

**SEA ISLE CITY**  
**ZONING BOARD OF ADJUSTMENT**  
**AGENDA**

**Regular Meeting – Monday, December 7, 2015 @ 7:00 PM**

**1. Pledge of Allegiance**

**2. 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.*

**3. Roll Call**

_____ Patrick Pasceri, Chairperson	_____ Joseph Morrissey
_____ Patricia Urbaczewski, Vice Chair	_____ Daniel E. Organ
_____ Gerard A. Brangenberg	_____ Jacqueline Elko, Alt I
_____ Louis Feola, Jr.	_____ Scott Laidlaw, Alt II
_____ William McGinn	

**4. New Business**

- **APPLICANT: 'VALLASTER' (Robert & Elizabeth Vallaster)**  
4302 Central Avenue / Block: 43.04 / Lots 29.02, 30.02, 31.02 & 32.02 / R-2 Zone  
*Proposed:* To raise and renovate existing duplex structure and add curb cut  
*Requested Variance Relief:* Alteration of non-conforming use two principal structures – existing (26-17.4), three units –existing (26-46.4), front yard setback (26-46.4), rear yard setback –existing (26-46.6), and any and all other variances or relief deemed necessary.

**5. Resolutions to be Memorialized**

RESOLUTION No. 2015-11-01 - Patrick & Mary GILLAN @ 225- 59<sup>th</sup> Street  
B: 58.04 / L: 1325

RESOLUTION No. 2015-11-02 - Gregory & Terry McMAHON @ 111- 87<sup>th</sup> Street  
B: 87.02 / L: 24.02 & 25

**6. Adjourned**

**SEA ISLE CITY  
ZONING BOARD OF ADJUSTMENT**

**Minutes of Regular Meeting  
Monday, December 7, 2015 @ 7:00 PM**

~**Called to Order** –Chairperson, Mr. Pasceri, leads in the Pledge of Allegiance, calls meeting to order and begins with open public meetings act announcement.

~**Attendance** - (Roll Call): Mr. Brangenberg, Mr. Feola, Mr. McGinn, Mr. Morrissey, Mr. Organ, Mrs. Elko (excused herself), Mr. Laidlaw, Mrs. Urbaczewski & Mr. Pasceri. Also in attendance: Mr. Dan Reeves – Interim Board Solicitor and Mr. Andy Previti of Maser Consulting – Board Engineer.

~**Announcement** – Alternate Board Members being unable to vote are free to leave for the record. Mr. Laidlaw chooses to remain. Mr. Dan Reeves, representing Board Solicitor Mr. Hillegass due to a conflict, makes a brief introductory statement for the record in regards to the first application to be heard and the intended plan of action since it is a continuance.

~**Applicant:** VALLASTER, Robert & Elizabeth @ 4302 Central Avenue, Block 43.04, Lots 29.02, 30.02, 31.02 & 32.02 in an R2 zone.

Mr. Wilkinson – attorney on behalf of applicant – resumes this application with a review of the previous meeting followed by a brief history of the property and existing structure, as well as a summary of what is being proposed and the reason why they are before the board seeking approval. Mr. Wilkinson calls forward the applicants and their professionals to provide additional testimony. Sworn in are Robert & Elizabeth Vallaster – Applicants, Deborah Wahl of Doran Engineers, Nicholas Ludovich - Architect, and Board Engineer Andy Previti of Maser Consulting who remains sworn in for evening. Ms. Wahl provides exhibits and proceeds with further detailed testimony pertaining to the proposed plans of raising the structure, location, existing structure and garage, parking, and more in depth details regarding the mechanical room at the base of the elevator shaft, and to point out once again how the intention is to remain within the same footprint meeting the required flood elevations and that the garage and apartment are not included this application. Additional testimony reviews all the areas covered previously such as square footage, elevated stairs and porch, converted deck, height, on and off site parking, curb cuts, neighborhood compatibility, living space, layout, mechanical room and elevator shaft, and setbacks. There is some discussion in regards to whether an accessory structure or principal structure and permitted or prohibited use to be considered, raising further questions as to what exactly is being requested. Additional questions are raised due to whatever is approved for the front structure is not associated with the rear unit and even if Mr. LaRosa had signed off on this application that he was aware of having to come before the board if he should seek approvals for any reason, unless they choose to make application together.



Therefore this can be a vote on an expansion of a non-conforming use, specifically to the front structure not the back structure, or should it be a vote on whether it is an accessory structure vs. principal structure and that it can't fit in the rear yard, but then ask how can it be looked at like that. Mr. Reeves offers an overview on their need for approval of an extension on a non-conforming structure, then with the reference of a 'D' variance for a use not addressed in the zoning plan of this district there are no setbacks applicable to this in the zoning ordinance, so as far as setbacks they are based on two family, so technically if approved or adopted should state that it is non-conforming use and being granted a 'D' variance or a use variance with these specified setbacks, of which the board must specify what the setbacks should be. Ms. Wahl is asked to provide testimony on layout before and after changes on each level beginning with the first level before and after being raised. The applicants are willing to modify the bump outs and wrap around porches, which is followed by detailed discussion regarding other proposed changes and improvements that lead to other considered changes to accommodate suggestions and requests from the board. One suggestion raising discussion was to move the front steps around to the side which would alleviate the need for oversized decks.

Mr. Previti reviews his October 27, 2015 report, specifically the variances being requested, followed by items in question that may need approval as existing non-conformities like the garage/apartment that is owned by Mr. Joe LaRosa who currently resides in Seaville who is sworn in and offers several comments of brief testimony that reference his acceptance and support to what is being proposed.

Mr. Reeves, per prior discussions with Tom, interjects with recommendations as to the board's necessity on whether to vote on non-conformities or not, whether to even address the garage/apartment at all, and what affect it could have on this application or on any future possibilities for Mr. LaRosa, or requirements he would have to meet in the future. No matter what, any changes whatsoever would be an expansion of or to the entire non-conformity and would therefore require a 'D' variance whether it is done now or later. Vice Chairperson notes that even if approvals are granted for a setback now, Mr. LaRosa could return before the board for the same and still be denied. Mr. Previti continues with the addition of the parking space variance to be added and reads onto record the definition of what an accessory structure/accessory use structure which the Board Members therefore deem as a Principal Use. Last items addressed were use of the garage space being used for storage only per code, and statement of approval from Mr. LaRosa, the Land Survey, and landscaping.

Floor is then open to the public

Marie Andrews – 4306 Central Avenue & Voorhees, NJ – to express approval and being in favor of the improvement to neighborhood and benefit to the Vallaster's

Joseph LaRosa – Rear Unit Owner already sworn in – questions rear yard setback in regards to approvals granted where he sees no benefit to him now or later and when details are verified as to the expansion of the front structure he concludes by requesting for the Board to table the entire application until he can further review everything with his professional being uninformed with regards to the non-conforming rear yard setback.

Therefore with his possible future intentions as the Owner of the rear structure on this property and since he is a part of the Condo Association and misinformed, the Board must determine whether to proceed or consent to the request to table this application to the next meeting.

Therefore, Chairperson announces this Vallaster Application has been tabled until the next meeting with no further notice necessary to the public and the Applicant has completed their presentation to the board with eight (8) board members present and this application will continue to the next meeting, in addition to the public portion remaining open and the applicant reserving the right to additional testimony on this application as well.

**~Resolutions:**

**Resolution No. 2015-11-01** - GILLAN, Patrick & Mary @ 225 – 59<sup>th</sup> Street

- To memorialize Resolution #2015-11-01, a motion is made by Mr. Brangenberg and second by Mr. Laidlaw  
Roll Call: Mr. Brangenberg-y, Mr. McGinn-y, Mr. Laidlaw-y, Mr. Pasceri-y

**Resolution No. 2015-11-02** - McMAHON, Gregory & Terry, 111 – 87<sup>th</sup> Street

- To memorialize Resolution #2015-11-02, a motion is made by Mr. McGinn and second by Mr. Brangenberg  
Roll Call: Mr. McGinn-y, Mr. Brangenberg-y, Mr. Laidlaw-y, Mr. Pasceri-y

~With no further business a Motion to adjourn is made by Mr. Laidlaw and second by Mr. Organ

**Meeting adjourned**

Respectfully submitted,



Genell M. Ferrilli  
Zoning Board Clerk