

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
AGENDA

Monday, January 6, 2020 - 7:00 pm 'Regular Meeting'

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	_____ William J. Keller
_____ Patricia Urbaczewski, Vice Chair	_____ William McGinn
_____ Jacqueline Elko	_____ Daniel Organ
_____ Louis Feola, Jr.	_____ Jane Morrissey, Alt I
	_____ Jeffrey April, Alt II

4. New Business

◆ **ZONING BOARD RE-ORGANIZATION FOR '2020' CALENDAR YEAR**

◆ **Applicant: Lou & Doris PETKA**

(Hardship/Bulk & Flex 'C' Variance App) [CONTINUED FROM DECEMBER 2, 2019]

5212 Landis Avenue / Block 52.03 / Lot(s) 11.02 & 12 / Zone R-2

Proposed: to install an in-ground pool

Requesting: variance relief on accessory structure setback from main building

◆ **Applicant: DUNFEE- Joseph, Gennard, Peggy R & William H Dunfee**

(Hardship/Bulk & Flex 'C' Variance App) [CONTINUED FROM DECEMBER 2, 2019]

5104 Pleasure Avenue / Block 51.02 / Lot(s) 11.01 / Zone R-2

Proposed: replace existing structure with a new single family residence

Requesting: variance relief of front yard setback, aggregate side yard & rear yard setback, lot coverage, floor area ratio and non-buildable building on undersized lot

◆ **Applicant: KEENAGHAN, Daniel & Anne**

(Hardship/Bulk & Flex 'C' Variance Application)

13 - 51st Street / Block 50.01 / Lot(s) 6.02 / Zone R-2

Proposed: install 12' curb cut & relocate existing front stairs to provide on-site parking spaces

Requesting: variance relief of alterations to non-conforming structure, undersized parking spaces, and all pre-existing non-conforming

5. Resolutions

◆ **Resolution No. 2019 - 12 - 01 - David J. & Debra A. WHITE**

9 - 46th Street / Block 45.01 / Lot(s) 7 / Zone R-2

6. Meeting Minutes

Minutes of December 2, 2019 Regular Meeting

7. Adjourn

* Please note - changes are possible *

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT
Minutes of Regular Meeting
Monday, January 6th, 2020 @ 7:00 PM

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

~Board Roll Call:

Present: Mr. Feola, Mr. Keller, Mr. Organ, Mr. April (Alt #1), Mr. Deal (Alt #2), Mrs. Urbaczewski, Mr. Pasceri

Absent: Ms. Elko, Mr. McGinn

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:

Announcements:

Application continuance: Keenaghan Application at 13 - 51st Street, Block 50.01, Lot 6.02, requested to be continued to next meeting with no further notice required to public.

Public statement: Doreen Corino, Esq. addresses the Board in regards to the 42nd Place, LLC. Application for "The Ludlam" Hotel project, aka: LaCosta property @ Landis Avenue and JFK Boulevard, where a special meeting request has been considered for January 21, 2020 and that it was her understanding a significant amount of monies are owed by the Applicant and need to be addressed by board. Ms. Corino proposed that a deadline be set for all the outstanding monies to be brought current, in order for the board to proceed with a hearing on the application.

1) APPLICANT: PETKA, Lou & Doris @ 110 - 87th Street, Block 88.02, Lot(s) 43.02 & 44, Zone R-2

PROPOSED: to construct an in-ground pool with a patio

Professionals: Nicholas Erman (Manager of Evergreen Landscaping) begins with introduction and brief summary of his experience before proceeding with further detailed information pertaining to permeable pavers with specific mention of following ICIP Standards, in addition to assisting with responses to Mr. Dorsey's report that was provided at the last meeting. Mr. Petka (Owner/Applicant) continues with additional testimony regarding the new plan he submitted and the minor changes that were made in order to address Mr. Previti's Report and Board comments or recommendations and the issues raised by the neighbor at the previous meeting. He provides further details on where pervious pavers are being placed and percentage of impervious coverage that includes the pool, as well as the location and elevation of the pool equipment and stand. Mr. Erman closes with details regarding the walkway around the pool, the holding tank for the water, specifics of permeable paver installation, and how they will do what is necessary to accommodate the neighbor's concerns to avoid any problems for and during the project if approved, in addition to the ability of using the water to assist with a fire if necessary.

Witness(s): n/a

Exhibits/Reports: A1-survey containing changes; A2-fencing & gate information; A3-information (3 pgs.) regarding pavers; A4-paver that will be installed

Board Comment: noted for the record that impervious coverage and permeable pavers gets reviewed by the Construction Official, comments regarding the patio locations and what associated variances should be considered

Public Comment: Joseph Slowik @ 5204 Landis Ave (neighboring 'over the fence' property) to express concern and opposition to how the pool will contribute to the adjoining lot's over-development and water run-off problems, as previously noted by Thomas Darcy, Esq. and wife Terese Slowik at the last meeting.

- Approval based on improvements to water drainage based on installation of permeable pavers and to the public safety, health and general welfare to fire safety with water being readily available, where Board can consider under either relief and take all three (3) variances together which include: 1) Setback from accessory structure to main building, 2) patio in the rear yard and 3) patio in side yard, in addition to including all comments in Mr. Previti's updated January 2, 2020 report and additional signature block on plans for final approval. Motion made by Mr. Organ, second by Mr. Feola; roll call - aye '4' in favor / nay '1' opposed " 4 to 1 in the affirmative & so GRANTED"

2) APPLICANT: DUNFEE: Joseph, Gennard, Peggy R. & William H.

@ 5104 Pleasure Ave, Block 51.02, Lot 11.01, Zone R-2

PROPOSED: to replace old structure with a new single family dwelling on very undersized lot

Professionals: Donald Wilkinson, Esq. representing applicant begins with introductions and brief summary of proposed project, followed by more details regarding current older structure being replaced with a larger single family dwelling. Blaine Steinman (Professional Architect) provides additional testimony regarding the new structure, layout and details that will provide a more flood and otherwise compliant structure, in addition to revisions eliminating 1 bedroom, 1 bathroom and a powder room which allowed for maintaining the ground floor and 4 on-site parking spaces, the main living, dining & kitchen area though a bit smaller, 3 bedrooms and 2 bathrooms now. Brian Murphy (Professional Architect & Planner) offers more detailed testimony on setbacks, stair & elevator access for each level and layout details of the structure, in addition to addressing the floor area ratio as a struggle on an undersized lots while making it an aesthetically pleasing and useful dwelling that is compatible with the neighborhood and closes with addressing the recharge system which will run underground

Witness(s): Peggy & William Dunfee (Owner/Applicant) provide testimony on the history of the aged current structure and how beneficial it would be to have a larger more accommodating dwelling for their larger family to utilize together, in lieu of having to taking turns.

Exhibits/Reports: A1-survey; A2-photograph; also read into record are DPW Memo of approval dated 8/2/19; Traffic Maintenance/Code Enforcement Memo dated 8/2/19 & Police Chiefs' letter of approval dated 8/5/19, and Fire Department's Safety memo dated 8/6/19.

Board Comment: plan date is inquired about and noted for the record to be 5/21/19, further comments about FEMA regulations and clarifications on landscaping, the driveway/garage area and water/sewer are briefly discussed, as well as notes that should be added to plans

Public Comment: none

- For motion in the affirmative under D-4 for maximum floor area ratio, Building on a non-buildable lot, minimum lot area, minimum lot width, minimum lot depth which are all pre-existing non-conforming conditions; min. front yard no longer necessary; and further including minimum rear yard setback, aggregate side yard setback, maximum building coverage, and maximum floor area ratio; including all comments in Mr. Previti's updated May 30, 2019 and all conditions as agreed to at this hearing; Motion made by Mr. Keller, second by Mr. Organ; roll call - aye '6' in favor / none opposed (one steps down due to conflict) " 6 in the affirmative & so GRANTED"

~Re-Organization of Zoning Board:

- Motion to approve Calendar Year 2020 Zoning Board Meeting Schedule; Motion made by Mr. April, second by Mr. Keller; all '6' present in favor / none opposed
- Motion to re-appoint Board Solicitor, Christopher Gillin-Schwartz of Barry, Corrado, Grassi & Gillin-Schwartz, P.C.; Motion made by Mr. April, second by Mr. Organ; all '6' present in favor / none opposed
- Motion to re-appoint Board Engineer, Andrew A, Previti of Maser Consulting, P.A.; Motion made by Mr. April, second by Mr. Organ; all '6' present in favor / none opposed

~Resolutions:

Resolution #2019-12-01 - WHITE, David & Debra @ 9 -46th St; B: 45.01; L: 7; Z: R-2

- Memorialize Resolution #2019-12-01; Mr. April makes motion, Mr. Keller seconds, roll call of those eligible to vote - all ayes 4 in favor / none opposed

~Meeting Minutes to Adopt:

- Minutes of Monday, December 2nd, 2019 Zoning Board Meeting: Mr. April makes motion, Mr. Keller seconds, roll call of those eligible to vote - all ayes 4 in favor / none opposed

The board discussed the Special Meeting Request that has been proposed for January 21, 2020 and the concern over requiring a deadline to be set for all application fees, escrow monies, and outstanding taxes be current prior to a hearing on the application. Mr. Gillin-Schwartz indicated that the applicant's attorney was previously made aware that all outstanding amounts would have to be brought current in order to proceed. It was suggested that an applicant should provide confirmation of same five (5) days prior to the meeting or the applicant cannot be heard, and that this deadline be applied to all applicants before the board.

~With no further business

- Mr. Keller makes motion, second by Mr. Deal, with all in favor to adjourn

Meeting Adjourned

Respectfully submitted,



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