



# The Avalon Home and Land Owners Association

PLANNING AND ZONING BOARD

PLEASE NOTE THERE IS NOT A REPORT GIVEN EACH MONTH

June 2010 - Two applications were heard:

77 West 23<sup>rd</sup> St. requested a variance for the set-back of the outside shower to accommodate wheel chair use, which was approved.

4604 4<sup>th</sup> Ave requested definition of term "bulkhead" as it applied to this waterfront bay property. The applicant desired to build a deck in his backyard that over-laid a structure that could more appropriately be defined as a retaining wall. The Board determined that the structure was more appropriately defined as a retaining wall as it is located a significant distance from the mean high water mark removing a potential variance request.

May 2010 - The April meeting of the Board took the form of a work session.

Mike Matt made a presentation on an initiative to beautify Avalon Boulevard. He stated that a letter has been sent to organizations in town. There is information on the Borough website, the AHLOA website and on cable Channel 2. There will be three public meetings to be held on June 2, July 7 and August 4 at 7:00 p.m. in the Council Chamber. He would like to see as many people as possible present.

A Board sub-committee is looking into changes to the Zoning and Site Plan ordinances to clarify the language and the intent of the language.

There has been continued discussion on rules for the Board.

There was an update on the progress of the Green Team.

March 2010 - Four applications were heard at Special meetings in February. Approval was given for a second-floor addition to 2249 Dune Drive. Avalon Yacht Club was given approval to replace a storage area with a larger unit provided the steps from a deck were directed toward the parking lot instead of the water.

The formal review of the installation of a cell phone array at the 13\* Street Water Tower was heard. Several variances were requested and approved, notably higher fencing to hide equipment pads, larger pads that allowed in the Zoning Ordinance and additional trees to provide adequate noise buffering.

The Windrift Hotel was given approval to renovate an existing pool and to modify the area around the pool to make it more aesthetically pleasing.

The Board is currently working on a set of "Rules of the Board", something that has been lacking and which could be important legally and add credibility in court cases.

Beth Tipping, Board Vice-Chair, will chair a subcommittee to look at changes to Chapter 27, Zoning Ordinances. This is something that is done periodically to clarify and clean up language in the ordinance.

Feb 2010 - Officers were appointed for 2010.



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There was an informal review of the installation of a cell phone array at the 13<sup>th</sup> Street Water Tower. Neighbor concerns about noise were raised.

The Board approved the Dune Vegetation Management Plan.

Jan 2010 - The Board will be meeting once a month, on the second Tuesday, during 2010. Special meetings will be called as necessary.

Dec 2009 - Planning Board approved variances for a property at 120 40<sup>th</sup> Street. The property is unique in that the garage will have a green roof.

The Board will be meeting once a month, on the second Tuesday, during 2010. Special meetings will be called as necessary.

[ no meeting in November ]

Oct 2009 - In addition to the information noted by the Environmental Committee it was reported that in conjunction with the discussion on the Dune Vegetation Management Plan Dr. Stewart Farrell, Stockton College, related information of a study he had carried out on the high dunes. These dunes are slowly migrating seaward. He also noted that the aggregate building and accessory coverage in the dunes was only 2% of the total area.

The Board also granted variances to two properties.

July 2009 – The Board considered an application for relocation of a hot tub (spa) to a pool deck at 5499 Dune Drive A variance to increase the water surface by 20 sq. ft. and to reduce the impervious area by 25 sq. ft. was approved with conditions that the applicant would provide photographs showing compliance with appropriate safeguards during construction and would comply with all other provisions in the Board Engineer's report.

June 2009 The Board deferred a hearing on a request to reconstruct a pool/spa at 5499 Dune Drive since the notice that was sent to neighbors did not refer to the Borough Dune Ordinance. The case will be heard at a later date.

May 2009 – At the direction of the courts, which found that the Board did not have authority under the Dune Ordinance to issue direction, the Board held an additional hearing on the property at 5109 Dune Drive so that recommendations could be made to Borough Council for that body to give a decision. The Board is still not in favor of the swimming pool since that is in contravention of State Aid Agreements and the Borough Ordinances. A number of other recommendations were also made regarding the property.

A sub-committee of the Board has been developing a “Green Master Plan” on ways that the Borough can become more energy efficient and can save water. A draft of the plan has been reviewed by the Board

March 2009 - The Board heard an application from Tonio's Pizza (25th and Ocean) to build a second restaurant on the property. The applicant had addressed the concerns that had been discussed at an earlier session. The application was approved.

The Board also approved the construction of a new deck at 181 7th Street. The deck replaced and existing non-conforming deck that was in bad shape.



## **The Avalon Home and Land Owners Association**

January 2009 - The annual reorganization of the Board occurred at the January meeting. Neil Hensel remains as Chair and Beth Tipping as Vice Chair. The Professionals were also reappointed for 2009

October 2008 - The Board has been actively working on a revision of the Site Plan Ordinance (Chapter 26 of the Avalon Ordinances). A revision has been sent to Borough Council with a recommendation for approval. Future work will involve a review of the Zoning Ordinance, Chapter 27.