

Memorandum

To: Sea Isle City Zoning Board of Adjustment

From: Andrew A. Previti, P.E.

Date: September 22, 2025
December 8, 2025 - Update

Subject: 6000 Landis, LLC
6000 Landis Avenue
Block: 60.03, Lot: 17
City of Sea Isle City, Cape May County, New Jersey

Project No.: SIZ0272

Minor Subdivision and D1 Use Variance Applications

I. Background

The applicant has submitted an amended application which will require multiple approvals including Minor Subdivision, D1 Use Variance Relief, Site Plan Approval, and C Variance Relief. This report will only address the proposed Minor Subdivision and the D1 Use Variance relief portion. A separate report will be prepared for the proposed development which would require Site Plan Approval.

The subject property has one hundred (100) foot of frontage on Landis Avenue and one hundred ten (110) foot of frontage on 60th Street. Therefore, the lot has a lot area of eleven thousand (11,000) square feet. The parcel is located in the C-2 Neighborhood Business District and the existing lot would be a conforming lot in the C-2 District.

The application for Minor Subdivision is proposing to subdivide the existing lot into two (2) separate parcels. The corner parcel to be located at 60th and Landis Avenue would have one hundred (100) foot of frontage on Landis Avenue and sixty (60) foot of frontage on 60th Street and would therefore have a lot area six thousand (6,000) square feet. The interior lot which would result from the minor subdivision would have fifty (50) foot of frontage on 60th Street and a lot depth of one hundred (100) feet and would have a lot area of five thousand (5,000) square feet. Both lots would conform to the C-2 requirements for lot area.

The above noted corner lot would be subject of a separate application which would require Site Plan approval. The D1 Use Variance is necessary since the applicant is proposing to construct a duplex structure in the C-2 District on the interior fifty (50) by one hundred (100) foot lot and this would require a D1 Use Variance since duplex construction is not permitted in the C-2 District.

The applications for Minor Subdivision and Use Variance relief have been accompanied by the following documents which have been submitted for review.

Status: A new site plan prepared by Engineering Design Associates (EDA) has been submitted for this project as well as site specific architectural plan prepared by Thomas/Bechtold Architecture & Engineering. The previously submitted minor subdivision plan has also been revised and resubmitted. The submitted plans have been prepared to address the D1 Use Variance Application as well as the site improvements required for proposed Lot No. 17.02 if approved and developed. These plans also reflect two (2) proposed swimming pools which were not proposed in the original application which was the subject of the original September 22, 2025 review.

<u>Drwg.</u>	<u>Title</u>	<u>Prepared By</u>	<u>Date</u>	<u>Revision</u>
No. #	Plan of Minor Subdivision Blk 60.03, Lot 17	Mark G. DeVaul, PLS.	4/9/2025	12/2/2025
1 of 7	Cover Sheet	Vincent C. Orlando, PE	11/8/2025	---
2 of 7	Existing Conditions & Demolition Plan	Vincent C. Orlando, PE	11/8/2025	---
3 of 7	Site Plan	Vincent C. Orlando, PE	11/8/2025	---
4 of 7	Grading, Drainage & Utility Plan	Vincent C. Orlando, PE	11/8/2025	---
5 of 7	Landscape Plan	Vincent C. Orlando, PE	11/8/2025	---
6 of 7	Engineering Details	Vincent C. Orlando, PE	11/8/2025	---
7 of 7	Soil Erosion & Sediment Control Plan	Vincent C. Orlando, PE	11/8/2025	---
PB-1	Proposed Site Conditions	Andrew Bechtold, RA	11/17/2025	---
PB-2	Elevations	Andrew Bechtold, RA	11/17/2025	---

- Letter to Genell Ferrilli, Secretary Zoning Board of Adjustment from Avery S. Teitler dated September 5, 2025.

The proposed use of a two (2) family residence is not a permitted use in the C-2 District. Therefore, there are no bulk regulations for this proposed use. The Board has previously determined that in these circumstances the bulk regulations of the C-2 District would not be applicable and that the Board would apply appropriate bulk requirements to the proposed

structure if the Board were to grant the Use Variance. I will address proposed bulk requirements in Section V of this report.

The application will require Variance Relief as noted in the Variance Chart below:

VARIANCE CHART

<u>Parameter</u>	<u>Required or Permitted</u>	<u>Proposed</u>	<u>Variance</u>	<u>Code Section</u>
1. Use	Various Commercial & Mixed Use, Per Code Section 26-53.1	Two (2) Family Residential Dwelling With two (2) Swimming pools	Two (2) Family Residential Dwelling With two (2) Swimming pools	26-53.1

Note: This variance is a D1 Variance.

The revised minor subdivision plan and the EDA and Thomas/Bechtold plan must be consistent with one another. Since there are no standards for residential development in the C-2 District the plans must reflect what the Board deems to be appropriate for the proposed use, including the accessory swimming pool use. The issue of conformance to bulk standards for both the building and the accessory use will be addressed in the D-1 Use Variance Review Section of this report.

II. Determination for Completeness

The application as submitted is complete for review. However, there will be a need to revise the application to address comments contained in this report.

III. Minor Subdivision Review - All Comments Continue

The following comments are keyed to the attached Minor Subdivision Checklist.

2.b. - Landowners Certification:

The landowner's certification has not been signed on the Minor Subdivision Plan which I have reviewed. If the subdivision is approved, the landowner must sign the plans prior to submission for signature for filing purposes.

2.c. - Surveyor's Certification:

The surveyor's certification has not been sealed on the minor subdivision plan which I have reviewed. If the subdivision is approved, the surveyor must sign and seal the plans prior to submission for signature for filing purposes.

The surveyor has signed and sealed the subdivision plan being submitted for review but not the certification.

2.g. – Proposed Lot Numbers:

If the subdivision is approved the surveyor should contact the City's Tax Assessor to discuss if there is a need to modify any of the proposed lot numbers.

2.p. – Tax Collector's Certification:

The Tax Collector's Certification has not been executed on the Minor Subdivision plan which I have reviewed. The Tax Collector's Certification must be executed on the plat which is to be filed and this certification should be completed before I can sign the plan as the Municipal and Planning Board Engineer.

IV Additional Comments – Minor Subdivision - Comments 1, 2, 3 & 5 Continue.

1. The Zoning Schedule on the Minor Subdivision Plan requires revisions as follows:
 - a. The permitted maximum building height in the C-2 District is thirty-nine (39) feet not forty-one (41) feet as noted under the "Required Column". This should also be corrected under the "Proposed Lot 17.01 Column" unless the applicant is seeking variance relief from building height requirements as part of the Site Plan Approval.
 - b. The maximum building height in the R-2 District is thirty-one (31) feet not forty-one (41) feet as noted in the Schedule. The schedule should be revised accordingly.
2. This subdivision will require the extension of utilities for the proposed residential lot. **Therefore, a condition of any approval which the Board may grant should be conditioned on the applicant meeting with the Department of Public Works to coordinate the extension of utilities. The applicant is advised that 60th Street has been constructed with Full Depth Reconstruction and an underdrain system and the restoration of the street will require special construction to return the street to its existing condition.**
3. The minor subdivision plan shows what appears to be the existing driveway. Any approval which the Board may grant for the subdivision should require that the driveway size for the residential lot would conform to the requirements of the City Code which is a twenty-four (24) foot wide driveway.
4. It is again noted that if the Applicant is seeking various relief for the proposed duplex structure on Proposed Lot 17.02 that testimony should be provided due to the differences between the Freda Prototype submitted and the setback information shown on the Plan of Minor Subdivision.

Status: The DeVaul minor subdivision plan must ultimately reflect what the Zoning Board approves relative to bulk requirements for the proposed duplex structure as will be further discussed in Section V. The Freda Prototype Plan is no longer part of this application and a site specific architectural plan prepared by Thomas/Bechtold for the proposed lot 17.02 has been submitted and is the subject of this review.

5. Code Section 26-43.2.2f requires that the Planning and/or Zoning Board deny a subdivision application if the subdivision is being proposed to avoid the requirements of affordable housing. The overall project, including the mixed use development which is the subject of a separate review would create a total of five (5) units. The application indicates that the existing building on the site supports an office on the first floor and an apartment on the second floor. Photographs of the office space and the apartment are included in the application. Based on this information the development would result in a net of four (4) units (5 new minus 1 existing). Given these conditions the development would meet the requirements of Code Section 26-43.2.2b and would not need to meet the affordable housing mandatory set aside requirements of Code Section 26-43.2.2f. While the submitted application provides evidence of the existence of the one existing apartment unit, I recommend that testimony be provided by the applicant at the hearing to further support the claim of the existing residential unit and the net overall increase of four (4) units.

V. D1 - Use Variance Application Comments:

1. One of the criteria that the Board utilizes in Use Variance Applications is if what is being proposed is appropriate relative to residential standards if a use is being proposed in a commercial district such as reflected in the current application. The plans by EDA contain a Zoning Schedule which compares the proposed two (2) family duplex with the bulk requirements of both the C-2 and the R-2 Residential Zoning District and compares what is being proposed to those district requirements. The Zoning Information Schedule also addresses the accessory use, the proposed swimming pools, and these will be addressed accordingly. I will comment on the proposed bulk issues as illustrated on the EDA plans as follows:
 - a. The proposed rear yard of nineteen point four two (19.42) feet as shown on the EDA plan would not conform to the twenty (20) foot rear yard setback requirement. It appears that this measurement is taken to the proposed steps and outdoor shower structure. The subdivision plan reflects a setback to the building and does not reflect the steps and must ultimately be consistent with whatever the Board approves. The EDA plan should also dimension the proposed coping around the pool which appears to be one (1) foot. The engineer should confirm this.

The side yard and front yard setback requirements would be consistent with residential development.

- b. The EDA Zoning Information Chart proposes building coverage of 42.84% where 35% is permitted in the R-2 Zoning District. The engineer should provide testimony as to how this was calculated and if the proposed covered porches were included in the calculation.
 - c. The impervious coverage is listed as 80.74% on the Zoning Information Schedule on Sheet 1 of the EDA plans. Impervious coverage of 75% is permitted in the R-2 Zoning District when a recharge system is proposed. The engineer should provide testimony as to how this was calculated and if it includes the proposed pools. The Board should discuss reducing the proposed impervious coverage to 75% which can be accomplished by decreasing the size of the pools and increasing the green space in the rear yard to the required four (4) foot wide green space instead of the three (3) foot wide on the side yard portions of the rear yard and the two point seven (2.7) foot wide green space along the rear property line.
 - d. The Floor Area Ratio (FAR) appears to be 0.8 per the architectural plans. The EDA plan indicates a Floor Area Ratio of 0.52 which does not appear to be accurate. This should be reconciled.
 - e. Code Section 26-23.4 addresses driveways. This code section permits one (1)- twenty-four (24) foot wide driveway for interior lots for residential construction.

The applicant is proposing one (1) twenty-four (24) wide driveway. I would, therefore, advise the Board that the proposed driveway would be appropriate if the Board were to grant the use variance.
 - f. The proposed building height of 30.32 feet would be less than the permitted height of 31 feet for residential development. I would, therefore, advise the Board that the proposed building height would be appropriate if the Board were to grant the use variance.
 - g. The proposed FAR of 0.8 would conform to the permitted FAR of 0.8 if three (3) parking spaces per unit are provided as is being proposed. I would, therefore, advise the Board that the proposed FAR would be appropriate if the Board were to grant the use variance. The EDA plan should be consistent with the architectural plans as noted above.
 - h. The plan proposes six (6) on-site parking spaces with two (2) of the spaces being parallel to 60th Street and blocking access to two (2) parking spaces in the garages and two (2) on-site parking spaces. The plans appear to provide a clear pathway which is a requirement of the building code, which pathway would lead to the stairs on the side of the proposed structure. Therefore, it appears that the proposed parking plan is acceptable subject to the review of the Construction Official and conformance to requirements of the Building Code.
2. The residential development will require the extension of utilities as noted in the Minor Subdivision Review. **Therefore, a Condition of Approval should be that the applicant meet with the Department of Public Works to coordinate the extension of utilities. The applicant**

is again reminded that 60th Street has been constructed with Full Depth Construction with an Underdrain System.

3. The submitted plans propose two (2) swimming pools in the rear yard with interior dimensions of nine (9) foot wide by fourteen point four (14.4) foot long and what appears to be a one (1) foot wide coping around the pool structure. A three (3) foot wide concrete surface is being proposed on two (2) sides and three point six (3.6) feet on the side closest to the side yards. The separation between the pools would not be a hard surface and appears to be a grass surface and the pools would be divided by what appears to be a proposed fence. The applicant should confirm this description. My comments relative to the pools are as follows:

- a. Pools as accessory structures are to be setback ten (10) feet from the main building. A setback of seven (7) feet is proposed. The City's Planning Board has developed standards for pool construction which recommends a minimum setback from the main building or stairs or decks of five (5) feet and the provision of a minimum two (2) foot wide solid surface around all sides of the pool in order to provide adequate room for access under emergency conditions. The project is proposing a four (4) foot setback from the stairs which would not conform to the City's Standards. The plans indicate three (3) foot wide solid surfaces around the north and south side as described above and a three point six (3.6) foot wide solid surface along the side yard areas. No solid surfaces are proposed along one (1) side of the pools and shrubs are proposed for that area. The sides which are to be landscaped would not conform to the City's Planning Board's Standards.

The proposed pool layout would also not conform to the four (4) foot Green Space requirement in the rear yard area as required by Code Section 26-38.c.6 which reads as follows:

All development shall provide a four (4) foot wide planted green space along the rear and side property lines within the rear yard to increase infiltration, improve aesthetics and provide space for grading and the conveyance of storm water.

Therefore, I would recommend that the pool configuration be revised to provide the following:

- Five (5) foot setback from the proposed stairs and outdoor shower.
 - Solid surface two (2) foot minimum around all sides of the pool.
 - Provide a four (4) foot wide green space as required by Code Section 26-38.c.6.
 - Provide details for the six (6) foot high fence and self-latching gate.
4. I have reviewed the stormwater calculations on Sheet 4 of the plans and have the following comments:

- a. The calculations address a six thousand (6,000) square foot lot and appear to be calculations for the proposed corner lot, lot 17.01 and not proposed lot 17.02 which is a proposed five thousand (5,000) lot. This should be reconciled.
- b. A weighted "c" runoff coefficient should not be used to calculate storm runoff, Q. Calculations should be developed for each drainage area using the appropriate runoff coefficient for that area.
- c. The calculations proposed one (1) eighteen (18) inch perforated PVC pipe in the stone trench. However, the plans and the details call for one (1) six (6) inch diameter perforated HDPE pipe in a stone trench. This should be reconciled.
- d. The post development calculation only addresses a three thousand seven hundred fifty (3,750) square foot area (A). The entire five thousand (5,000) square foot lot should be addressed in the calculations.
- e. The Soil Borings on Sheet 4 of the EDA plans indicates a seasonal high groundwater at twenty-nine (29) inches below the surface for Soil Boring No. 1 and thirty one (31) inches below the surface for Soil Boring No. 2. The on-site recharge system details indicate that the recharge system will start twelve (12) inches below finished grade and then will extend an additional twenty-four (24) inches for a total depth below grade of thirty-six (36) inches. This would place a portion of the stone recharge trench within Seasonal High Ground Water. This is not acceptable and would not conform to the requirements of Code Section 26-38. Therefore, the proposed system should be redesigned so that the bottom of the stone trench is located above the Seasonal High Ground Water Table (SHGW).
- f. The proposed grading of the lot will raise the rear of the lot between five (5) inches and seven (7) inches. This will impact existing lots 26.11 and 26.23 which are adjacent to proposed lot 17.02 which will be lower in elevation. A retaining structure should be included in the design to address this.
- g. Final review of the proposed stormwater system will be done when the items noted in this review are addressed.

5. General Comments on the Site Plan.

- a. Add a note to both the engineering and architectural plans that storage is not permitted below Local Design Flood Elevation (LD FE).
- b. Landscape - The project would require twenty (20) on-site shrubs, two (2) on-site trees and one (1) street tree. The proposed landscape plan on Sheet 5 of the EDA plans proposes no street trees but does provide two (2) on-site trees and a large amount of shrubbery. Some of the shrubbery are not actually shrubs but would be grasses or ground cover material and the engineer should address this. Since the specified material is not on the City's Recommended Plant Materials List the engineer should indicate if the selected plan material will survive in the coastal environment.

- c. The sanitary sewer cleanout cover no. 4173 should be dimensioned on Sheet 6.
6. If the Board is to grant Use Variance Relief a condition of approval should require construction be in accordance with the requirements of Chapter 14 – Flood Damage Prevention Ordinance and all FEMA regulations required by the City.
7. **If the Use Variance is approved and following memorialization of the Board's action in a resolution the professionals should revise the plans as necessary and provide me with an electronic copy for review. If the plans have been revised to satisfy the comments contained in this Memorandum as well as any conditions imposed by the Board then seven (7) signed and seal engineering plans should be sent to my office for signature along with cost estimates for on and off-site improvements. Three (3) copies of the revised architectural plans should be submitted.**

A performance guarantee will be required for off-site improvements and inspection fees will be calculated based on the total of both on-site and off-site improvements. A construction permit will not be issued until plans signed by the Board Chairperson, Secretary, and Engineer are on file with the Construction Official and the necessary performance guarantee and inspection fees are posted. It will be the responsibility of the owner to contact the Municipal Engineer when inspections are necessary and these inspections should take place during the actual construction of the improvements. A pre-construction meeting will also be required for this project and this should be a condition of approval.

VI. Recommendations

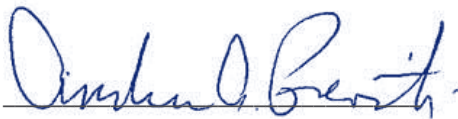
A. Minor Subdivision Review

1. The items mentioned in this report should be discussed with the applicant. The Minor Subdivision Plan should be revised to satisfy the comments contained in this report as necessary.
2. If the Minor Subdivision is approved it should be conditioned on the applicant obtaining all other governmental approvals and the submission of these approvals to the Board Secretary and the Board Engineer.
3. If this Minor Subdivision is approved all recommended Conditions of Approval as noted in this report should be indicated in the Boards Approving Memorializing Resolution.
4. Any positive action taken by the Board should be conditioned on the various items noted in this report as agreed to by the Board Members and any other conditions deemed appropriate by the Board.
5. **A condition of approval should be the filing of the Final Subdivision Plat.**

B. Use Variance Application

1. The applicants and their professionals should provide testimony as to why the Board should approve the Use Variance Relief requested.

2. Conformance to the requirements of Chapter 14 should be a condition of approval. Confirmation from the Flood Plain Administrator that the proposed development conforms to Chapter 14 should be a condition of approval.
3. All plans should be revised to reflect the comments contained in this report as well as any additional comments that the Board may have.
4. If the Board grants the Use Variance requested then this application should be conditioned on the applicant submitting revised plans to address the items addressed in this report and any other items required by the Board. This applies to the Minor Subdivision Plan also.
5. Any approval should be conditioned on the applicant obtaining all other governmental approvals including approvals from the Department of Public Works relative to the City's utilities as necessary as well as conformance to the requirements of Chapter 14 as determined by the Flood Plain Administrator.



Andrew A. Previti, P.E.
Municipal & Board Engineer

AAP/dpm

cc: Genell Ferrilli, Board Secretary (via email)
Chris Gillin-Schwartz, Planning Board Solicitor (via email)
Cornelius Byrne, Construction Official (via email)
Mariah Rodia, Construction Clerk (via email)
Jamie Sofroney, 6000 Landis Ave. LLC, 37 Egret Trail, Cape May Court House, NJ 08210 (via email)
Avery S. Teitler, Esquire (via email)
Andrew Bechtold, RA (via email)
Mark DeVaul, PLS (via email)
Vincent C. Orlando, PE (via email)
Nichol Welsh, LA (via email)

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City of Sea Isle City

MINOR SUBDIVISION CHECK LIST REQUIREMENTS

C = Conforms

X = Does Not Conform

NA = Not Applicable

Name: 6000 Landis Ave., LLC

Block: 60.03 Lot(s): 17

Reviewed By: Andrew A. Previti, PE

Date Reviewed: September 22, 2025

December 8, 2025 - Update

Project No. SIZ0272

No application will be deemed complete until all of the following has been provided except for which waiver has been sought and granted.

- | | |
|--|-------------------------------|
| 1. Completed Application Forms with All Information Provided. | Determined by Board Secretary |
| 2. Plat with the following requirements: | |
| a. Key map showing the entire parcel and its relation to the surrounding area, based on the City of Sea Isle City Tax Map. | C |
| b. Certification that the landowner has reviewed the plat and it has his or her approval. | X |
| c. Certification of the surveyor as to the accuracy of the details of the sketch plat. | SEE COMMENTS |
| d. Plat shall be drawn clearly and legibly at a scale of not less than One-inch equals 100 feet. | C |
| e. Tract name (if applicable, tax map block and lot number, date, north arrow, scale). | C |

- | | |
|--|------------------|
| f. Tract boundary lines, right-of-way lines of streets, street names, easements and other rights-of-way, lands to be reserved or dedicated for public use or open space, all lot lines and other site lines with accurate dimensions, bearing or deflection angles, radii, arc lengths, and bearing of all curves. All existing and proposed bearings of all curves. All existing and proposed streets within two hundred (200') feet of the subdivision shall be indicated. | C |
| g. All proposed new lot lines, lot lines to be removed, proposed new lot numbers, and the number of new lots created. | C – SEE COMMENTS |
| h. Purpose of all easements or land to be dedicated for public use or open space. | N/A |
| i. Location and description of all monuments. | C – SEE COMMENTS |
| j. Names of all adjoining property owners, as disclosed by the most recent Municipal tax records. | C |
| k. Area of parcels being severed or created to the nearest hundredth of an acre, unless lots are less than one acre, in which event the square footage of severed or created lots must be shown. | C |
| l. Manner in which the district is zoned. | C |
| m. The following paragraph placed conspicuously on the plat.

“This minor subdivision shall expire if the filing or recording requirements of Article II, Section E are not complied with within 190 days after the date of approval”. | C |
| n. Approximate tie distances to nearest street. | N/A |

- | | |
|--|-----|
| o. All buildings, wooded areas, streams on entire tract of proposed subdivision and distances of all buildings from proposed property lines. All existing structures and wooden or marsh areas within two hundred (200') feet of the proposed subdivision shall also be indicated. | C |
| p. Signature of tax collector, certifying that property taxes on entire tract being subdivided are paid in full. | X |
| q. The applicant shall submit a letter from the Zoning Officer with the application confirming whether the relief sought constitutes a substantial improvement and confirming the FEMA flood zone and design flood elevation for the property. The flood zone and design flood elevation shall be placed on all plans. | C |
| r. Designated lines for signature of planning board chairman and Secretary, and planning board engineer, and date of approval. | C |
| s. List any additional required permits from any municipal, county, state or federal agencies. Such permits may include coastal area facilities, sewer extension, waterfront construction, and soil erosion and sediment control. | N/A |