

CITY OF SEA ISLE CITY  
**PLANNING BOARD**  
AGENDA of Regular Meeting  
Monday, March 11, 2019, 7:00 pm

**1. Call 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 Planning 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 and published in the Atlantic City Press and/or Ocean City Sentinel.*

**4. Roll Call**

_____ Patricia Urbaczewski, Chairperson	_____ Rodney Greco
_____ Antimo Ferrilli, Vice Chairperson	_____ Donna Miller
_____ Michael Baldini	_____ Frances Steelman
_____ Philip Bonifazi	_____ Alt. #1 Jack McCusker
_____ Mayor Leonard C. Desiderio	_____ Alt #2 Daniel McCann
_____ Councilman Frank Edwardi	

**5. Meeting Minutes**

- ◆ Minutes of February 11, 2019 Regular Meeting

**6. Resolutions** n/a

**7. Old Business** n/a

**8. NEW BUSINESS**

- ◆ **APPLICANT: 4400 Landis Ave., LLC** ( Amended Site Plan Approval Application )  
*Property:* 4400 Landis Avenue, Block: 44.03 / Lots: 23.02 & 24 / Zone: R-2  
*Proposed:* Preliminary & Final Site Plan Approval per Resolution 2011-07-02 for Restaurant  
*Relief Sought:* Amended site plan approval for Restaurant
- ◆ **APPLICANT: Marita F. Berkelbach** ( Minor Site Plan & Variance Application )  
*Property:* 5908 Landis Avenue / Block: 59.03 / Lots: 15.01 & 14.01 / Zone: R-2  
*Proposed:* 'Minor' Site Plan & Variance Approval  
*Relief Sought:* Minor site plan approval for permanent Awning

**9. Adjourn**

**" Please note - changes are possible "**

# ***CITY OF SEA ISLE CITY PLANNING BOARD***

## ***Minutes of Regular Planning Board Meeting***

***March 11<sup>th</sup>, 2019 @ 7:00 PM***

~ **Meeting Called to Order** by Chairperson Mrs. Urbaczewski. All rise for Pledge of Allegiance. Opening comments begin with Open Public Meeting Act statement.

### **Planning Board Roll Call:**

**Present:** Mr Bonifazi, Mr Greco, Mrs. Miller, Ms. Steelman, Mr McCusker, Mr McCann, Mr Ferrilli, Mrs. Urbaczewski

**Absent:** Mr Baldini, Mayor Desiderio, Councilman Edwardi

**Professionals:** Jon D. Batastini, Esq. of Loveland, Garrett & Batastini (Planning Board Solicitor) and Andrew A. Previti P.E., of Maser Consulting (Municipal & Board Engineer)

### **NEW BUSINESS:**

#### **1) APPLICANT – 4400 Landis Ave., LLC ‘Amended Site Plan Approval Application’**

@ 4400 Landis Avenue; Block 44.03; Lot 23.02 & 24; Zone R-2

**Proposed:** Preliminary & Final Site Plan Approval per Resolution 2011-07-02 for Restaurant

**Attorney:** Donald Wilkinson, Esq., offers an overall summary of the amended site plan approval being sought for a restaurant fit-out on the first floor of the Mixed Use Development currently under construction, in lieu of the three retail/office units previously approved in the original project

**Professionals:** Carmen J. LaRosa, RA (Architect) provides detailed testimony regarding food services, layout, hours, deliveries, and other specific details

**Witnesses:** Anthony J. Foster (Principal of 4400 Landis Ave, LLC) details on proposed Italian/Seafood restaurant

**Exhibits:** none

**Board Comment:** venting run up through roof is confirmed and number of seating for restaurant which was 78

**Public Comment:** None

- Motion for Amended Final Site Plan Approval, to change three (3) retail/office units on the ground floor of mixed use development to provide for fit-out of proposed 3,220 sq. ft. Italian/Seafood Restaurant; including exterior steps to enter building, exterior change from stone to brick, no additional variances; no change in building footprint and no deviation in building design or construction material or building elevation other than what is presented; and based on conditions as outlined in Engineers report and based on any prior approvals granted; Mr. Greco makes motion, Mrs. Miller seconds, roll call – *aye ‘7’ in favor / none opposed*

#### **2) APPLICANT – Marita F. Berkelbach ‘Minor Site Plan & Variance Application’**

@ 5908 Landis Avenue; Block 59.03; Lot 15.01 & 14.01; Zone R-2

**Proposed:** Minor site plan approval for a permanent Awning

**Attorney:** Donald Wilkinson, Esq., begins with summary on the proposed replacement of the existing canvas awning with a permanent roof, due to the awning becoming so difficult to maintain

**Professionals:** Carmen J. LaRosa, RA (Architect) provides testimony on the existing structure, the awning they are proposing to replace, and then provides details regarding the permanent roof that is being proposed

**Witnesses:** Marita Berkelbach (Applicant) offers some history and answers a few questions

**Exhibits:** none

**Board Comment:** standing metal or shingle and gutters and downspouts are inquired about

**Public Comment:** None

- Motion for Final Site Plan Approval as a Minor Site Plan, to replace an existing cloth awning structure with a new framed roof structure; per architectural plans; improvement to be of metal type roof and have gutters and downspouts; existing one story structure is on non-conforming lot of 760 sq. ft. which requires variance; and based on conditions as outlined in Engineer's report; Mr. Ferrilli makes motion, Ms. Steelman seconds, roll call – *aye ‘8’ in favor / none opposed*

**~Meeting Minutes to adopt:**

- Regular Meeting Minutes of February 11, 2019 adopted. Ms. Steelman makes motion, Mr. Greco seconds, roll call those eligible to vote - *aye all 6 in favor / none opposed*

**~Item of Discussion:**

Board Solicitor, Mr. Batastini, discusses correspondences with Zoning Board Solicitor, Mr. Gillin-Schwartz, in regards to the proposed application before the Zoning Board with 42nd Place LLC now titled 'The Ludlam', which is better known as the LaCosta building, for a 'D' Variance because of Height, where there is a significant amount of conflict leaving only 5 out of the 9 board members able to hear the application. It has been asked that the Planning Board be called upon to provide Class IV Board Members to serve in the place of conflict zoning board members where he further reviews correspondence with the belief that zoning has an actual quorum and does not need to be provided with Planning Board Members, however after reading on records additional correspondence it is still the belief on behalf of the Planning Board that their services are not necessary, whereas the Zoning Board Solicitor is with the understanding the Zoning Board has the minimum quorum needed for an applicant to proceed but the applicant's representing attorney prefers a 7 member board to present application too and has not responded on to date.

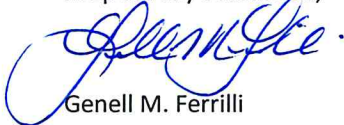
- Therefore, a motion is taken in the affirmative that the Planning Board makes the interpretation to send no more than the minimum number of members to constitute a quorum in the Zoning Board. Mr. Ferrilli makes motion, Mrs. Miller seconds, roll call those eligible to vote - *aye all 7 in favor / none opposed*

~With no further business

- Motion to adjourn made by Mr Ferrilli, second by Mr Greco, with all in favor 'aye'

**Meeting Adjourned**

Respectfully Submitted,



Genell M. Ferrilli  
Planning Board Clerk