

CITY of SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
MONDAY, NOVEMBER 7th, 2022 @ 7:00 pm 'Regular 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.	_____ Caryn Durling Alt I
_____ Nathaniel Deal	_____ Lenny Iannelli	_____ Kenneth Cloud, Alt II

5. NEW BUSINESS

📁 Applicant: SISTERS OF MERCY OF THE AMERICAS (Hardship/Bulk, Flex 'C' Variances)

@ 21 - 59th Street / Block 58.02 / Lots 1281 / Zone R2
Proposed: to construct a handicap accessible ramp to building
Requesting: variance relief for front yard setback on Pleasure Avenue side

📁 Applicant: EDWARDI, Frank P., Jr. (Hardship/Bulk, Flex 'C' Variances)

@ 6600 Central Avenue / Block 59.04 / Lots 1.12 / Zones R-2
Proposed: to address driveway width and curb cuts for proposed new duplex due to utility poles located in the way
Requesting: variance relief to driveway width to provide for two individual 12' curb cuts in lieu of one 24' curb cut and any other relief deemed necessary

📁 Applicant: DONOHUE, Christine (Hardship/Bulk, Flex 'C' Variances) *has requested for continuance to December 5th mtg.*

@ 4 - 79th Street / Block 79.01 / Lots 286.02 & 287.02 / Zones R-2
Proposed: to add an elevator to the side of the structure
Requesting: variance relief for front yard setback and other any other relief deemed necessary

📁 Applicant: 114-85th Street CONDO ASSN. c/o Anthony COOGAN (Hardship/Bulk, Flex 'C' Variances)

@ 114 - 85th Street / Block 86.02 / Lots 20.01 / Zones R2
Proposed: additions & alterations of existing duplex including various new decks, porches, landing, and landscaping
Requesting: variance relief for rear yard setback, side yard setbacks, impervious coverage, lot frontage, lot depth, lot area, building height, parking, and building on substandard non-buildable lot and any other relief deemed necessary

📁 Applicant: STEELMAN, Lewis J., Jr. (Hardship/Bulk, Flex 'C' Variances)

@ 29 - 30th Street / Block 29.02 / Lots 1.01 / Zones C-2
Proposed: to demolish existing structure and construct a new single family dwelling
Requesting: variance relief for lot size, rear yard setback and any other relief deemed necessary

📁 Applicant: FALLON, Terrance & Smith, Carole (Hardship/Bulk Variances)

@ 114 - 82nd Street, Rear / Block 82.03 / Lots 100 / Zones R-2
Proposed: to enclose rear residence's first and second floor decks for additional living space
Requesting: variance relief for alterations of a pre-existing non-conforming property and any other relief deemed necessary

📁 Applicant: HAUSS, Maryann & Harris, Robert (Hardship/Bulk, Flex 'C' & Use 'D' Variances)

@ 148 - 85th Street / Block 86.02 / Lots 13.01 / Zones C-2
Proposed: to demolish existing structure and construct a new single family dwelling
Requesting: variance relief for pre-existing non-conformities on residential use, front & total side yard setbacks, lot area, lot width, also for parking and street trees and for any other relief deemed necessary

6. Resolutions

℞ **Resolution No. 2022-09-01: 124-88th STREET CONDO ASSN** (c/o John Alex & Eileen Meier)
(Hardship/Bulk, Flex 'C' Variances) @ 105 - 33rd Street / Block 32.03 / Lots 11.01 & 12.01 / Zone R2

℞ **Resolution No. 2022-09-02: Mark RAYER & Colleen DOHERTY**
(Hardship/Bulk, Flex 'C' Variances) @ 210 - 93rd Street / Block 94.03 / Lots 42.02 & 43 / Zones R2

7. Meeting Minutes

ℳ **Minutes** of Wednesday September 7, 2022 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, November 7th, 2022 @ 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: Ms. Elko, Mr. Feola, Mr. Iannelli, Mr. McGinn, Mr. Cloud (Alt #2) & Mr. Pasceri

Absent: Mr. Deal, Mrs. Durling (Alt #1) & Mrs. Urbaczewski

Board Professionals: Mr. Christopher Gillin-Schwartz, Esq., of Gillin-Schwartz Law, Zoning Board Solicitor and Mr. Andrew Previti, P.E. of Collier's Engineering & Design, Board Engineer.

~NEW BUSINESS:

ⓐ Announcement to those in attendance for the Donohue Application at 4-79th Street has requested for a continuance to the December Zoning Board Meeting having waived any time issues and with no further notice required.

📁 **Applicant: SISTERS OF MERCY OF THE AMERICAS (Hardship/Bulk, Flex 'C' Variances)**

@ 21 - 59th Street / Block 58.02 / Lots 1281 / Zone R2

Proposed: to construct a handicap accessible ramp to building

Requesting: variance relief for front yard setback on Pleasure Avenue side

Professionals: Donald Wilkinson, Esq. (of Josephson Wilkinson & Gilman) on behalf of applicants briefly reviews the property and project beginning with what currently exists and how there is a need for handicap access to the structure for ease of access into and out of the building. Colleen Giarrocco (Director of Real Estate & Property Management for the sisters of America) and Daniel Mascione R.A. (Architect) are sworn in. Don has Ms. Giarrocco provide some history behind the structure and explain how difficult it is for some of the sisters who are older now, using a walker or in a wheelchair and how the proposed handicap ramp and would be truly beneficial to them by allowing easier access in and out of the building. Mr. Mascione offers detailed testimony regarding the placement and layout of the ramp on the exterior of the structure and notes for the record they cleared the meters

Witnesses: n/a

Exhibits/Reports: n/a

Board Comment: there is brief review of the variance relief being sought to make sure there are no further questions

Public Comment: n/a

- Motion in the affirmative for variance relief on min. front yard setback to Pleasure Avenue and existing rear yard, side yard and max. driveway width non-conformities; including any & all comments and conditions as discussed, as agreed, and outlined in Mr. Previti's engineer memorandum dated 8-16-2022 inclusive; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed & therefore GRANTED 6-0

📁 **Applicant: EDWARDI, Frank P., Jr. (Hardship/Bulk, Flex 'C' Variances)**

@ 6600 Central Avenue / Block 59.04 / Lots 1.12 / Zones R-2

Proposed: to address driveway width and curb cuts for proposed new duplex due to utility poles located in the way

Requesting: variance relief on the driveway for two individual 12' curb cuts in lieu of one 24' curb cut as required

Professionals: Donald Wilkinson, Esq. (of Josephson Wilkinson & Gilman) on behalf of applicant explains how there is a duplex under construction at this site and after numerous attempts at possibly having the utility poles moved and was further informed one of the poles is too old to move, therefore creating a hardship because a 24' curb cut is required and the only way to work around this is to request relief for two (2) 12' curb cuts instead. Carmen LaRosa (Architect & Planner) explains how this hardship came about and the various ways they tried to resolve the problem before having to come before the Board to request the driveway relief being sought

Witness(s): Frank Edwardi (Applicant & local resident) testifies to contacting the utility companies to possibly have the poles moved and was denied, so the only remaining options were to either leave the poles in the middle of the 24' curb cut for the driveway or to request relief for two (2) 12' curb cuts for two separate driveways which is not permitted and the only logical resolve for this problem

Exhibits/Reports: n/a

Board Comment: n/a

Public Comment: n/a

- Motion in the affirmative for variance relief for number of driveways and driveway widths; including any & all comments and conditions as discussed, as agreed, and outlined in Mr. Previti's engineer memorandum dated 10-31-2022 inclusive; Motion made by Mr. Cloud, second by Mr. McGinn; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed & therefore GRANTED 6-0

📁 **Applicant: 114-85th Street CONDO ASSN. c/o Anthony COOGAN** (Hardship/Bulk, Flex 'C' Variances)

@ 114 - 85th Street / Block 86.02 / Lots 20.01 / Zones R2

Proposed: additions & alterations of existing duplex including various new decks, porches, landing, and landscaping

Requesting: variance relief for rear yard setback, side yard setbacks, impervious coverage, lot frontage, lot depth, lot area, building height, parking, and building on substandard non-buildable lot and any other relief deemed necessary

Professionals: Jeffrey Barnes, Esq. (of King Barnes Law) begins on behalf of applicant with an overall summary of the work being proposed in detail starting with the 1st & 2nd level deck expansions, new stairs, new roof over rear deck and additional landscaping for the areas where impervious surfaces are removed. James Dzieggenuk (Architect) and Brian Murphy (Engineer) are sworn in for testimony. The Architect reviews the existing layout and floor plan and then provides a detailed explanation of the floor plan for the proposed addition and modifications, as well as reviewing the landscaping and stair details. The Engineer offers additional details regarding a landing in the staircase for safety reasons in lieu of stairs straight up, as well as explaining how the interior of the structure will not be impacted and how the proposed changes will make the structure more compliant, more fitting and aesthetically pleasing with the neighborhood.

Witness(s): Anthony Coogan (Owner & Applicant) provides testimony on the current parking, the intentions for the shed and explains the storage chest type bins they need and use for beach items and other stuff due to their lack of storage

Exhibits/Reports: A-1 photograph of property today

Board Comment: there is some discussion about possibly reducing the size of the curb cut, clarification on the deck to receive the roof and verification that it is not intended to be enclosed and a few inquiries about the shed and parking

Public Comment: n/a

- Motion in the affirmative for variance relief for improvements on lot less than 3,500 S.F., min lot area, min. lot width, min. lot depth, min. side yard setback, aggregate side yard setback, min. rear yard setback, max. impervious coverage, building height, number of parking spaces, accessory structure side yard setback to storage enclosures, and accessory structure rear yard setback to existing shed; including any and all comments and conditions as discussed, as agreed and outlined in Mr. Previti's engineer memorandum dated 9-26-2022 inclusive; Motion made by Mr. McGinn, second by Mr. Cloud; roll call of eligible votes - *aye* '5' in favor / *nay* '0' opposed, *abstain* '1' due to conflict & therefore GRANTED 5-0

📁 **Applicant: STEELMAN, Lewis J., Jr.** (Hardship/Bulk, Flex 'C' Variances)

@ 29 -30th Street / Block 29.02 / Lots 1.01 / Zones C-2

Proposed: to demolish existing structure and construct a new single-family dwelling

Requesting: variance relief for lot size, rear yard setback and any other relief deemed necessary

Professionals: Donald Wilkinson, Esq. (of Josephson Wilkinson & Gilman) on behalf of applicants summarizes how the intention is to demolish the existing structure and construct a new single-family dwelling and has Andrew Bechtold (Architect) sworn in and provide testimony to the age and condition of the current structure and property. Mr. Bechtold reviews the survey provided and further details the design of the proposed new single-family to be flood compliant, more aesthetically pleasing and in line with the adjacent properties. There is continued testimony on the modified mechanical platform, the importance of keeping the existing curb cuts to allow for ease of access and parking for the property in addition to the recharge system, green buffer, number of bedrooms and modifications to avoid any issues from neighbors and notes how this was designed to create a beneficial and positive impact on the neighbors and surrounding neighborhood

Witness(s): Lewis Steelman, Jr. (Applicant/Owner) offers

Exhibits/Reports: A-1 proposed landscaping/vegetation plan

Board Comment: there is further discussion on the driveway sizes

Public Comment: Mary Kofeldt (Wife & rear abutting neighbor) @ 2909 Landis Avenue to speak in opposition of the project because of its size and the impact it will have on them; Frank Kofeldt (Husband & rear neighbor) reviews the application documents in detail and speaks in opposition of the project especially being a year round resident and questions the slope of the roof, driveway curb cuts, parking, the items that are against ordinance amongst other issues like the size and how it will cast shadow over their home if built

- Motion in the affirmative for variance relief for improvements on lot less than 3,500 S.F., min lot area, min. lot depth, and rear yard setback to dwelling & to AC platform; including any and all comments and conditions as discussed, as agreed, and outlined in Mr. Previti's engineer memorandum dated 9-28-2022 inclusive; Motion made by Ms. Elko, second by Mr. Feola; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed & therefore GRANTED 6-0

📁 **Applicant: FALLON, Terrance & Smith, Carole** (Hardship/Bulk Variances)

@ 114 - 82nd Street, Rear / Block 82.03 / Lots 100 / Zones R-2

Proposed: to enclose rear residence's first and second floor decks for additional living space

Requesting: variance relief for alterations of a pre-existing non-conforming property and any other relief deemed necessary

(Fallon Application -continued)

Professionals: Donald Wilkinson, Esq. (of Josephson Wilkinson & Gilman) on behalf of applicants notes for the record that this property contains a top and bottom style duplex towards the front of the property and another single smaller detached unit at the rear of the property thereby making this a non-conforming property as he offers a brief summary of what this project involves for them to construct a first and second floor addition to this rear Unit C which needs a 'D' variance. Gary Thomas (Architect) is sworn in and provides testimony regarding what he believes to be de minimus in nature but with major benefits to the owner, involving the small front decks being enclosed for additional living area. The modifications to accommodate this proposed addition, the parking, landscaping, street trees and shrubs, along with the variance relief being sought are reviewed in detail

Witness(s): Terrance and Carole Fallon (Owner/Applicant) offer some history about the unit and property as they explain their plans to retire here and willing to do this minor trade from decks to more living space and have received the required consent from the other property owners as well

Exhibits/Reports: A1, A2, A3 – Photographs entered as exhibits showing the decks that they wish to turn into living space without any impact to the surrounding properties

Board Comment: any affect to the property, elevation clarification, landscaping details, and some clarification on the common area of the entire property, parking,

Public Comment: n/a

- Motion in the affirmative for variance relief for expansion of a non-conforming use requiring a 'D' Use Variance; existing non-conforming rear yard, accessory structure (shed) rear yard, accessory structure (shed) side yard setbacks, parking space size; and landscape requirements; including any and all comments and conditions as discussed, as agreed, and as outlined in Mr. Previti's engineer memorandum dated 9-20-2022 inclusive; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - aye '5' in favor / nay '1' opposed & therefore GRANTED 5-1

📁 Applicant: **HAUSS, Maryann & Harris, Robert** (Hardship/Bulk, Flex 'C' & Use 'D' Variances)

@ 148 - 85th Street / Block 86.02 / Lots 13.01 / Zones C-2

Proposed: to demolish existing structure and construct a new single-family dwelling

Requesting: variance relief for pre-existing non-conformities on residential use, front & total side yard setbacks, lot area, lot width; for parking and street trees and for any other relief deemed necessary

Professionals: Lyndsy Newcomb, Esq. (of Monzo Catanese Hillegass) offers introduction and begins with an overview of the project being proposed with the intention of becoming a year-round resident as she has Blane Steinman (Architect) sworn in and begin testimony pertaining to the site and notes for the record that due to the zoning changes this project should no longer need a 'D' variance. He continues with site details and, of course, the proposed work for this undersized lot and provides a detailed verbal tour explaining structure layout, dimensions, on-site parking, the positive and negative criteria, with specific attention to green space and revisions which also eliminated some of the other relief sought

Witness(s): Ms. Hauss (Owner/Applicant) offers some history about her family and this house explaining that her husband who passed in 2019 had intentions of retiring here in Sea Isle so her plan is to do just that

Exhibits/Reports: n/a

Board Comment: the added off street parking, green space and vegetation, as well as adding stormwater retention are discussed and they are commended for such a well done application

Public Comment: n/a

- Motion in the affirmative for variance relief for improvements on lot less than 3,500 S.F., min lot area, min. lot width, front yard setback, min. side yard setback, aggregate side yard setback, max. building coverage, number of parking spaces and street trees; including any and all comments and conditions as discussed, as agreed, and as outlined in Mr. Previti's engineer memorandum dated 10-25-2022 inclusive; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - aye '6' in favor / nay '0' opposed & therefore GRANTED 6-0

~Resolutions:

℞ Resolution No. 2022-10-01: 124-88th STREET CONDO ASSN (c/o Meier) @ 105 - 33rd St/ B: 32.03/ L: 11.01 & 12.01/ Z: R2

- Motion memorializing Resolution #2022-08-01; Motion made by Mr. McGinn, second by Mr. Feola; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

℞ Resolution No. 2022-10-02: Mark RAYER & Colleen DOHERTY @ 210 -93rd St/ B: 94.03/ L: 42.02 & 43/ Z: R2

- Motion memorializing Resolution #2022-08-01; Motion made by Mr. McGinn, second by Mr. Feola; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

~Meeting Minutes to Adopt:

m Minutes of Wednesday, September 7th, 2022 Regular Scheduled Zoning Board Meeting

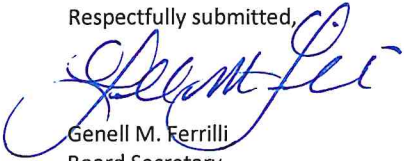
- Motion made by Mr. McGinn, second by Mr. Feola; roll call of those eligible to vote - aye '4' in favor /nay '0' opposed

~With no further business

- Motion to adjourn by Mr. Iannelli, second by Mr. McGinn and all were in favor

Meeting Adjourned

Respectfully submitted,



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