

**CITY of SEA ISLE CITY**  
**ZONING BOARD OF ADJUSTMENT**  
**MONDAY, OCTOBER 7<sup>th</sup>, 2024 @ 7:00 pm 'Regular 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	_____ Caryn Durling	_____
_____ Louis Feola, Jr., Vice Chair	_____ Jacqueline Elko	_____ Patrick Curtin Alt I
_____ Kenneth Cloud	_____ William McGinn	_____ Robert Tull, Alt II

**5. NEW BUSINESS**

**\* THE FOLLOWING TWO (2) APPLICATIONS ARE CONTINUED FROM THE SEPTEMBER ZONING BOARD MEETING:**

***A* \*Applicant: 329 43<sup>rd</sup> PLACE, LLC c/o Michael DiPalantino & Karen DiPalantino (Use Variance)**

@ 329 -43<sup>rd</sup> Place / Block 42.05 / Lots 9 & 10 / Zone C-3

*Proposed:* to remove all current improvements and build a new two-family duplex structure with docks and a pool for each unit

*Requesting:* variance relief to build a two-family dwelling on an undersized lot in a commercial/mixed use zone with front yard setback relief

***A* \*Applicant: WHAT'S THE CATCH, LLC. Mixed-Use Development (Hardship/Bulk, Flex 'C' & 'D' (density) Variances)**

@ 4001 Landis Avenue & 28 – 40<sup>th</sup> Street / Block 40.02 / Lots 8.03, 9.03, 9.04 & 10.01 / Zone C-1

*Proposed:* to construct new mixed-use building with restaurants, consisting of a café with indoor/outdoor seating and three (3) walk up 'Takeout window' style vendors on 1<sup>st</sup> Floor and 6 residential dwelling units on the 2<sup>nd</sup> & 3<sup>rd</sup> Floors

*Requesting:* variance relief for residential density permitted, maximum driveway width, and pre-existing non-conforming lot frontage and width

***A* Applicant: 6805 CENTRAL AVENUE CONDOMINIUM ASSOCIATION (c/o Kathleen Friel) (Flex 'C' Variance)**

@ 6805 Central Avenue / Block 68.03 / Lot 205.01 & 205.03 / Zone R-2

*Proposed:* to install chair lift in the rear of the property for addition means of access to second floor unit

*Requesting:* variance relief for rear yard setback, distance between structures, non-conformities and other relief deemed necessary

***A* Applicant: ORBIT 24, LLC. (c/o Jeffrey Silsbee & Heather Nicastro) (Hardship/Bulk Variances)**

@ 5204 Pleasure Avenue North / Block 52.02 / Lot 4 / Zone R-2

*Proposed:* to install an in-ground swimming pool in the rear yard of the North Unit

*Requesting:* variance relief for distance between main structure and accessory (pool) structure and any other variance relief deemed necessary

**6. Resolutions**

**7. Meeting Minutes**

*m* Minutes of Wednesday, September 4<sup>th</sup>, 2024 Regular Zoning Board Meeting

**8. Adjourn**

\* Please note - changes are possible \*

**SEA ISLE CITY ZONING BOARD OF ADJUSTMENT**  
**Minutes of Monday, October 7<sup>th</sup>, 2024 @ 7:00 PM Meeting**

**~Meeting called to order:** by Acting Chairperson Mr. Pasceri. All join for Pledge of Allegiance and the meeting begins with the Open Public Meetings Act statement.

**~Board Roll Call:**

*Present:* Mr. Cloud, Mrs. Durling, Mr. Tull (Alt #2), Mr. Feola (V.C.) & Mr. Pasceri

*Absent:* Ms. Elko, Mr. McGinn

*Board Professionals:* Mr. Christopher Gillin-Schwartz, Esq., of Gillin-Schwartz Law, Zoning Board Solicitor and Mr. Andrew Previti, P.E. of Collier's Engineering & Design, Board Engineer.

**\*\*ANNOUNCEMENTS:**

Applicant What's the Catch, LLC. @ 4001 Landis Avenue & 28-40<sup>th</sup> Street requested an adjournment to the November 4<sup>th</sup>, 2024 Zoning Board Meeting and Andrew Catanese, Esq. on behalf of Applicant 329 -43<sup>rd</sup> Place, LLC. @ 329-43<sup>rd</sup> Place requested an adjournment to the December 2<sup>nd</sup>, 2024 Zoning Board Meeting, with both applicants waiving all timing issues and no further notice required.

**~NEW BUSINESS:**

**➤ Applicant: 6805 CENTRAL AVENUE CONDOMINIUM ASSOCIATION (c/o Kathleen Friel)** (Flex 'C' Variance)

@ 6805 Central Avenue / Block 68.03 / Lot 205.01 & 205.03 / Zone R-2

*Proposed:* to install a chair lift in the rear yard of the property for additional means of access to the second-floor unit.

*Requesting:* variance relief for rear yard setback, distance between structures, non-conformities and other relief deemed necessary

Professionals: Jeffrey Barnes, Esq., introduces 6805 Central Avenue Condominium Association & Managing Member of Wolfpack Associates, LLC. Kathleen Friel on behalf of the application, Architect Blane Steinman and Professional Engineer & Planner Brian Murphy, are sworn in along with Board Engineer Andrew Previti. Mr. Barnes briefly explains the current structure as a top and bottom duplex and how this application is proposing to add a much-needed chair lift to the back of the structure in the rear yard for ease of access to the second-floor unit, and how they have owned here for 18-20 years and use it as their summer home. Mr. Steinman offers detailed testimony regarding the proposed open chair lift, the dimensions of the open lift platform and placement of the lift, which he notes took quite a bit of time and thought to have as little impact as possible to the lower unit or their deck. Two (2) photographs are provided as exhibits for the application. Mr. Murphy reviews the positive and negative criteria and notes how this will provide an additional and safer means of access to the second floor, is open for visual purposes and being in the rear will not be visible from the street, and his compliments to the Architect for working so closely with the applicant and designing a project that conforms in so many ways with little to no negative or visual issues for the lower level and surrounding properties.

Witnesses: Kathleen Friel (Owner/Applicant) testifies to owning the second-floor unit and with consent from the first-floor unit is proposing a chair lift for easier access to the upper level, especially for their elderly family members, without having a major impact to the property or building.

Exhibits/Reports: A-1

Board Comment: there was some discussion as to whether it could be recessed into the rear decks but would impact the lower-level deck and they did not want to do that; there was some questions about access to the lift from the front yard which was noted will have a paver walkway to assist with access to the lift.

Public Comment: n / a

- Motion taken in the affirmative for variance relief of the rear yard setback and distance from accessory (shed) structure to main building, as well as existing non-conformities for side and rear yard setbacks to accessory structure and number of driveways; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 9/18/2024; Motion made by Mr. Feola, second by Mr. Tull; roll call of eligible votes - *aye* '5' in favor / *nay* '0' opposed and therefore GRANTED 5-0

**➤ Applicant: ORBIT 24, LLC. (c/o Jeffrey Silsbee & Heather Nicastro)** (Hardship/Bulk Variances)

@ 5204 Pleasure Avenue North / Block 52.02 / Lot 4 / Zone R-2

*Proposed:* to install an in-ground swimming pool in the rear yard of the North Unit

*Requesting:* variance relief for distance between main structure and accessory (pool) structure and any other variance relief deemed necessary

Professionals: Donald Wilkinson, Esq. on behalf of the applicant and owner of the property Jeffrey Silsbee and fiancé not wife yet (noted for the record) Heather Nicastro and Architect Paul Kates, PE/PP, are sworn in before Mr. Wilkinson reviews some project details starting with the lot which he notes is a typical standard size lot that currently has a two-family duplex structure

on it and describes the proposed in-ground swimming pool the applicants are seeking variance relief for. Mr. Kates offers detailed testimony about the dimensions of the proposed pool, a landscape buffer, vinyl fence surrounding pool with self-closing and latching gate, and the required underground stormwater system, as he continues reviewing the variance relief starting with the front yard setback which is an existing non-conformity and the setback of the main building to accessory pool structure, the setback of the accessory structure from the curblin, with specific note that they will be reducing the size of the pool to 10' x 22' to accommodate a 2 ft. perimeter around the pool for ease of access.

Witnesses: Jeffrey Silsbee (co-Owner with Ms. Nicastro of LLC & Applicants)

Exhibits/Reports: n / a

Board Comment: there was an inquiry into whether they rent or not of which they currently do and after the 2025 summer season hope they will not have too.

Public Comment: n / a

- Motion taken in the affirmative for variance relief for setbacks from main building to pool and accessory pool to curblin, and for existing non-conforming front yard setback;; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 9/25/2024; Motion made by Mrs. Durling, second by Mr. Cloud; roll call of eligible votes - aye '3' in favor / nay '1' opposed, conflict board member stepped down, and therefore GRANTED 3-1.

**~Resolutions:** n / a

**~Meeting Minutes to Adopt:**

**M. Minutes of Wednesday, September 4<sup>th</sup>, 2024 Regular Scheduled Zoning Board Meeting**

- Motion to adopt September 4<sup>th</sup>, 2024 Zoning Board meeting minutes made by Mr. Tull, second by Mrs. Durling; roll call of those eligible to vote - aye '3' in favor / nay '0' opposed

~With no further business

- Motion to adjourn by Mr. Tull, and all were in favor.

**Meeting Adjourned**

Respectfully submitted,



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