

CITY of SEA ISLE CITY
ZONING BOARD OF ADJUSTMENT

MONDAY, March 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:

 **Applicant: REILLY, John & Martha** (*Hardship/Bulk, Flex 'C' & Use 'D' Variances*) (*CONTINUED from 1/3 & 2/7/22 meetings*)

@ 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: BEEBE, James & Barbara** (*Hardship/Bulk & Use 'D' Variances*)

@ 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

 **Applicant: SIR DEVELOPMENT, LLC.** c/o Robert & Leslie Aitken (*Hardship/Bulk, Flex 'C' Variances*)

@ 18 - 45th Street / Block 45.01 / Lot(s) 12.02 & 13.02 / Zone R-2

Proposed: demolish existing structure and construct new single family dwelling

Requesting: variance relief of rear yard setback

 **Applicant: O'DONNELL, William & Anne** (*Hardship/Bulk, Flex 'C' Variances*)

@ 132 - 89th Street / Block 90.02 / Lot(s) 27 & 28 / Zone R-2

Proposed: demolish existing structure and construct new single family dwelling

Requesting: variance relief of lot area, lot frontage, lot depth, rear and side yard setbacks

 **Applicant: FISHER, Anita / 22-60th Street Condo Assoc.** (*Hardship/Bulk, Flex 'C' Variances*)

@ 22 - 60th Street / Block 60.02 / Lot(s) 12 & 13 / Zone R-2

Proposed: to construct an in-ground swimming pool & spa

Requesting: variance relief of accessory structure on setback from main structure, distance to curb and side yard setback, and rear yard setback to patio

6. Resolutions:

 **Resolution No. 2022-02-01: STAVOLA, Anthony** (*Variance Relief Approval*)

@ 4480-82 Venicean Road / Block 44.05 / Lots 97 & 98 / Zone R-2

Resolution No. 2022-02-02: WAWA, INC. (*Hardship/Bulk & Use 'D' Variance App*)


@ 3801 Landis Avenue / Block 38.02 / Lot(s) 8 & 9 / Zone C-1

 **Resolution No. 2022-02-03: ZONING BOARD RE-ORGANIZATION**

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

 **Resolution No. 2022-02-04: ZONING BOARD SOLICITOR** (*Contract Renewal for Professional Services*)

Meeting Minutes:

 *Minutes* of Monday, February 7, 2022 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, March 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. Keller, Mr. McGinn, Mr. Deal (Alt #1), Mrs. Urbaczewski & Mr. Pasceri

Absent: Mr. April & Mr. Iannelli (Alt #2)

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 William & Anne O'Donnell Application at 132-89th Street has requested for their application to be continued to the next meeting scheduled for April 4, 2022, waiving timing issues and will notice accordingly.

~NEW BUSINESS:

 **Applicant:** REILLY, John & Martha (*Hardship/Flex 'C' & Use 'D' Variance relief*)

@ 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 for building on undersized lot, minimum lot size, lot coverage, side yard setback and increase in permitted floor area ratio

Professionals: Frank Hurst, Esq. opens with a brief summary of the proposed addition and renovations originally submitted and reviewed, and then revised and resubmitted in response to the first Engineer Report issued. Mr. Hurst continues with details of the existing and how this project will convert what is now a two family into a single family, offers details of the surrounding area, as he reviews the variance relief being sought, the revisions made that address the Engineer's prior comments, further reviews the laundry area which cannot be located at ground level, and parking which is sufficient since the dwelling will be single family and not a duplex

Witness(s): Justin Weisser, R.A. (Architect) provides his credentials prior to offering testimony describing exactly what they are proposing to convert the current two family into a single family dwelling suitable for a family of 6, in addition to becoming flood and code compliant. There was some question whether any consideration was given to shrinking the size, especially the height, of the structure. Frannie Reilly (Applicant/Owner) thanks everyone for their time and effort on their application, provides some family history and additional clarification to the testimony provided.

Exhibits/Reports: n/a

Board Comment: there is some question as to whether the structure and number of bedrooms proposed are too much for this narrow pie shaped undersized lot; an inquiry is made about possibly adding another parking space which is discussed and noted will be addressed; noted for record storm water management doesn't apply since the impervious coverage increase is less than 250 S/F

Public Comment: n/a

- Motion in the affirmative to approve application relief of Building on undersized lot, min. lot area, min. lot width, min. front rear and side yard setbacks, aggregate side yard, max. building coverage, FAR/D4 relief and building height as revised, including any and all comments and conditions as outlined in Mr. Previti's engineer memorandums dated 11-23-2021 and updated 12-22-2021, inclusive; Motion made by Mr. McGinn, second by Mr. Keller; roll call of eligible votes - *aye* '5' in favor / *nay* '1' opposed & therefore GRANTED 5-1

Applicant: BEEBE, James & Barbara (*Hardship/Flex 'C' & Use 'D' Variance relief*)

@ 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

Professionals: F. Thomas Hillegass, Esq. of Monzo, Catanese, Hillegass on behalf of the applicants begins with a brief summary of what is being proposed by way of an elevator addition in order to access the upper levels of the structure, as he explains that after a number of road blocks the outcome is what they are proposing to the board. Mr. Hillegass introduces John Halbruner, RA and James McAfee, RA who are sworn in as Mr. McAfee testifies to the difficulty they had in the planning process due to the before getting the project proposed, followed by Mr. Halbruner's detailed testimony regarding the property, the location of the proposed elevator addition to the existing structure. Mr. Halbruner reviews the non-conformities, variances sought, positive and negative criteria, and what a true benefit this will be for the applicants

Witness(s): Mr. Jim Beebe (Applicant/Owner) offers brief testimony about purchasing, how long they have owned, and never renting and now that they have aged it is more difficult to make steps, so they decided to add an elevator

Exhibits/Reports: n/a

Board Comment: there was some question to the parking and FAR of which they discuss and verify this project will not affect parking and meets the current flood requirement, confirmation the fence will be removed, and how the nonconformities are not affected by this project

Public Comment: n/a

- Motion in the affirmative for variance relief 'D' & 'C' Variance relief, all as discussed and agreed including conditions of approval and Mr. Previti's engineer memorandum dated 1-31-2022; Motion made by Mr. McGinn, second by Mr. Keller; roll call of eligible votes - aye '7' in favor / nay '0' opposed & therefore GRANTED 7 to 0

Applicant: SIR DEVELOPMENT, LLC. c/o Robert & Leslie Aitken (*Hardship/Flex 'C' Variance relief*)

@ 18-45th Street, Block 45.01, Lots 12.02 & 13.02

Proposed: to demolish existing single family and construct a new duplex structure

Requesting: variance relief of minimum rear yard setback and any other relief deemed necessary

Professionals: Donald Wilkinson, Esq. of Josephson, Wilkinson & Gilman opens with a brief summary of the proposed duplex project where they are seeking rear yard setback relief as he continues with details regarding the property, an easement for a small adjoining flag lot pointing out that the building will not be changed but will be moved to accommodate this project and notes for record that there is absolutely no intentions of a future pool. Carmen LaRosa, RA provides detailed testimony regarding the structure, the proposed decks, setbacks and being in line with the other properties and then addresses the flag-stem agreement/easement involved in this project asking that it be taken into consideration as open space allowing for this deck extension

Witness(s): Steven Freda (sole owner of LLC) offers an aerial photo shot of the property and surrounding area with specific attention to the rectangular foot print marked and provides additional details regarding the decks and tries to show how it will line up with the neighbors decks and notes the whole reason is to increase the deck from 9 to 16 feet

Exhibits/Reports: A-1 -aerial photograph of site and surrounding neighborhood

Board Comment: some questions are raised and discussed regarding the measurements and reasoning for the size of the proposed decks, the flag-stem agreement and the actual bearing it would have on this application, along with elevation questions and conditions of approval discussed, and questions regarding the family room and garage elevations as far as the proposed decks which will be revised to show the shower enclosure and eliminated deck

Public Comment: Fred Moran to address the board after viewing the plans earlier and expresses his opposition to the project and how he believes they are creating their own hardship by moving the structure back, Charles Young notes he is located closest to this property and echoes everything Mr. Moran said and questions why someone would buy knowing it will not be enough, Michael Dempsey is opposed and believes it will affect their views

- Motion in the affirmative for Hardship and Flex 'C' Variance relief to increase deck size, all as discussed and agreed including conditions of approval and Mr. Previti's engineer memorandum dated -22-2022; Motion made by Mr. McGinn, second by Mr. Keller; roll call of eligible votes - aye '2' in favor / nay '5' opposed & therefore DENIED 2-5

~Meeting Minutes to Adopt:

ℳ Minutes of February 7, 2022 Regular Scheduled In Person Zoning Board Meeting

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

~Resolutions:

℞ Resolution No. 2022-02-01: STAVOLA, Anthony @ 4480-82 Venician Road / Block 44.05 / Lots 97 & 98 / Zone R-2

Motion memorializing Resolution # 2022-02-01; 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. 2022-02-02: WAWA, Inc. @ 3801 Landis Avenue / Block 38.02 / Lot(s) 8 & 9 / Zone C-1

Motion memorializing Resolution # 2022-02-02; 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. 2022-02-03: ZONING BOARD RE-ORGANIZATION Zoning Board Re-organization for Calendar Year 2022

Motion memorializing Resolution # 2022-02-03; 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. 2022-02-04: ZONING BOARD SOLICITOR (Contract Renewal for Professional Services)

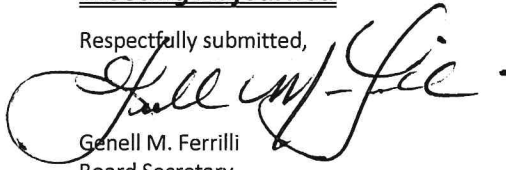
Motion memorializing Resolution # 2022-02-04; Motion made by Mr. McGinn, second by Mr. Iannelli; roll call of those eligible to vote - aye '4' in favor / nay '0' opposed

~With no further business

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

Meeting Adjourned

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Genell M. Ferrilli". The signature is written in a cursive style with a large, decorative flourish at the beginning.

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