

CITY of SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT

MONDAY, December 6th, 2021 @ 7:00 pm 'Regular IN-PERSON 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: PEKOFSKY, Leonard & Britta** (*Variance Approvals Extension*)

@ 5104 Pleasure Avenue / Block 51.02 / Lot(s) 11.01/ Zone R-2
Proposed: to request an extension of approvals previously granted
Requesting: variance relief two (2) year extension

📁 **Applicant: MITROS, Thomas & Worek, Karen** (*Hardship/Bulk & Flex 'C' Variance App*)

@ 1908 Landis Avenue / Block 19.03 / Lot(s) 2/ Zone R-2a
Proposed: elevator addition to south westerly corner of structure
Requesting: variance relief of side yard, aggregate side yard and front yard setbacks

📁 **Applicant: CALAMITO, Joseph & Frances** (*Hardship/Bulk & Flex 'C' Variance App*)

@ 25 - 65th Street / Block 64.02 / Lot(s) 2 / Zone R-2
Proposed: to approve a rear yard setback for encroaching decks
Requesting: variance relief for decks encroaching into the rear yard setback

📁 **Applicant: KEN'S SHORE THING, LLC.** (*Hardship/Bulk, Flex 'C' & Use 'D' Variance App*)

@ 20 - 37th Street / Block 37.02 / Lot(s) 11 / Zone C-1
Proposed: to construct a new duplex residence on commercial C-1 zoned property
Requesting: variance relief for zone use, parking as deemed necessary, maximum front yard C-1 requirements

📁 **Applicant: REILLY, John & Martha** (*Hardship/Bulk, Flex 'C' & Use 'D' Variance App*)

@ 210 - 88th Street / Block 89.03 / Lot(s) 36 & 37 / Zone R-2
Proposed: to renovate existing structure to incorporate interior stairs and add third floor to make a single family dwelling
Requesting: variance relief of building on undersized lot, minimum lot size, lot coverage, side yard setback and increase in permitted floor area ratio

6. Resolutions:

℞ **Resolution No. 2021-11-01: COSTANZO, Gabriel & Joanne**
@ 33 - 35th Street, East Unit / Block 34.02 / Lot(s) 1.01 & 2.01 / Zone R-2

℞ **Resolution No. 2021-11-02: NOODLES 1, LLC.**
@ 119-33rd Street / Block 32.03 / Lot(s) 8/ Zone R-2

℞ **Resolution No. 2021-11-03: FITZGERALD, James**
@ 213 - 93rd Street / Block 93.03 / Lot(s) 26 & 27.01/ Zone R-2

7. Meeting Minutes:

℞ *Minutes* of Monday, November 1st, 2021 Regular 'In-Person' Meeting

8. Adjourn

* Please note - changes are possible *

**SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT**

**Minutes of Regular 'In-Person' Meeting
Monday, December 6th, 2021 @ 7:00 PM**

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

~Board Roll Call:


Present: Mr. April (in attendance but left early), Ms. Elko, Mr. Feola, Mr. Keller, Mr. McGinn, Mr. Deal (Alt #1), & Mr. Pasceri

Absent: Mr. Iannelli (Alt #2), Mrs. Urbaczewski

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

~NEW BUSINESS:

Announcement on the record for any audience members who are present for the Reilly Application @ 210-88th Street that Attorney Frank Horst (Applicant's Father) that they are requesting for a continuance to the next meeting and waiving timing issues, due to an already full agenda and revisions that are being reviewed and considered on this project. No further notice will be required.

 **Applicant:** PEKOFISKY, Leonard & Britta (Contract Purchasers) (*Hardship/Bulk & Flex 'C' & Use 'D' Variance extension*)
@ 5104 Pleasure Avenue / Block 51.02 / Lot(s) 11.01 / Zone R-2

PROPOSED: new single family


REQUESTING: an extension to prior approvals granted

PROFESSIONALS: Applicant & owner Mr. Leonard Pekofsky offers testimony in regards to being contract purchaser of this property since October 2021 and is now before the board to request an extension of the approvals previously granted in January of 2020 via resolution 2020-01-04 for the demolition of the existing single to construct a new single family. He continues to explain how they intend to proceed with this project in accordance with the originally granted 'C' and 'D' Variances, however due to issues with availability of professional services, materials and the existing approvals nearing the two year approval expiration, and therefore found it necessary to request an extension of the approvals to allow them more time to fulfill all the requirements and conditions still needed for this application. There were no witnesses or exhibits for this application.

BOARD COMMENT: As per the variance requirements there are items remaining that still need to be addressed according to the original application which are briefly reviewed and discussed, there is mention of revised plans that will reflect the 16' driveway and recharge system in addition to items & conditions as discussed & agreed, as well as follow up and completion of any other items required for this application and project (ex: final signature plans)

PUBLIC COMMENT: no public comment

- Motion in the affirmative to grant a two (2) year extension to the approvals as outlined and granted under Resolution No. 2020-01-04, including all comments and conditions as outlined in Engineer Mr. Previti's report dated 1/29/2021 & revised 1/21/2020, and any and all conditions and items as discussed and agreed; Motion made by Mr. Keller, second by Ms. Elko; and therefore granted 6-0

 **Applicant:** MITROS, Thomas & WOREK, Karen (*Hardship/Bulk & Flex 'C' Variance App*)
@ 1908 Landis Avenue / Block 19.03 / Lot(s) 2 / Zone R-2

PROPOSED: ELEVATOR ADDITION TO SOUTH WESTERLY CORNER OF STRUCTURE

REQUESTING: variance relief of side yard, aggregate side yard and front yard setbacks

PROFESSIONALS: Daniel J. McCann, Esq. on behalf of the applicants provides a brief introduction and continues with some history and a brief summary of the variance relief being sought. He provides additional details regarding the existing structure, dimensions, square footage and other specific details pertaining to the applicant's need for an elevator so they can have easier access to their living areas. John Helbig (Professional Planner) offers credentials and provides additional testimony regarding the location of the proposed 38 s.f. elevator addition that will be located at the South westerly corner of the structure and will face the adjoining property that they previously owned and passed along to the City for open space, so it will have very little to no impact to the adjoining properties or to the neighborhood.

WITNESS: Mr. Mitros (owner/applicant) testifies to purchasing this property in 2001 after previously owning the adjoining property which has been returned to the City for flood rating purposes and this now vacant lot is where this proposed addition will be facing

EXHIBITS/REPORTS: n/a

BOARD COMMENT: there is some discussion to clarify FAR (floor area ratio), the elevator addition will be a permanent structure and will be consistent with the surrounding neighborhood

PUBLIC COMMENT: n/a

- Motion in the affirmative to approve side yard setback relief of 2.7 ft., aggregate side yard setback relief of 4.73 ft., and the front yard setback of 5 ft. (which is an existing non-conformity), including all comments and conditions as per Engineer Mr. Previti's report dated 11/17/2021 and as discussed and agreed; motion made by Mr. McGinn and second by Mr. Keller; and therefore granted 6-0.

Applicant: CALAMITO, Joseph & Frances (*Hardship/Bulk & Flex 'C' Variance App*)
@ 25-65th Street, Block 64.02, Lot(s) 2, Zone R-2

PROPOSED: to approve rear yard setback relief for encroaching third floor rear decks

REQUESTING: variance relief due to decks encroaching into the rear yard setback

PROFESSIONAL: Donald Wilkinson, Esq. offers a brief summary regarding a newly built duplex on a larger sized lot where construction permits were applied for and acquired but during construction two third floor decks were found to be incorrect and encroach into the rear yard setback by 2 feet, which had not been approved of. Carmen LaRosa (Architect) adds further testimony as to the benefit and aesthetic balance these decks provide for this structure

WITNESS: Joseph Calamito (applicant) testifies to being aware of the encroaching decks and when addressing it with the builder, they acknowledged it as well which is why he is here before the board

EXHIBITS/REPORTS:

BOARD COMMENT: there is some question to the safety of these decks and if the structure can sufficiently support them and that some form of structural engineer approval and sign off on as a condition of approval, whereas the Construction Official has provided his requirements before moving forward in any way which makes this his call as well

PUBLIC COMMENT: Brian O' Donnell (neighbor) notes for the record that he does not have any issues with the decks in question, Robert Miller notes he lives nearby and has no problem with the decks & removing them would take away from the structure, Joseph Scallio agrees with the previous comments, Jacqueline Meluta (and her husband Alexander) want to note for the record that are nearby the rear of the property and fully approve of these decks & how nice they look

- Motion in the affirmative to approve variance relief for a two foot (2') encroachment into the rear yard setback, including all comments and conditions as per Engineer Mr. Previti's report dated 11/22/2021 and as discussed and agreed; motion made by Mr. Deal and second by Ms. Elko; therefore granted 4-1

Applicant: Kens Shore Thing, LLC. (*Hardship/Bulk, Flex C & use D variance*)
@ 20 - 37th Street, Block 37.02, Lot(s) 11.01, Zone R-2

PROPOSED: construction of new duplex residence in a C-1 zoned property

REQUEST: variance relief for Zone Use 'D' Variance, parking as deemed necessary, max. front yard C-1 requirements

PROFESSIONAL: Donald Wilkinson, Esq. On behalf of the applicant offers a brief summary of what is an existing two family dwelling in poor condition and in order to demolish the current structure and construct a new two family dwelling requires a 'D' Variance due to being located in a C-1 general business zoning district. He continues to explain how residential use is suitable for this area and per the 2016 master plan recommendations. Carmen LaRosa (architect & planner) provides additional testimony on conforming to R-2 bulk requirements including parking, FAR, Building coverage & setbacks and notes for the record this based on residential, not commercial, as he adds what an improvement it will be and will remain consistent with the surrounding neighborhood.

WITNESSES: Ken Parsons (applicant/owner) testifies to being contract purchaser of this property at the time of application and is now owner & sole member under Ken s Shore Thing, LLC, and further details the poor conditions of the current structure

EXHIBITS/REPORT: n/a

BOARD COMMENT: there is mention of this property not facing a street, nor being applicable to corner lots, as well as discussing FAR, the 'D' variance as referenced, meeting bulk standards, parking spaces being acceptable, as the location, zoning of the property and surround neighborhood are briefly discussed

PUBLIC COMMENT: Michael O'Connell asked about the location of the proposed access to the new dwelling, which was confirmed will be along 37th street

- Motion in the affirmative to construct a proposed duplex dwelling in what was zoned commercial / mixed use, including all comments and conditions as per Engineer Mr. Previti's report dated 11/22/2021 including Motion made by Mr. McGinn and second by Mr. Feola; and therefore granted 6-0

~RESOLUTIONS:

Resolution No. 2021-11-01 - COSTANZO, Gabriel & Joanne @ 33 - 35th St/ B: 34.02/ L: 1.01 & 2.01

To memorialize Resolution # 2021-11-01; Motion made by Mr. McGinn, second by Mr. Keller; so moved 5-0

Resolution No. 2021-11-02 - NOODLES 1, LLC. @ 119-33rd Street / Block 32.03 / Lot(s) 8/ Zone R-2

To memorialize Resolution # 2021-11-02; Motion made by Mr. McGinn, second by Mr. Keller; so moved 5-0

Resolution No. 2021-11-03 - FITZGERALD, James @ 213 - 93rd Street / Block 93.03 / Lot(s) 26 & 27.01/ Zone R-2

To memorialize Resolution # 2021-10-02; Motion made by Mr. McGinn, second by Ms. Elko; so moved 5-0

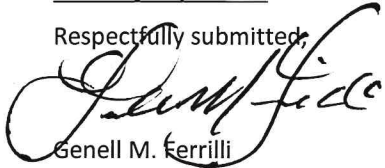
~Meeting Minutes to Adopt: (unavailable at the time)

~With no further business

➤ Motion to adjourn by Mr. McGinn, second by Ms. Elko, with all in favor

Meeting Adjourned

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Genell M. Ferrilli". The signature is written in a cursive, flowing style with large loops and a prominent initial "G".

Genell M. Ferrilli

Board Secretary

City of Sea Isle City Zoning Board