

CITY of SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT

MONDAY, February 7th, 2022 @ 7:00 pm 'Regular IN-PERSON 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 BUSINESS:**

 **ZONING BOARD RE-ORGANIZATION FOR '2022' CALENDAR YEAR**


Zoning Board Re-organization for Calendar Year 2022: appointments/re-appointments, Professional Services, Publication of choice, & adopted regular meeting dates, including any work sessions for calendar year 2022

 **Applicant: REILLY, John & Martha** (*Hardship/Bulk, Flex 'C' & Use 'D' Variance App*) **(CONTINUED from 1/3/22 mtg)**
@ 210 - 88th Street / Block 89.03 / Lot(s) 36 & 37 / Zone R-2


Proposed: to renovate existing structure to incorporate interior stairs and add third floor to make a single family dwelling
Requesting: variance relief of building on undersized lot, minimum lot size, lot coverage, side yard setback and increase in permitted floor area ratio

 **Applicant: STAVOLA, Anthony** (*Variance Relief Approval*) **(CONTINUED from 1/3/22 mtg)**
@ 4480-82 Venetian Road / Block 44.05 / Lots 97 & 98 / Zone R-2

Proposed: to request relief to maintain an existing fence
Requesting: variance relief for fence height

 **Applicant: WAWA, INC.** (*Hardship/Bulk & Use 'D' Variance App*)
@ 3801 Landis Avenue / Block 38.02 / Lot(s) 8 & 9 / Zone C-1

Proposed: to remove existing trash shed and construct two new sheds for trash and garbage storage
Requesting: variance relief of conditional use, fence height, setbacks, impervious coverage, parking, landscaping, driveway width

 **Applicant: BEEBE, James & Barbara** (*Hardship/Bulk & Use 'D' Variance App*)
@ 7501 Pleasure Avenue, East / Block 75.01 / Lot(s) 597 / Zone R-2

Proposed: to construct elevator shaft on exterior of structure
Requesting: variance relief of minimum front yard setback, floor area ratio and any other relief deemed necessary

6. **Resolutions:**

℞ **Resolution No. 2021-12-01: PEKOFISKY, Leonard & Britta**
@ 5104 Pleasure Avenue / Block 51.02 / Lot(s) 11.01 / Zone R-2

℞ **Resolution No. 2021-12-02: MITROS, Thomas & Worek, Karen**
@ 1908 Landis Avenue / Block 19.03 / Lot(s) 2 / Zone R-2a

℞ **Resolution No. 2021-12-03: CALAMITO, Joseph & Frances**
@ 25 - 65th Street / Block 64.02 / Lot(s) 2 / Zone R-2

℞ **Resolution No. 2021-12-04: KEN'S SHORE THING, LLC.**
@ 20 - 37th Street / Block 37.02 / Lot(s) 11 / Zone C-1

Meeting Minutes:

ℳ *Minutes* of Monday, November 1st, 2021 Regular 'In-Person' Meeting

ℳ *Minutes* of Monday, December 6th, 2021 Regular 'In-Person' Meeting

7. **Adjourn**

* Please note - changes are possible *

SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT

Minutes of Regular 'In-Person' Meeting
Monday, February 7, 2022 @ 7:00 PM

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

~Board Roll Call:

Present: Ms. Elko, Mr. Feola, Mr. McGinn, Mr. Iannelli (Alt #2) & Mr. Pasceri

Absent: Mr. April, Mr. Keller, Mr. Deal & Mrs. Urbaczewski

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

~Announcement: to anyone present for the John & Martha Reilly Application at 101-88th Street or the James & Barbara Beebe Application at 7501 Pleasure Avenue have both requested for a continuance to the next meeting scheduled for March 7, 2022, waiving timing issues and with no further notice required.

~NEW BUSINESS:

Applicant: STAVOLA, Anthony (*Flex 'C' Variance relief*)

@ 4480-82 Venicean Road / Block 44.05 / Lot(s) 97 & 98 / Zone R-2

Proposed: fencing around a newly constructed in-ground pool as part of an improvement project being done

Requesting: approval to maintain the existing fence that is under the required height

Professionals: Joseph Bennie, Esq. opens with a brief summary of the project and the existing fence height not meeting the 6' high code requirements and continues with details regarding this improvement project that included a fence to surround the new pool/spa type accessory structure that was constructed, so relief is being sought for the height of the fence to remain at 48" in lieu of 6'

Witness(s): Anthony 'Tony' Stavola (Owner/Applicant) offers testimony with photographs of the area and the existing 48" fence in question as he further explains how a higher fence would interfere with his neighbors views and with being located in a type of dead end cul-de-sac it has no effect to the surrounding area, in addition to the benefits for his health.

Exhibits/Reports: A-1 - 8 photographs

Board Comment: there is mention of the NJ State Code and that this application is proposing a fence at the minimum state requirement, equal to the neighbors fence, and being in such a unique location would be safe; the need for a self-closing and self-latching/locking gate; permits are in place

Public Comment: Michael Bradley spoke in favor of the fence height for this project; Bob Hall spoke in total support of the project; Chad Poland spoke in favor of the project & wife-Tina in agreement also supports this project; Tom Lafferty has no objection to the project; Joyce McCauly spoke in support of the project

- Motion in the affirmative to approve this application to maintain the existing 48" fence, including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 12-21-2021, inclusive; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - *aye* '5' in favor / *nay* '0' opposed & therefore GRANTED 5-0

Applicant: WAWA, INC. (*Hardship/Flex 'C' Variance & 'D' Variance for deviations in use relief*)

@ 3800 Landis Avenue / Block 38.02 / Lot(s) 8 & 9 / Zone C-1

Proposed: to remove existing trash shed at side of building & construct two (2) new sheds for storage of trash & garbage

Requesting:

Professionals: CherylLynn Walters, Esq. of Nehmad, Davis & Goldstein, PC., opens with the request to reserve the right to proceed with the option of continuing with conditions and once agreed she proceeds in reviewing the application which proposes two new sheds, one for trash and one for garbage, and explains the relief being sought for deviations from Conditional Use Standards in the C-1 district, hardship "c" relief and this minor site plan approval referencing prior site plan approvals granted which was not executed; Professionals are sworn in to provide testimony. Matthew Sharo, PE (Engineer) also involved in the prior application explains the exhibits as presented and further reviews the site operations, signage, proposed compactor details, maintenance and site details and proposed plantings buffer; William McManus, LS, PP (Professional Planner) reviews shed requirements applicable to this project & details the specific relief being sought; and William Robins (Wawa Representative) provides details for securing the enclosure, including lock for security and safety.

Witness(s): n/a

Exhibits/Reports: A-1-aerial of general area of project site, A-2-aerial of finished project with specific attention to NE corner with overlay of proposed, A-3-site and landscape plan rendering (color), A-4-shed detail and proposed finished elevation

Board Comment: as a follow up on public comment the applicant agrees to install an irrigation system, review of wash area and water runoff which they confirm will be maintained by a company they use for this, in addition to compactor noise, deliveries, and most importantly trash pick-up, as the access and locking of this area is briefly discussed

Public Comment: Leanne Sittineri (General Manager of nearby Spinnaker Condo Property) representing 192 unit owners with questions about the number of dumpsters, the number of sheds proposed, the compactor size (3yd) & noise, drainage, irrigation and landscaping (which is confirmed will be maintained by their Landscaper used at other locations)

- Motion in the affirmative for variance relief to conditional use standards, fence height, max. front yard setback, min. rear yard setback, min. lot frontage, impervious coverage improved but not eliminated, including previously granted relief on any non-conformities and other items as outlined, including but not limited to any and all items as discussed and agreed, including conditions of approval and Mr. Previti's engineer memorandum dated 11/30/2021; Motion made by Mr. McGinn, second by Mr. Feola; roll call of eligible votes - aye '5' in favor / nay '0' opposed & therefore GRANTED 5 to 0

~Meeting Minutes to Adopt:

℣ Minutes of Monday, November 1st & December 6th, 2021 Zoning Board Meetings

- Mr. Feola makes motion, Mr. McGinn seconds; roll call of those eligible to vote - all ayes '4' in favor / none opposed

~Resolutions:

℣ Resolution No. 2021-12-01: PEKOFISKY, Leonard & Britta @ 5104 Pleasure Avenue / Block 51.02 / Lot(s) 11.01

Motion memorializing Resolution # 2021-12-01; Motion made by Mr. McGinn, second by Mr. Iannelli; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

℣ Resolution No. 2021-12-02: MITROS, Thomas & Worek, Karen @ 1908 Landis Avenue / Block 19.03 / Lot(s)

Motion memorializing Resolution # 2021-12-02; Motion made by Mr. McGinn, second by Ms. Elko; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

℣ Resolution No. 2021-12-03: CALAMITO, Joseph & Frances @ 25 - 65th Street / Block 64.02 / Lot(s) 2

Motion memorializing Resolution # 2021-12-03; Motion made by Ms. Elko, second by Mr. McGinn; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

℣ Resolution No. 2021-12-04: KEN'S SHORE THING, LLC. @ 20 - 37th Street / Block 37.02 / Lot(s) 11 / Zone C-1

Motion memorializing Resolution # 2021-12-04; Motion made by Mr. McGinn, second by Mr. Iannelli; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

~Re-Organization of Zoning Board:

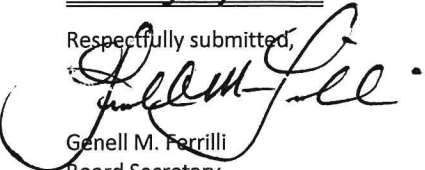
- To approve Zoning Board 2022 Calendar Year Meeting Schedule, based on changing Tuesday meetings to be moved to Wednesday; Motion made by Mr. McGinn, second by Mr. Feola; all '5' present in favor / none opposed
- To re-appoint Board Solicitor-Christopher Gillin-Schwartz of Gillin-Schwartz Law, P.C. & Andrew Previti of Colliers Engineering Design (aka: Maser Consulting); Motion made by Ms. Elko, second by Mr. McGinn, all '5' present in favor / none opposed
- To re-appoint Chairperson-Mr. Pasceri; Vice Chairperson-Mrs. Urbaczewski, and Board Secretary-Genell Ferrilli; Motion made by Mr. McGinn, second by Mr. Feola, all '5' present in favor / none opposed

~With no further business

- Motion to adjourn by Mr. Feola, with all in favor

Meeting Adjourned

Respectfully submitted,


Genell M. Ferrilli

Board Secretary
City of Sea Isle City Zoning Board