous storms and doesn't believe it will be raised and parts of it will be kept. It's cheaper and easier to tear it down. She is concerned about setbacks. She is concerned about the septic, compared to hers it seems too small. She thinks they should make the house smaller. They bought it knowing it was nonconforming. She urges the board to consider the ordinance.

Seeing and hearing no one else, the public portion was closed, and the meeting was returned to the board for findings of fact.

Mr. Barnes – Adds the conditions that all exhibits are submitted electronically and due to the number of existing nonconformities the board engineer zoning compliance schedule should be attached to the resolution.

Mr. Davis – He has no problems with complying.

Mr. Shawl – The applicant, Hawkeye, LLC comes before the board regarding the property located at 100 South Bayview Drive in the Strathmere section of the township, also known as block 842 lot 3 on the municipal tax map. The applicant proposes to raise the existing structure to comply with flood regulations and to add 2 off street parking spaces underneath. And to allow for potential raising of the roadway, they propose to elevate the home higher than the current requirements. Raising the home requires a set of stairs for access. The existing conditions do not comply with anything. The current front steps are at a 0' setback and they propose to improve to 1' setback. The building height is compliant and will remain compliant. The building coverage allows 27% and they propose 40.1% largely because of the stairs. The impervious coverage allowed is 45%, it is currently 53.1% and they propose 44.2%. we heard testimony that the septic system was changed at the time of sale, approximately 2 years ago. With the elevation the applicant is proposing an outdoor shower located underneath a covered patio which is pre-existing nonconforming. They require a variance for a side yard setback. The lot is a parallelogram and is parallel to Bayview Drive. This is a corner lot with 2 front yard setbacks which they do not meet with either. Because the property is in the Coastal A Zone, they will comply with break away walls. The stormwater management will be on site where it was not before. One of the special reasons is to protect from flood. The RR Zone is to promote residential use, and this is a single-family dwelling. The design changes will keep in character of the neighborhood. We heard testimony from the planner that the variances could be granted under the C1 criteria due to the shape and size of the lot. They are maintaining light, air, and open space. The C2 criteria can be addressed by advancing the purposes of zoning by securing from fire and flood, they are reducing coverage and providing off-street parking. He believes the variances can be granted without substantial detriment to the public good. There is no substantial detriment to the intent and purpose of the zone plan and zoning ordinance. And special reasons of providing light, air, and open space and continuing to provide a single-family home that meets current flood requirements in the RR Zone. We heard public comment that the board should consider carefully the fact that this house does not meet the FAR and other nonconformities. And that, while the house is historic, a different design would be better for this lot.

Mr. Mashura – In favor. They are fixing nonconformities and raising the home to comply with flood requirements. They are adding off-street parking, which is a benefit.

Mr. Jackson – Concurs with his colleagues.

Ms. Petrozza – Concurs and adds that the application was presented thoroughly leaving the board with little to question. She believes the requirements have been met. She is in favor.

Mr. Burger – He is in favor of the application.

Mr. Young – He is in favor. They are complying with flood requirements. He believes the design is appropriate for the neighborhood.

Mr. Unsworth – He concurs with his colleagues and is in favor of the application.

A motion to approve the application as submitted was made by: Mr. Young  
The motion was seconded by Ms. Petrozza  
In favor: Burger, Jackson, Mashura, Petrozza, Shawl, Young, Unsworth

### **RESOLUTIONS**

HSC SEAVILLE, LLC - BLOCK 561 LOTS 3, 4.02 & 9 - BA 14-2024

A motion to approve the resolution was made by Mr. Shawl  
The motion was seconded by Ms. Petrozza  
In favor: Burger, Mashura, Petrozza, Shawl, Unsworth  
Abstain: Jackson, Young

### **2025 MEETING DATES**

A motion to approve the resolution was made by Mr. Shawl  
The motion was seconded by Mr. Jackson  
In favor: Burger, Jackson, Mashura, Petrozza, Shawl, Young, Unsworth

### **BILLS**

A motion to pay the bills as presented was made by: Mr. Unsworth  
The motion was seconded by: Ms. Shawl  
All in favor.

### **PUBLIC PORTION**

The meeting was open to the public. Hearing no one and seeing no one this portion was closed.

### **ADJOURNMENT**

A motion to adjourn the meeting was made by: Mr. Jackson  
The motion was seconded by: Mr. Shawl  
All in favor. The meeting ended at 8:39 pm.

Submitted by,  
Liz Oaks