



**CITY OF ABSECON  
Municipal Complex  
500 Mill Road  
Absecon, New Jersey 08201**

**PLANNING & ZONING  
Tina M. Lawler, Secretary**

**PH. (609) 641-0663 ext. 112  
FAX (609) 645-5098**

**MAY 21, 2019  
ZONING BOARD  
REGULAR MEETING  
MINUTES**

The meeting was called to order by Pat Malia at 7:00 p.m.

Flag Salute

Notification of Meeting

**ROLL CALL**

**PRESENT:** Baltera, Heller, Koussoulis, Lawler, Larotonda, Famularo, Seher, Malia

**ABSENT:** Polisano

**OLD BUSINESS:**

**Vote:** Minutes of April 16, 2019 meeting

Motion to approve: Greg Seher - second – Nick Larotonda

All were in favor.

**Vote: D&R for Appl. #1A - 2019** – UHaul Company of Coastal New Jersey – 1 White Horse Pike - Block 215 – Lot 1.01 & 1.02 for Amended Site Plan Approval

Motion to approve – Mike Famularo – second – Greg Seher

ROLL CALL: Heller, yes; Famularo, yes; Seher, yes; Malia, yes

**Appl. #3-2019** for JW Deli – 139 E. Faunce Landing Road – Block 164, Lot 9 for a Use Variance to build a 10' x 16' ft. deck on the restaurant and a sign variance

**Chris Baylinson, Esq., attorney for applicants, Jeff Fiedler and William Hancock who were sworn in.**

**Chris** - these gentlemen have taken over the building in September and have done some dramatic improvements to the aesthetic of the property and enhancements. They are here tonight for a "D" Use Variance because in the course of the renovations of the building, these gentlemen replaced a deck on the side of the building and made it larger. He marked into evidence Exhibit A1 a bird's eye view colored rendering of the property. Besides the deck addition, they raised the sign up and made it bigger. It was raised to make the site triangle for ingress and egress easier. That requires a "C" variance.

Chris then asked questions of Jeff and William. Jeff said they took the property over right after Labor Day of 2018 and made substantial changes. We painted the building and took almost three dumpsters of trash away from the outside. The old deck was falling down, so we put a new one up. There was some miscommunication between the landlord and were under the assumption that we could replace it. We then found out that we couldn't and are here tonight for approval. It has not been used yet and it needs to have the railings on top finished and there are no railings on the stairs yet. He then showed a picture of the previous deck, Exhibit A2. The new deck will allow about 6-8 people, maybe three tables. With the sign, he was not aware of the laws. He just raised it so people could see leaving the property and have a better visibility. We didn't go wider, just raised it up. The business is steady for now. Weekends are better than weekdays and hopefully it will pick up. They plan on staying open year round and have put \$85,000 into this already. We have 5 employees and will be hiring some more soon. He thinks they have enhanced the property and the deck and sign will have no negative impact on the surrounding area. There has been a restaurant there for 25 years and he feels this site has only be made better.

**Eddie** – he asked if they thought there would be any negative impact to the outdoor seating with noise and if they felt there was adequate parking for the increase in volume of business. He wanted to know if they have any driving issues around the site or traffic concerns and they said no. There is a blue storage unit in the corner of the property and he asked what it's used for and they said it belongs to the landlord and they talked to him and he said he will move it. Eddie wanted something memorialized, so he asked to put a certain time limit on it and it was agreed to 30 days. Being located on the creek, have you looked into finding out if you need any other approvals maybe from the DEP and if they are required and get approval from this board, it's not a waiver from them? The sign variance triggers four variances: structural type variance; a functional type variance; a size of the sign and the height of the sign.

**Matt** – was curious what zone the Faunce Landing new park area was in

**Pat** – asked if the landlord put any restrictions on parking at the site

**Jeff** – no he hasn't

**Pat** – how many seats are inside?

**Jeff** – 18

**Matt** - are there restrictions where the boats can be out front on the street?

**Ed** – there is existing parking for them and he didn't really review that since there are no modifications to that. Also, in response to Mr. Lawler's question is, it's in a C3 zone, Marine Commercial Zone

No public was in attendance.

**Jim** – by way of affirmative votes of 5 members, the board would grant a “D” variance to expand on a nonconforming use to replace an existing deck to replace with a new 10’ x 16’ deck.

Motion was made by Greg Seher – second – Jen Heller

ROLL CALL: Baltera, yes; Heller, yes; Koussoulis, yes; Lawler, yes; Larotonda, yes; Seher, yes; Malia, yes

Motion to grant “C” variance relief to install a permanent free standing sign; 16 ft. of sign area; site identification signage for a restaurant; and lastly, a sign height of 9 ft. 6 inches was made by Greg Seher – second – Jen Heller

ROLL CALL: Baltera, yes; Heller, yes; Koussoulis, yes; Lawler, yes; Larotonda, yes; Seher, yes; Malia, yes

### **ADJOURNMENT**

Motion to adjourn – Greg Seher – second – Marina Koussoulis  
All were in favor.

Respectfully submitted,



Tina Lawler, Secretary

Approved: 6-18-19