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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, MAY 3rd, 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: 89th STREET, LLC. (Hardship/Bulk & Flex 'C' Variance App) **CONTINUED FROM APRIL MEETING**
8819 Pleasure Avenue / Block 89.01 / Lot(s) 1.01, 2.01 & 3.01 / Zone R-2
Proposed: to install an in-ground pool
Requesting: variance relief of accessory setback from house & accessory side and rear yard and any other relief deemed necessary
- ♦ Applicant: 89th STREET, LLC. (Hardship/Bulk & Flex 'C' Variance App) **CONTINUED FROM APRIL MEETING**
15 - 89th Street / Block 89.01 / Lot(s) 1.02, 2.02 & 3.02 / Zone R-2
Proposed: to install an in-ground pool
Requesting: variance relief of accessory setback from house & accessory side and rear yard and any other relief deemed necessary
- ♦ Applicant: Wild Colonial Boys, LLC (Hardship/Bulk & Flex 'C' & Use 'D' Variances and Preliminary & Final Site Approval) **(requested for continuance from April Meeting)**
18 - 42nd Street / Block 42.01 / Lot(s) 12.02 / Zone C-4
Proposed: mixed use commercial / residential development
Requesting: variance relief for density, landscape, no. of stories, storm-water management, driveway width and location, commercial unit size, design standards and any other relief deemed necessary

6. Resolutions:

- ℞ Resolution No. 2021 - 04 - 01- GREEN, Richard & Colette @ 230 - 82nd St /B:82.04 /L:17 /R-2
- ℞ Resolution No. 2021 - 04 - 02- Hans LAMPART & Lori Anne FIOCCHI @ 2213 Landis Ave /B:22.02 /L:1 /R-2

7. Meeting Minutes:

Minutes of March 1, 2021 and April 5, 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 Monday, May 3rd, 2021 @ 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://global.gotomeeting.com/join/161669525> 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 **161669525** 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, May 3rd, 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. April, Ms. Elko, Mr. Feola, Mr. Keller, Mr. McGinn, Mr. Deal (Alt #1), Mr. Iannelli (Alt #2) & Mr. Pasceri

Absent: 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:** - **89th Street, LLC.** @ 8819 Pleasure Ave; B: 89.01, L: 1.01, 2.01& 3.01; Zone: R-2

PROPOSED: modification to prior application and sub-division approvals for a proposed in-ground pool on east lot

Professionals: Donald Wilkinson, Esq. on behalf of applicant provides a brief history about this and the neighboring property that were created through a sub-division with conditions back in 2007 and recently developed with the exception of the pool. He provides a brief review of the April Meeting and explain revisions they made based on prior comments and recommendations. He addresses Carmen LaRosa (Architect) to review prior testimony regarding the property, lot shape and size, the development of a single family home nearing completion and the pool being proposed for this property including pool location and size, with an added note on record that the neighboring property is a similar application to this one being presented now with the exception of this property being considered a corner lot which have different setback requirements.

Witness(s): Michael O'Neill (Applicant/Developer) is available for questions and asks the board about what they could recommend for a pool size that would be acceptable since the size of the one proposed was not.

Exhibits/Reports: none

Board Comment: clarification is requested as to whether the relief sought is to be considered under hardship or if zoning is involved; clarification on the setbacks around the pool and within the rear yard area being acceptable; verify fencing, landscaping with note of compliance with vegetation requirements, storm-water management, information on plans that is not reflected in zoning schedule, the need to submit a grading plan and accurate calculations were noted for consideration as conditions of approval; curb cut, patio and hot tub are discussed for further clarification; for the record a comment is made regarding pool equipment platform being added as a variance due to the platform location needing relief. In closing the board feels the application and plans were not prepared well and from prior discussions believe they did not attempt to make any revisions according to prior comments offered like decreasing the size of the pool, placement of screening to conceal pool equipment and to act as a noise barrier (though noted on record as being minor since noise is usually water shooting back into the pool).

Public Comment: Kevin O'Connor @ 8813 Pleasure Ave to ask about prior comments regarding noise for more information about it, which is clarified will be screened for noise; Tom Carroll @ 309-56th Street Unit B-3 just to express being in favor of the project.

- Motion in the affirmative for variance relief of the setback of Main building to accessory structure (pool) where 10' is required and 4'2" is proposed for a 5'10" variance incorporating the vegetation requirements and distance from curb-line to pool where 60' is required and 28' is proposed for a 32' and variances 3 and 4 having been eliminated; all based on relief that can be taken in the affirmative under the 'C' variance and possibly purposes of zoning, including all as discussed and agreed incorporating Mr. Previti's engineer memorandum dated 3/30/2021 and updated 4/28/2021; Motion made by Ms. Elko, second by Mr. April; roll call of eligible votes - *aye* '1' in favor / *nay* '5' opposed " Opposed 5 to 1 & therefore Denied"

2) **APPLICANT:** - **89th Street, LLC.** @ 15 - 89th Street; B: 89.02; L: 1.02, 2.02 & 3.02; Zone: R-2

PROPOSED: modification to prior application and sub-division approvals for a proposed in-ground pool

- With this application being similar to the application just heard, they are requesting to withdraw their application at this time since they foresee the next application following suite.

3) **APPLICANT:** - **Wild Colonial Boys, LLC.** @ 18 - 42nd Street; B: 42.01; L: 12.02; Zone C-4

PROPOSED: Mixed Use Commercial - Residential Development

Professionals: Donald Wilkinson, Esq. on behalf of applicants provides a summary of what they are proposing by way of demolishing the current 4 story multi-residential structure and constructing a new mixed use four (4) story structure containing one (1) commercial unit on the ground floor and three (3) residential dwelling units above the ground floor based on one (1) residential

unit structure, thereby requesting Preliminary and Final Site Plan Review Approval, which includes both a 'D' Variance for exceeding in permitted density and for associated 'C' variances and waivers for various site conditions. He continues with further details regarding proposed off street parking off of Pleasure Avenue which provides more than required and reduces the commercial unit size, proposed masonry construction and fire suppressed, as they further review landscaping, site trees, storm-water, building coverage, expanded driveway, HVAC system and planked fencing to screen the units, trash, signage, ADA requirements including parking and the proposed elevator.

Witness(s): William McGinn and Lou Feola recused themselves for this application, in order to appear on behalf of their application to answer any questions and provide additional testimony detailing the three (3) residential four bedroom 1,492 s.f. units @ one per floor,

Exhibits/Reports: none

Board Comment: there is discussion of proposed sub-committee to work with Board Engineer on final design approval and color scheme instead of returning before the board and incorporated as a condition of approval which will include Mr Pasceri and Mr April.

Public Comment: Doug Adams to comment on having perfect view of this property and being in favor of this project; Daniel McCann to express being in favor and points out the gain in street parking; Steven DeCredico who lives east of property notes his opposition and questions the hardship being requested since they knew of these conditions before and further questions the parking arrangement and massive increase to the density; Joseph Scully comments on parking and the ADA requirements as he agrees with Mr. DeCredico and is opposed as well; Brian Kornusko to note being in agreement with the others and is opposed to the commercial space but feels strongly that it is in poor condition and needs to be developed; Nick Defeo echoes comments already made and expressed concern with the trash storage and commercial unit.; Robert Follet lives next door and reiterates previous comments by others adding his concern over the increase in density; Tony Mattero commenting on his familiarity of this property and that this is a much better alternative and being in favor of it; Frank Edwardi specifies being in favor of the project and their intentions of providing commercial space as per the Master Plan; John Moermen to point out being skeptical of project but since found the project to be an improvement over what exists and is needed in this area; Tom Carroll spoke in favor of the project as a needed improvement; Mark Ewing to note that what exists is a real dump and is in favor of this application; Joe Selfridge stresses his opposition; Kevin Nailer comments on the junk there now and what a benefit and improvement this will be; Michael Monichetti notes that age and storms ruined what is there and believes commercial space is something the town needs and that it fits right in with the surrounding area.

- Motion in the affirmative for Preliminary and Final Site Plan approval, 'D' variance relief for density, related 'C' variances and waivers, all as based on Residential Density, minimum lot area, min. lot width, min. lot depth, max. number for stories, max. driveway width, landscaping requirements for on-site trees, min. building coverage on 1st floor, including all as discussed and agreed and incorporating Mr. Previti's engineer memorandum dated 5/17/2021; Motion made by Ms. Elko, second by Mr. Keller; roll call of eligible votes - aye '5' in favor / nay '1' opposed " 5 to 1 in the affirmative & so GRANTED "

~Resolutions:

Resolution No. 2021 - 04 - 01- GREEN, Richard & Collette @ 230 - 82nd Street, Block 82.04, Lot 17, Zone R-2

- ☞ Memorialize Resolution #2021-04-01; Mr. Keller makes motion, Ms. Elko seconds; roll call of those eligible to vote - all ayes 4 in favor / none opposed

Resolution No. 2021 - 04 - 02- Hans LAMPART & Lori Anne FIOCCHI @ 2213 Landis Avenue; B: 22.02; L: 1; Zone: R-2

- ☞ Memorialize Resolution #2021-04-02; Mr. April makes motion, Mr. Keller seconds; roll call of those eligible to vote - all ayes 3 in favor / none opposed

~Meeting Minutes to Adopt:

Minutes of Monday, March 1, 2021 virtual Zoning Board Meetings

- ☞ Mr. April makes motion, Mr. Keller seconds; roll call of those eligible to vote - all ayes '4' in favor / none opposed

~Announcement:

Executive Order 238 is noted on record regarding the ability to return to in person meetings and suggests that everyone keep up to date on this for future meetings.

~With no further business

- Motion to adjourn by Mr. April, second by Mr. Pasceri, with all in favor

Meeting Adjourned

Respectfully submitted,


Genell M. Ferrilli
Board Secretary

City of Sea Isle City Zoning Board