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CITY of SEA ISLE CITY

**ZONING BOARD OF ADJUSTMENT**

**MONDAY, JANUARY 4<sup>th</sup>, 2021 @ 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	_____ Jacqueline Elko	_____ William McGinn
_____ Patricia Urbaczewski, Vice Chair	_____ Louis Feola, Jr.	_____ Nathaniel Deal, Alt I
_____ Jeffery April	_____ William J. Keller	_____ Lenny Iannelli, Alt II

5. NEW/Continued BUSINESS

◆ ZONING BOARD RE-ORGANIZATION FOR '2021' CALENDAR YEAR

◆ Applicant: Jacob & Beena VARGHESE (Hardship/Bulk, Flex 'C' & Use 'D' Variance App)

124-26 - 45th Street (2nd Flr. West) / Block 45.03 / Lot(s) 18 / Zone R-2

*Proposed:* to raise 3rd floor ceiling and add dormers 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

◆ Applicant: Mark & Kate KLINE (Hardship/Bulk & Flex 'C' Variance App)

126 - 90th Street / Block 91.02 / Lot(s) 21.02 & 22 / Zone R-2

*Proposed:* demolish existing and construct new single family home

*Requesting:* variance relief to build on non-buildable lot and aggregate side & rear yard setbacks

◆ Applicant: Surfside Ten Condo Association (Hardship/Bulk/ Flex 'C' Variance App)

(c/o Edward & Terri Murphy and Matthew & Maria Signore)

10-53rd St / Block 53.01 / Lot(s) 14 / Zone R-2

*Proposed:* reconstruct a new front/back duplex which will add needed parking

*Requesting:* variance relief on height

6. Resolutions

Resolution No. 2020 - 12 - 01 - DAY @ 213- 89th St / Block 89.03 / Lot(s) 21.02 & 22/ R2

Resolution No. 2020 - 12 - 02 - LAMB @ 4434 Venicean Rd / Block 44.05 / Lot(s) 117 /R2a

Resolution No. 2020 - 12 - 03 - GMH Restaurant Holdings, LLC.

@ 43rd St / Block 43.01 / Lot(s) 12,13 & 14 /C4

7. Meeting Minutes -

*Minutes* of October 5, 2020, November 2, 2020, and December 7, 2020 Regular Virtual Meetings

*Minutes* of December 22, 2020 Special Virtual Meeting

8. Adjourn

\* Please note - changes are possible \*

**SEA ISLE CITY**  
**ZONING BOARD OF ADJUSTMENT**  
**Minutes of Regular Meeting**  
**Monday, January 4th, 2021 @ 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:* Mr. April, Ms. Elko, Mr. Feola, Mr. Keller, Mr. McGinn, Mr. Iannelli (Alt #2), Mr. Pasceri

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

*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:

Welcome and swear in New Board Member: New Member Mr. Len Iannelli is sworn in, in accordance with City of Sea Isle City Council Resolution 190(2020) 'Appointing & Re-Appointing Members of the Zoning Board of Adjustments' where Mr. Iannelli is appointed and sworn in as the new Alternate #2 Member to finish current term of unexpired term of Mr. Deal who is re-appointed to Alternate #1 fulfilling now Board Member Mr. April's unexpired Alternate term.

**1) APPLICANT: VARGHESE, Jacob & Beena**

@ 124-126 - 45th Street, 2nd Floor West, Block 88.02, Lot(s) 43.02 & 44, Zone R-2

*PROPOSED:* to add a dormer addition to existing 2nd floor west unit of four unit structure.

Professionals: Donald Wilkinson, Esq. of Josephson Wilkinson & Gilman, P.A. begins with introductions and further notes for the record applicant's willingness to proceed despite questions regarding viewing accessibility, as he continues with a brief summary of the proposed dormer addition to provide some additional habitable space to the structure. Carmen LaRosa, R.A. (Architect/Planner) is addressed to provide more detailed testimony pertaining to the proposed dormer and how this plan is based on the same type of project previously approved of and done on the East Unit, which will also enhance and aesthetically balance out the facade' of the dwelling. Mr. Wilkinson reviews the relief being sought and asks Mr. LaRosa to clarify the positive criteria and the benefits this will have for the applicants and surrounding neighborhood.

Witness(s): Mr. Varghese (applicant) to offer response as needed

Exhibits/Reports: n/a

Board Comment: there are inquiries into possible parking changes or issues, how this will add additional living space without adding any volume or square footage, which therefore clarified it is basically like lifting the roof for a more open and private bedroom/sleeping area with little impact anywhere else

Public Comment: Bridgette McInnis Day @ 56th & 89th Street properties who use to live in this same condo and feels it will definitely be beneficial and more enjoyable for the owners.

➤ Motion to approve a 'D' Use Variance and variance relief for min. front yard setback, aggregate side yard setback,, number of parking spaces, and non-conforming use, as based on and including any all conditions of approval, including but not limited to all comments and items as addressed in Mr. Previti's November 30, 2020 memorandum. Motion made by Mr. April, second by Mr. McGinn; roll call - aye '7' in favor / nay '0' opposed " 7 to 0 in the affirmative & so GRANTED"

**2) APPLICANT: KLINE, Mark & Kate**

@ 126 -90th Street, Block 91.02, Lot 33.02 & 34, Zone R-2

*PROPOSED:* to demolish existing structure and reconstruct a New Single Family Dwelling

Professionals: Donald Wilkinson, Esq. representing applicant begins with introductions and brief summary of proposed project to replace the existing old structure with a new single family home as he reviews the relief being sought due to this property being the standard undersized lot and particularly the width, followed by more details as provided by the Homeowner. Carmen LaRosa (Architect/Planner) provides testimony regarding the unique non-buildable lot and what has been designed and proposed for this property is based on the structure conforming to FAR, impervious, setbacks within the requirements and encroachment of the outdoor shower and elevator shaft into the rear yard that will need relief

Witness(s): Mr. Kline (applicant) offers some history regarding their purchase of what is considered a unique but vacant lot with an 80-90 year old extremely deteriorated and non-livable structure on it. The applicants currently have a place on 93rd and found this property unique but typical in size to most Townsend Inlet properties and felt it would be a great opportunity to purchase and develop this property with the eventual intentions to retire and settle down here in Sea Isle City.

Exhibits/Reports: n/a

Board Comment: there is a comparison between this property and the other at 134-93rd Street they have which are just about the same with the exception of the elevator, as well as several conditions of approval like lower level being for storage only, storm-water, flood compliance, items that will meet necessary requirements, brief review of setbacks, and comments on what a benefit this will be the entire neighborhood

Public Comment: Kathy Siravo @134-90th Street speaks in favor of and welcomes the project proposed and notes how much of an improvement it will be in comparison to what is currently there.

- Motion to approve variance relief for building on a non-buildable lot, min. lot area, min. lot width, min. lot depth, min. rear yard and aggregate side yard setback, including but not limited to all comments, revisions and conditions as addressed, as well as Mr. Previti's December 29, 2020 memorandum. Motion made by Mr. McGinn, second by Mr. Feola; roll call - *aye '7' in favor / nay '0' opposed " 7 to 0 in the affirmative & so GRANTED"*

### 3) APPLICANT: Surfside Ten Condo Association (c/o Mr. Murphy & Mr. Signore)

@ 10 - 53rd Street, Block 53.01, Lot 14, Zone R-2

*PROPOSED: to demolish existing structure and reconstruct a New Single Family Dwelling*

Professionals: Donald Wilkinson, Esq. of Josephson Wilkinson & Gilman, P.A. begins with introductions and begins with applicants offering testimony on how this proposed project was brought about, followed by Carmen LaRosa (Architect/Planner) providing detailed testimony on the planning of this project to meet and conform to the necessary requirements as much as possible with an exception to the height, which is needed in order to make the structure flood compliant and actually reducing lot coverage

Witness(s): Mr. Ed Murphy (Owner/Applicant) and Mr. Matt Signore (Owner/Applicant) both provide individual testimony on their unit and how this project came about for both of them in deciding to proceed with this proposed project to demolish and reconstruct a more modern and flood compliant structure with off street parking that they did not have before

Exhibits/Reports: n/a

Board Comment: there is inquiry into the number of stories and the proposed parking as far as the height of each level and confusion as to how this would be any different to create a reason for what seems to be 4 stories and what would be opening up a can of worms with the additional 1-2 feet being sought because other property owners are going to want the same thing.

Public Comment: n/a

- Motion to consider reviewing the project and to address the items in question pertaining to height and the pitch of the roof to accommodate concerns discussed and to therefore request for application to be continued with no further notice required unless substantial changes are made to relief requested, which would need revised application information and would further require a need to re-notice; Therefore this applicant is being continued to the next month meeting.

### ~Resolutions:

Resolution #2020-12-01 - DAY, Eric & Briquette @ 213-89th St; B: 89.03; L: 21.02 & 22; Z: R-2

- Memorialize Resolution #2020-12-01; Mr. April makes motion, Mr. Keller seconds, roll call of those eligible to vote - all ayes 4 in favor / none opposed

Resolution #2020-12-02 - LAMB, Linda @ 4434 Venicean Rd; B: 44.05; L: 117; Z: R-2a

- Memorialize Resolution #2019-12-02; Mr. April makes motion, Mr. McGinn seconds, roll call of those eligible to vote - all ayes 4 in favor / none opposed

Resolution #2020-12-03 - GMH Restaurant Holdings III, LLC @ 43rd St; B: 43.01; L: 12, 13 & 14; Z: C-4

- Memorialize Resolution #2019-12-03; Mr. April makes motion, Mr. McGinn seconds, roll call of those eligible to vote - all ayes 3 in favor / none opposed

### ~Meeting Minutes to Adopt:

- Minutes of Monday, October 5, 2020 and Monday, November 2, 2020 Zoning Board Meetings: Mr. McGinn makes motion, Mr. Keller seconds, roll call of those eligible to vote - all ayes '4' in favor / none opposed

### ~Re-Organization of Zoning Board:

- Motion to re-appoint Chairperson-Mr. Pasceri; Vice Chairperson-Mrs. Urbaczewski; Motion made by Mr. McGinn, second by Mr. April, all '6' present in favor / none opposed
- Motion to re-appoint Board Solicitor-Christopher Gillin-Schwartz of Gillin-Schwartz Law, P.C. & Andrew Previti of Colliers Engineering Design (aka: Maser Consulting); Motion made by Mr. April, second by Mr. McGinn, all '6' present in favor / none opposed
- Motion to approve Calendar Year 2021 Zoning Board Meeting Schedule; Motion made by Mr. McGinn, second by Mr. Keller; all '6' present in favor / none opposed

An inquiry is made in regards to roof pitches for some clarification, follow by a brief discussion as to Virtual Meetings vs. In-Person Meetings and how each of the individual board members feel about them.

Additionally there has been an Order of Consent filed to pull the application, all associated documents and approvals thereby making the project null and void.

~With no further business

➤ Mr. McGinn makes motion, second by Mr. Keller, with all in favor to adjourn

**Meeting Adjourned**

Respectfully submitted,



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