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The public will be muted during the meeting except at the public comment portions of the meeting.
Public comments may be emailed prior to Meeting to gferrilli@seaislecitynj.us

CITY of SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
MONDAY, MARCH 1ST, 2021 @ 7:00 pm 'Regular Virtual Meeting'
AGENDA

1. Called to Order:

2. Pledge of Allegiance:

3. Open Public Meetings Acts Statement:

In accordance with the provisions of the New Jersey Open Public Meetings Act, Chapter 231 of the Public Laws of 1975, the Sea Isle City Zoning Board caused notice of the date, time and place of this meeting to be posted on the City Clerk's Bulletin Board at City Hall, Sea Isle City Web Site and published in the Atlantic City Press and/or Ocean City Sentinel.

4. Roll Call:
- | | | |
|--|-------------------------|------------------------------|
| _____ Patrick Pasceri, Chairperson | _____ Jacqueline Elko | _____ William McGinn |
| _____ Patricia Urbaczewski, Vice Chair | _____ Louis Feola, Jr. | _____ Nathaniel Deal, Alt I |
| _____ Jeffery April | _____ William J. Keller | _____ Lenny Iannelli, Alt II |

5. NEW BUSINESS:

- ◆ Applicant: EVANS, Jason & Nicole (*Hardship/Bulk & Flex 'C' Variance App*)
21 - 71st Street / Block 70.02 / Lot(s) 14 / Zone R-2
Proposed: to install an in-ground pool
Requesting: variance relief of accessory lot coverage and any other pre-existing conditions deemed necessary
- ◆ Applicant: O'HARA, HAMLET & McCAFFERTY aka: 7004 Central Avenue Condo Assc.
(*Hardship/Bulk & Flex 'C' Variance App*) 7004 Central Avenue / Block 70.04 / Lot(s) 1085 / Zone R-2
Proposed: to add exterior elevator and extend rear deck
Requesting: variance relief of aggregate & rear yard setbacks & any other non-conformities as needed
- ◆ Applicant: GREEN, Richard & Colette (*Hardship/Bulk & Flex 'C' Variance*)
230 - 82nd Street / Block 82.04 / Lot(s) 17 / Zone R-2
Proposed: to remove existing below flood duplex and construct a new flood compliant single family
Requesting: variance relief of front & rear yard setbacks & any other non-conformities as deemed necessary
- ◆ Applicant: RITTER, Steven & Andrea (*Hardship/Bulk & Flex 'C' Variance App*)
17 - 73rd Street / Block 72.02 / Lot(s) 857.01 / Zone R-2
Proposed: to legalize hot tub, shed and paver patio in rear yard with no approvals or permits
Requesting: variance relief of accessory shed side & rear yard, accessory hot tub rear yard, and any other relief deemed necessary

6. Resolutions:

Resolution No. 2021 - 02 - 01- ASTERINO & LUCCA @ 234-79th Street, B:79.04, L:355

Resolution No. 2021 - 02 - 02- DiGENNI, Madelyn & John @ 127 - 39th St., B:38.03, L:4.05

7. Meeting Minutes:

Minutes of January 4, 2021 and February 1, 2021 Regular Virtual Meetings

8. Adjourn

* Please note - changes are possible *

NOTICE OF MEETING MODIFICATION OF CITY OF SEA ISLE CITY ZONING BOARD OF ADJUSTMENT

NOTICE IS GIVEN that — ~~DATE of MEETING~~ at 7:00 pm, a hearing will be held at CITY OF SEA ISLE CITY Municipal Building located at 233 JFK Boulevard before the **Sea Isle City Zoning Board of Adjustment** in the matter of Zoning Board Applications seeking relief and scheduled to be heard.

While New Jersey's Executive Order 103 and Executive Order 107 are in effect, the Division of Local Government Services has issued guidance to ensure continuity of Land Use application procedures, to ensure due process is afforded during **Zoning Board of Adjustment** hearings and to remind local units to adhere to appropriate social distancing and health measures as they implement this process. In-person attendance at the hearing by the applicant, the Board or the public is prohibited.

Maps and other documents relating to these matters shall be available at least ten (10) days prior to the meeting date for inspection. Under the present circumstances, the maps and other documents relating to these matters shall be posted for public review at <http://seaislecitynj.us/> free of charge. For the continued safety of all parties, members of the public are encouraged to utilize this method of electronic public review. If for any reason electronic public review is unavailable, please contact the Board Secretary at **(609) 263-1166 ext.3** for assistance or to arrange for review of the application documents in a secure public location, or via mail subject to any standard fees or charges.

All parties to the hearing, including the public, must no less than two days in advance of the meeting provide to the Board Secretary any additional documents or exhibits to be presented at the hearing. These additional documents and exhibits shall be individually labeled by the submitting party as an exhibit and the Board Secretary shall post the labeled exhibits prior to and for the video meeting. Please contact the Board Secretary at **(609) 263-1166 ext.3** to arrange delivery options of the Exhibits and to advise the Board Secretary of your anticipated participation.

INSTRUCTIONS TO PARTICIPATE IN VIRTUAL ONLINE MEETING:

In order to participate in this hearing including the opportunity to comment, the following options are available:

- Dial in via phone at **1-866-899-4679 / Access code: 168-439-637** for voice connection; or
- Type in the following link on the internet browser of your desktop computer or laptop: <https://www.gotomeet.me/TheCityofSeaIsleCity/sea-isle-city-zoning-board> at the date and time above for video or audio access. You may join the meeting through your internet browser or download the application to your computer; or
- Download the "GoToMeeting" application to a Smartphone device. Open the app and enter meeting ID number **168439637** in the search bar and enter your full name when prompted.

Prior to the hearing, you are encouraged to review the instructions to participate through your choice of electronic attendance. The plans, application and applicable documents for the hearing are posted on the internet at <http://seaislecitynj.us/>.

For those individuals lacking the resources or know-how for technological access, please contact the Board Secretary at **(609) 263-1166 ext.3** during normal business hours and the time of the hearing for assistance in delivering exhibits, accessing the plans and the meeting.

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
Minutes of Regular Meeting
Monday, March 1st, 2021 @ 7:00 PM

~Meeting called to order: by Chairperson Mr. Pasceri. All join for Pledge of Allegiance. Opening comments begin with Open Public Meetings Act statement.

~Board Roll Call:

Present: Mr. Keller, Mr. McGinn, Mr. April, Mr. Iannelli (Alt #2), Mr. Pasceri & Mr. Feola

Absent: Ms. Elko, Mr. Deal (Alt #1), Mrs. Urbaczewski

Professionals of Board: Mr. Christopher Gillin-Schwartz, Esq., Zoning Board Solicitor and Mr. Andrew A. Previti, P.E. of Maser Consulting, Board Engineer.

~NEW BUSINESS:

1) APPLICANT: EVANS, Jason & Nicole

@ 21 - 71st Street, Block 70.02, Lot(s) 14, Zone R-2

PROPOSED: to install an in-ground pool

Professionals: Donald Wilkinson, Esq. on behalf of the applicant, begins with a brief summary regarding this single family and the project they are proposing for an in-ground pool (aka: accessory structure) which is based on what is known to be a conforming lot with limited space and pool placement, in conjunction with the house and setback relief that is being sought, in addition to comments on the garage and storm-water that will be addressed

Witness(s): Jason Evans (Owner/Applicant) provides added testimony regarding the area around pool being predominately grass and how much they have wanted this since they actually have the room and how the plan is for the pool equipment to be placed in the garage for protection from the elements and will have it placed at the required elevation

Exhibits/Reports: n/a

Board Comment: clarification is requested on the lot coverage, more detail on what is proposed to address storm-water, the fencing and self-closing / self-latching gate are discussed since they are not shown on the plans, in addition to the pool equipment and the need for a strong upward flowing pump, as well as several notes and items that need to be added to plan and to show ground coverages like stone (incl. size), turf/grass, etc.

Public Comment: Diane Grubb @ 17 - 71st St (next door neighbor) to note her approval of the pool project

➤ Motion to approve variance relief of maximum lot coverage for an accessory structure, including but not limited to all comments and conditions as noted and discusses and per Mr. Previti's February 23, 2021 memorandum. Motion made by Mr. Keller, second by Mr. McGinn; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed " 6 to 0 in the affirmative & so GRANTED"

2) APPLICANT: O'HARA, HAMLET McCAFFERTY (aka: 7004 Central Avenue Condo Association)

@ 7004 Central Avenue, Block 70.04, Lot 1085, Zone R-2

PROPOSED: to add an exterior elevator and extend rear deck

Professionals: Donald Wilkinson, Esq. on behalf of the applicants, opens with a brief summary of what is being proposed as an elevator lift addition to the Southeast corner of the structure due to health issues and mentions how the lift will be removed if the applicants ever decide to sell and move. He addresses Carmen LaRosa, Architect to provide detailed testimony in regards to the lift, where it is proposed to be located and the aggregate side yard relief associated with the lift, in addition to explaining how the proposed deck expansion will be beneficial to both units and create additional room for the lift.

Witness(s): Mr. O'Hara offers detailed testimony to his wife having a stroke which is the reason for the lift, which they feel will be faster and safer than the old chairlift, and how the deck work is to help accommodate the room needed for the lift and equipment.

Exhibits/Reports: n/a

Board Comment: there is clarification requested on the difference in setback measurements around ground level and more details in regards to the reason for the 5' expansion to the deck which is noted as recouping lost space taken by lift, in addition to elevator access and mention of the FAR existing non-conforming condition that needs variance relief.

Public Comment: n/a

➤ Motion to approve variance relief for aggregate side yard setback where 15' is required & 12'-9" is proposed for 5'-5" on South & 7'4" on North, rear yard setback where 20' is required & 15' is proposed for a 5' variance, and floor area ratio where .80 is permitted & .814 is proposed for a .014 variance, including but not limited to comments and conditions as noted and discussed and per Mr. Previti's January 19, 2021 memorandum. Motion made by Mr. McGinn, second by Mr. Keller; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed " 6 to 0 in the affirmative & so GRANTED"

3) APPLICANT: GREEN, Richard & Collette

@ 230 - 82nd Street, Block 82.04, Lot 17, Zone R-2

PROPOSED: to demolish existing and construct a new single family dwelling

Professionals: Donald Wilkinson, Esq. on behalf of the applicants, offers a summary of what is being proposed for the extremely small oddly shaped lot in regards to demolishing the current structure and building a new single family dwelling that they intend to use as a second family dwelling planned for family use only. Carmen LaRosa (Architect) is asked to provide detailed testimony regarding the design and the bulk requirements, conforming and review of non-conforming items, and to provide specific details regarding all of the relief being sought in association with the structure location on the site, an easement with the units behind the property as far as the driveway and parking area that is proposed to remain the same, including stone trench and landscaping.

Witness(s): Richard Green (Owner/Applicant) provided testimony to the current structure being 70+ years old and in need of far too much work which brought them before the board with the project they are proposing.

Exhibits/Reports: n/a

Board Comment: Board member steps down due to conflict with application; clarification of setback to entry way and entry deck are discussed, there is question to the easement area and side yard with regards to the bump out which is on the 2nd floor and will not interfere with neighboring access to their parking area, in addition to discussing possibly moving the structure over and what exactly needs to be considered with regards to the easement which is noted to need further review before making any decisions.

Public Comment: Tom and Nancy O'Dowd @ 8209 Sounds South express their concerns about this being a fire hazard due to the size of the lot, the setbacks and notes issues with density and being reduced from two family to a single family dwelling is questionable with the size of new dwelling; Gwyn Baker expresses concerns with emergency vehicle access being an issue, parking especially in the summer and is in agreement with everything the O'Dowds said; Rhys Craver @ 8209 Sounds Middle questions the building and if the structure is being moved which he feels will create access and parking issues for their three units behind the property; John & Joyce @ 8209 Sounds North stresses concern with the location of the proposed dwelling in relation to existing and the major concerns for all of them with access and parking for their units and if this project moves forward will over crowd the area.

➤ It is therefore requested and agreed to continue this application to the next meeting with no further notice required, since the Owner only wants to build their dream home and having been blind-sided by the easement issues would like to address and work through this with the neighbors.

4) APPLICANT: RITTER, Steven & Andrea

@ 17 - 73rd Street, Block 72.02, Lot 857.01, Zone R-2

PROPOSED: variance relief for constructed shed and hot tub in rear yard that do not meet the required setbacks relative to an accessory structure and relief to permit constructed structures to remain in existing locations.

Professionals: Donald Wilkinson, Esq. on behalf of the applicants, offers an overview of what has transpired since the work in question was done and paid for without the required permits, documentation, or approvals which led to penalties and notices being issued to correct the situation at once.

Witness(s): Steve and Andrea Ritter (owner/applicant) testify for the record that they had no knowledge that the work was being done without the required permits and when they returned from vacation to violations they tried and have been unable to reach or locate the contractor anywhere

Exhibits/Reports: n/a

Board Comment: there was question to their response, reaction, or if they changed or removed anything after receiving the violation notice; It was mentioned that this application should be looked at from a fresh point of view and not as someone righting a wrong; it is suggested they request for a continuance with no further notice required and work on preparing a proposal with a list of any and all other options available, since one suggestion was to completely remove the shed.

Public Comment: n/a

➤ It is therefore agreed for this application to be continued and follow through in gathering information and prepare a list of additional options for consideration and then return to the board.

~Resolutions:

Resolution No. 2021 - 02 - 01- ASTERINO & LUCCA @ 234 - 79th St., B: 79.04, L: 355

☞ Memorialize Resolution #2021-02-01; Mr. April makes motion, Mr. Keller seconds; roll call of those eligible to vote - all ayes 5 in favor / none opposed

Resolution No. 2021 - 02 - 02- DiGENNI, Madelyn and John @ 127 - 39th St., B: 38.03, L: 4.05

☞ Memorialize Resolution #2021-02-02; Mr. McGinn makes motion, Mr. Keller seconds; roll call of those eligible to vote - all ayes 5 in favor / none opposed

~Meeting Minutes to Adopt:

Minutes of Monday, January 4, 2021 virtual Zoning Board Meetings

Mr. Keller makes motion, Mr. Feola seconds; roll call of those eligible to vote - all ayes '5' in favor / none opposed

~With no further business

➤ Mr. McGinn makes motion, second by Mr. Keller, with all in favor to adjourn

Meeting Adjourned

Respectfully submitted,


Genell M. Ferrilli
Board Secretary
City of Sea Isle City Zoning Board