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The public will be muted during the meeting except at the public comment portions of the meeting.

Public comments may be emailed prior to Zoning Board Meeting to [gferrilli@seaislecitynj.us](mailto:gferrilli@seaislecitynj.us)

CITY of SEA ISLE CITY  
***ZONING BOARD OF ADJUSTMENT***  
***MONDAY, DECEMBER 7<sup>th</sup>, 2020 @ 7:00 pm 'Regular Virtual 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	_____ Louis Feola, Jr.	_____ Nathaniel Deal, Alt I
_____ Patricia Urbaczewski, Vice Chair	_____ William J. Keller	_____ Jeffrey April, Alt II
_____ Jacqueline Elko	_____ William McGinn	_____ Iannelli

**5. NEW/Continued BUSINESS**

- ◆ **Applicant:** Eric DAY & Brigitte McInnis-DAY ( Hardship/Bulk Variance App )  
213 - 89th Street / Block 89.03 / Lot(s) 21.02 & 22 / Zone R-2  
*Proposed:* demolish existing and construct new single family home with attached garage & pool  
*Requesting:* variance relief of side yard setback, building on undersized lot, and lot coverage
- ◆ **Applicant:** Linda LAMB ( Hardship/Bulk/ Flex 'C' Variance App )  
4434 Venician Road / Block 44.05 / Lot(s) 117 / Zone R-2a  
*Proposed:* demolish existing and replace with a new two family dwelling  
*Requesting:* variance relief on pre-existing non-conforming lot area and lot frontage, & side yard setback
- ◆ **Applicant:** Jacob & Beena VARGHESE ( Hardship/Bulk/ Flex 'C' Variance App )  
124-26 - 45t Street (2nd Flr.) / Block 45.03 / Lot(s) 18 / Zone R-2  
*Proposed:* to raise 3rd floor ceiling and add dormer to adjacent unit, as sought and granted on other unit per Resolution 2012-06-01  
*Requesting:* variance relief for altering a pre-existing non-conforming use

**6. Zoning Board Update**

Review / discuss "Consent Order Vacating Resolution Number 2020-02-01 and Dismissing All Claims with Prejudice" on John Simoncini vs. Zoning Board of Adjustment of Sea Isle City, Planning Board of Sea Isle City, City of Sea Isle City & 42nd Place LLC. Civil Action Docket No. CPM-L-113-20

**7. Resolutions** N / A

**8. Meeting Minutes** - Minutes of October 5, 2020 and November 2, 2020 Regular Virtual Meetings

**9. Adjourn**

\* Please note - changes are possible \*

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

~ **MEETING CALLED TO ORDER:** by Chairperson Mr. Pasceri. All present join for Pledge of Allegiance. Opening comments begin with Open Public Meetings Act statement.

~ **BOARD ROLL CALL:**

*Present:* Ms. Elko, Mr. Feola, Mr. Keller, Mr. McGinn, Mr. April, Mr. Deal, Mr. Pasceri

*Absent:* Mrs. Urbaczewski

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

~ **Announcements:**

Board Solicitor makes announcement for Kline @ 126-90th Street and Surfside Ten Condominium Association c/o the Murphy's and Signore's @ 10 -53rd Street are both continued to the next meeting without any further noticing required.

Mr. Wilkinson requests for a continuance on the Varghese Project due to time already taken up on other applications, therefore the Varghese Project at 124-26 - 45th Street will be continued to the next meeting with no further notice required.

Board Members are addressed by Andrew Catanese in regards to a proposed Special Meeting for a new project at the old Springfield Inn property.

~ **NEW BUSINESS:**

**1) APPLICANT - Eric DAY & Brigitte McInnis-DAY @ 213-89th Street, B: 89.03, L: 21.02 & 22, Zone: R-2**

*PROPOSED:* to demolish existing structure and construct a new single family home with pool

*-Representative:* Cory Gilman, Esq. of Josephson, Wilkinson & Gilman, on behalf of applicant reviews items raised during previous October discussion and provides an overall summary of the project and reviews the changes that have been made in response to that prior discussion pertaining to this project

*-Professional Witness(s):* Gregg Curtis AIA, Architect and Richard Mashura, Builder, review the project and what is currently existing, and provides further details on the lot, new structure and pool proposed, and proceed in testifying to modifications that were made in response to items previously addressed and how they proposed to address and/or meet flood compliance, landscaping, fencing and other items raised out of concern.

*-Exhibits:* A-plan of front and side yard setbacks, B-Site location photos

*-Witness(s):* Eric Day answers questions proposed to him about their application

*-Board Comment:* questions are raised regarding fence height in conjunction with landscaping and whether the applicant met with any neighbors, and to further breakdown and discuss necessary variances, mechanicals, storm-water, width of the driveway and walkway around pool.

*-Public Comment:* Kate Smith @ 211-89th St to strongly oppose this project and notes there was not enough info provided and why the things addressed at the first meeting were not addressed; Rita Maristch @ 201-89th St West to express her objections to setbacks, loss of views, plantings and sounds that will impact them from this project; Peter Maristch @ 201-89th to express concerns with the structure size and the setback of the building; Chuck Pendley @ 217-89th East addresses the buildings being to close and privacy and noise concerns; Madge Quinlan @ 217-89th West adds her objection and concern with the loss of views and the proposed structure being to big; Jackie Elko @ 8900 Landis questions the moving of one of the bedrooms which would open up views with decking rather than the side of the building.

- Motion in the affirmative for variance relief to build on a lot less than 3,500 S.F., setback from structure to pool accessory structure, aggregate side yard and for existing non-conformities on minimum lot area and minimum lot width, including any and all items as discussed, agreed and in accordance with Engineer's Report; Motion by Mr. Keller, Mr. April seconds, roll call *aye '6' in favor/ nay '0' opposed*; therefore PASSED 6-0 in favor

**2) APPLICANT - Linda LAMB @ 4434 Venicean Road, B: 44.05, L: 117, Zone: R-2a**

*PROPOSED: to demolish existing structure and construct a new duplex dwelling*

-*Representative*: Jeffrey Barnes, Esq. begins with a summary of what the applicant is proposing as he breaks down the variance relief being sought and why. He details floor area ratio and other items of possible concern that may be addressed and further reviews the deed affiliated with this property that is in question

-*Professional Witness(s)*: Blane Steinman (Architect) provides testimony in regards to what is existing before he begins detailed testimony regarding the property location, structure size and setbacks and continues with details about structure design, layout, exterior materials, as further testimony is provided offering specifics on parking and how they have worked along with the uniqueness of this project to keep it in line with other structures in the neighborhood. Jay Sciuillo (Land Use Planner) provides some background information on his experience and adds further testimony regarding site details in association with the City Tax Map, DEP and the Deed referenced earlier in regards to this proposed project and how this new structure though taller will be more efficient and compliant.

-*Witness(s)*: Linda Lamb (owner/applicant) provides some history about how long she has been living in Sea Isle City, all the things she is involved in within the community, and addresses a few specific points she wanted on the record in regards to this project which is her year round residence and how hard she has tried to work with everyone in order to make this a good project, in addition to how it will further help her in the future.

-*Board Comment*: there is discussion regarding what is owned vs. not owned and whether the actual deed is correct or not; brief discussions addressed the survey, the tax map and taxes in conjunction with the deed and tideland; landscape and shrubs and driveway width adjustment and minor changes are also addressed

-*Public Comment*: Michael Leyton @ 4445 Venicean to stress opposition due to the extreme size that is being proposed and the flooding it will add too; Linda Leyton also wants to note her opposition to this project due to the size, flooding, questions decks being built on the bulkhead, and parking issues that will be created; Mary Preston @ 4436 North Venicean to address their concern and stress opposition to this project and how awful the applicant's renters have been; Tom Smith @ 4455 Venicean to note his opposition to the entire project due to size and trying to fit far too much on such a small lot; John Milanna @ 4420 Venicean Road to address his opposition with specific attention to the parking and flooding that are horrendous to begin with; Norma Daily @ 4444 Venicean Road to express her total opposition to not taking the neighbors into account and what a fire hazardous it would be; Rich Hart @ 4436 Venicean Road to express concern about the negative impact this project will have on the neighborhood and the lot being undersized for a single family dwelling let alone a duplex dwelling.

- Motion in the affirmative to use the tax map when considering a determination as based on 3,225; Motion by Mr. McGinn, Mr. Feola seconds, roll call *aye '7' in favor/ nay '0' opposed; therefore approved 7-0 in favor*
- Motion in the affirmative for variance relief to build on an undersized lot, min. lot area, and min. lot width as the existing non-conformities; aggregate side yard, landscaping and driveway width; including any and all items as discussed Engineer's Report inclusive; Motion by Ms. Elko, Mr. Keller seconds, roll call *aye '2' in favor/ nay '4' opposed*; therefore DENIED at 2-4 not in favor

**~RESOLUTIONS:** N / A

**~MEETING MINUTES TO ADOPT:**

Minutes of Monday, October 5, 2020 Regular Virtual Meeting and Minutes of Monday, November 2, 2020 Regular Virtual Meeting are requested to postpone until next regular scheduled meeting.

**~Closing Announcements:**

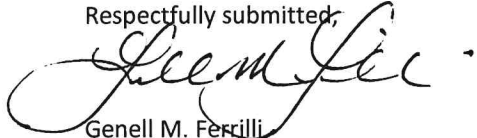
Mr. Gillin-Schwartz addresses Board Members regarding the litigation involving The Ludlam at 4,000 Landis Avenue where a Consent Order was filed involving the applicant pulling entire 42nd Place, LLC Application which renders approvals null and void.

~With no further business

➤ Motion to adjourn by Mr. Pasceri, second by Mr. Feola, with all in favor and so moved

**MEETING ADJOURNED**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Genell M. Ferrilli".

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