

**CITY of SEA ISLE CITY**  
**ZONING BOARD OF ADJUSTMENT**  
**MONDAY, FEBRUARY 5<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	_____ William McGinn
_____ Louis Feola, Jr., Vice Chair	_____ Jacqueline Elko	_____ Patrick Curtin Alt I
_____ Kenneth Cloud	_____ Lenny Iannelli	_____ Robert Tull, Alt II

**5. NEW BUSINESS**

**A Applicant: JERSEY SHORE PROPERTIES, LLC. (Hardship/Bulk, Flex 'C' & 'D' Variances)**

@ 3901 & 3907 Landis Avenue / Block 39.02 / Lots 8.01, 8.02, 9.01 & 9.02 / Zone C-1

*Proposed:* to replace previously approved tent with a permanent roof and bar area, add additional covered deck to existing structure, add food trailer for outdoor food service, approve stage area, and replace previously approved bathroom trailer with larger bathroom trailer

*Requesting:* preliminary and final site plan approval with D-variance relief to permit accessory structures/uses that are not permitted in C-1 Zone; and bulk variance relief for impervious coverage, rear yard setback, accessory building height, and side yard setback (existing non-conforming)

**A Applicant: 4420 PARK AVE, LLC. c/o R. Scarpato (Hardship/Bulk, Flex 'C' & 'D' Variances)**

@ 4422 Park Road / Block 44.05 / Lots 1 & 2.01 / Zone R-2a

*Proposed:* to replace existing duplex residence with a new duplex residence

*Requesting:* variance relief for to build on undersized lot and any other relief deemed necessary

**A Applicant: REGFOUR ENTERPRISES, LLC.(c/o E. Fournaris (Hardship/Bulk Variances)**

@ 26 – 48<sup>th</sup> Street / Block 48.02 / Lots 9.02 & 10.03 / Zone R-2

*Proposed:* to construct an in-ground swimming pool in the rear yard of the west unit

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

**A Applicant: CATERINA, James (Hardship/Bulk/Flex 'C' Variances)**

*(continuance requested to March Meeting)*

@ 134 – 87<sup>th</sup> Street, West / Block 88.02 / Lots 28.02, 29, 30 & 31.01 / Zone R2

*Proposed:* to construct rear yard addition to second and third floor of unit

*Requesting:* variance relief for lot coverage and any other relief deemed necessary

**6. Resolutions**

**R Resolution No. 2024-01-01: DRAGONE, Javier & Maureen (Hardship/Bulk, Flex 'C' & 'D' Variances)**

@ 216 -92<sup>nd</sup> Street / Block 93.03 / Lots 49 & 50.01 / Zone R2

**R Resolution No. 2024-01-02: 9 - 42<sup>nd</sup> Street, LLC. (Hardship/Bulk/Flex 'C' & Use 'D' Variances)**

@ 9 -42<sup>nd</sup> Street / Block 41.01 / Lots 7.01 / Zones C-4

**R Resolution No. 2024-01-03: CAMPAGNA, Vincent & Beth (Hardship 'C' Variances)**

@ 25 – 63<sup>rd</sup> Street, West / Block 62.02 / Lots 2 / Zone R2

**R Resolution No. 2024-01-04: ZONING BOARD RE-ORGANIZATION FOR '2024' CALENDAR YEAR**

Zoning Board Re-organization for Calendar Year 2024: new appointments/re-appointments, Professional Services, Publication of choice, & adopted regular meeting dates, including any work sessions for calendar year 2024

**7. Meeting Minutes**

*m* Minutes of Wednesday, January 3<sup>rd</sup>, 2024 Regular Zoning Board Meeting

**8. Adjourn**

\* Please note - changes are possible \*

**SEA ISLE CITY**  
**ZONING BOARD OF ADJUSTMENT**  
**Minutes of Regular Meeting**  
**Monday, February 5<sup>th</sup>, 2024 @ 7:00 PM**

**~Meeting called to order:** by Vice Chairperson Mr. Feola. All join for Pledge of Allegiance. Opening comments begin with the Open Public Meetings Act statement.

**~Board Roll Call:**

*Present:* Ms. Elko, Mr. Feola, Mr. Iannelli, Mr. McGinn, Mr. Cloud (Alt #1), & Mr. Pasceri.

*Absent:* Mrs. Durling, Mr. Curtain (Alt #2).

*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.

**~Announcement:**

*Robert Tull is sworn in as our new Zoning Board Alternate No. 2*

*Announcement* for anyone present that the 4420 Park Ave, LLC. Application @ 4422 Park Road and the Caterina Application @ 134 – 87<sup>th</sup> Street have requested for a continuance to the March Meeting waiving any timing issues and with no further notice required.

**~NEW BUSINESS:**

➤ **Applicant:** JERSEY SHORE PROPERTIES, LLC. (*Hardship/Bulk, Flex 'C' & 'D' Variances*)

@ 3901 & 3907 Landis Avenue / Block 39.02 / Lot(s) 8.01, 8.02, 9.01 & 9.02 / Zone C-1

*Proposed:* to replace previously approved tent with a permanent roof and bar area, add additional covered deck to existing structure, add food trailer for outdoor food service, approve stage area and replace previously approved bathroom trailer with larger bathroom trailer.

*Requesting:* Preliminary and final site plan approval with D-variance relief to permit accessory structures/uses that are not permitted in C-1 zone; and bulk variance relief for impervious coverage, rear yard setback, accessory building height, and side yard setback (existing non-conforming).

*Professionals:* Andrew Catanese, Esq. introduces Louis Scheidt, P.E., who is sworn with Board Engineer Mr. Previti, and proceeds on behalf of the Applicant providing a brief overview of the proposed project to improve and update handicap access and the temporary tent and trailer accessory structures for the existing restaurant, which will include to relocate trailers & expand restroom trailer and add a kiosk, covered band stage, and stormwater management. He further explains prior approvals as per Planning Board Resolution 2020-06-05 on what was proposed as temporary accessory structures for refrigeration, storage, solid waste, and a restroom trailer to coincide with outdoor dining, all as associated with COVID in 2020. Mr. Scheidt offers testimony detailing the property's location, dimensions, square footage, and other proposed changes from eliminating some of the existing temporary items to update handicap access, construct permanent covered pavilions over bar and dining, relocate trailers and expand restroom trailer and all associated work, as he provides a rendering and details some of the improvements, fencing, landscaping, and green space. They review the positive and negative criteria of the project and note the positive impact it will have on the surrounding area.

*Witnesses:* Mr. Pat Pasceri (Applicant) as Board Chairperson stepped down to be available for questions or testimony.

*Board Comment:* there is some discussion regarding the structure heights, roof peaks, business operations, hours of operation, plantings and how this project benefits the public by maintaining an outdoor dining area without encroaching on the public sidewalk R.O.W.

*Public Comment:* P. Urbaczewski to speak in favor of the application because it will be a much safer improvement to what is there and how this outdoor dining is something everyone wants, D. Laricks to speak in favor pointing out how this project is far better than what could have been built, T Crowell / Professor of Public Health to speak in favor and applaud promoting outdoor dining for health reasons, J. Romano to speak in favor, M. Monichetti also in favor of this project and promoting outdoor dining, T. Bower being neighbor to property speaks in favor and the positive impact of outdoor dining, R. Goglia in favor of the project and what an aesthetic improvement it will be the area.

- Motion taken in the affirmative to approve 'D' variance relief for accessory uses/structures, not permitted in the C-1 zoning district; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 1/24/2024; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed and therefore Granted 6-0.
- Motion taken in the affirmative for remaining 'C' variance relief; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 1/24/2024; Motion made by Mr. Curtain, second by Ms. Elko; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed and therefore Granted 6-0.
- Motion taken in the affirmative for Preliminary and Final Sit Plan approval; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 1/24/2024; Motion made by Mr. McGinn, second by Mr. Iannelli; roll call of eligible votes - *aye* '6' in favor / *nay* '0' opposed and therefore Granted 6-0.

Note: Mr. Pasceri returns to seat as Board Chairperson

**Applicant: REGFOUR ENTERPRISES, LLC.** c/o Emmanuel Fournaris (Hardship/Bulk, Flex 'C' & 'D' Variances)

@26 - 48<sup>th</sup> Street / Block 48.02 / Lot(s) 9.02 & 10.03 / Zone R-2

Proposed: to construct an in-ground swimming pool in the rear yard of the West unit.

Requesting: variance relief for distance from accessory structure (pool) to main structure and any other relief deemed necessary.

**Professionals:** Donald Wilkinson, Esq. on behalf of applicant provides introductions and summary of the project being proposed to the board for the construction of an in-ground swimming pool in the rear yard of the property. Paul Kates, PE, PP, is sworn in and provides testimony regarding revisions to the pool size being reduced and details the perimeter hardscaping for safety purposes and the green space requirements. He testifies to the positive and negative criteria and comments on how difficult it was to try and avoid the need for any variance relief, reducing impervious coverage, adding stormwater management, the landscaping, reducing the pool size, positive and negative criteria, and the project impact to the surrounding properties.

**Witnesses:** Emmanuel Fournaris (Owner/Applicant) testifies to purchasing in 2010 and that this pool is for their own personal use.

**Exhibits/Reports:** n / a

**Board Comment:** there is a more detailed discussion regarding the hardscape around the pool, excess water run-off and the underground drainage proposed.

**Public Comment:** n / a

- Motion taken in the affirmative to approve existing non-conforming min. lot area and min. lot width or frontage, in addition to the accessory structure setback to the main structure; all as discussed including comments and conditions as outlined in Mr. Previti's engineer memorandum dated 1/30/2024; Motion made by Mr. McGinn, second by Ms. Elko; roll call of eligible votes - aye '7' in favor / nay '0' opposed and therefore Granted 7-0.

**~Resolutions:**

**Resolution No. 2024-01-01: DRAGONE, Javier & Maureen** @ 216 -92<sup>nd</sup> Street / Block 93.03 / Lots 49 & 50.01 / Zone R2

- Motion memorializing Resolution #2024-01-01 made by Mr. McGinn, second by Ms. Elko; roll call of those eligible to vote - aye '5' in favor /nay '0' opposed

**Resolution No. 2024-01-02: 9 - 42<sup>nd</sup> Street, LLC.** @ 9 -42<sup>nd</sup> Street / Block 41.01 / Lots 7.01 / Zones C-4

- Motion memorializing Resolution #2024-01-02 made by Ms. Elko, second by Mr. Iannelli; roll call of those eligible to vote - aye '3' in favor /nay '0' opposed

**Resolution No. 2024-01-03: CAMPAGNA, Vincent & Beth** @ 25 - 63<sup>rd</sup> Street, West / B:62.02 / L:2 / Z:R2

- Motion memorializing Resolution #2024-01-03 made by Ms. Elko, second by Mr. McGinn; roll call of those eligible to vote - aye '5' in favor /nay '0' opposed

**Resolution No. 2024-01-04: ZONING BOARD RE-ORGANIZATION FOR '2024' CALENDAR YEAR**

- Motion memorializing Resolution #2024-01-04 made by Mr. McGinn, second by Ms. Elko; roll call of those eligible to vote - aye '5' in favor /nay '0' opposed

NOTE: brief break for the following resolution to be prepared and return for resolution to be read into record for a motion

**Resolution No. 2024-02-01: JERSEY SHORE PROPERTIES, LLC.** @ 3901 & 3907 Landis Avenue/ B:39.02/ L: 8.01... / Z: C-1

- Motion memorializing Resolution #2024-02-01 made by Mr. McGinn, second by Ms. Elko; roll call of those eligible to vote - aye '5' in favor /nay '0' opposed

**~Meeting Minutes to Adopt:**

**Minutes of Wednesday, January 3<sup>rd</sup>, 2023 Regular Scheduled Zoning Board Meeting**

- Motion to adopt the January 3<sup>rd</sup>, 2023 Zoning Board Meeting made by Ms. Elko, second by Mr. Feola; roll call of those eligible to vote - aye '5' in favor /nay '0' opposed

~With no further business

- Motion to adjourn by Mr. McGinn, second by Ms. Elko and all were in favor

**Meeting Adjourned**

Respectfully submitted,



Genell M. Ferrilli  
Board Secretary