

Ventnor City Planning Board

April 25, 2022

- Start of Meeting: 6:35 pm
- Flag Salute
- Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Jay Cooke	X	
Roman Zabihach	X	
Commissioner Landgraf	X	
Commissioner Kriebel	X	
Thomas Halpin		X
Lorraine Sallata	X	
Dan Smith III	X	
Mike Weissen	X	
Peter Tocco	X	
Tim Koob		X
Greer Glaskill		X
Don Siglin	X	
Wendy Bartlett	X	

- Adoption of Minutes: 4/13/2022
 - Motion: Dan Smith
 - 2nd: Lorraine Sallata
 - Approve: All
- Adoption of Resolutions
 - P17-2022: 17 S Washington Ave
 - Motion: Roman Zabihach
 - 2nd: Mike Weissen
 - Approve: All
- Postponement of Applications:
 - Leo Manos reviews and explains
 - 16 S Wissahickon Ave
 - Will Re-Notice To May 11, 2022, or May 23, 2022
 - 8 N Cambridge Ave
 - To May 11, 2022

Applicant: 24 S Hillside Ave

Block 52, Lot 1

Abby & Ariel Segal

C Variances Front Yard & Parking – New Single-family dwelling

Represented by Eric Goldstein, Esq.

Sworn in: John Oblenis - Architect

Abby Segal

Sworn in Engineer Roger McLarnon

Engineer review:

- C Variances – R7 District
- Substantial Benefit & possible hardship variances
- A narrow lot on a narrow block
- New on the corner of Atlantic & Hillside
- Front of garage not enough space – all parking in garage
- Front yard setback – 12' required vs 8.5' requested
 - Because of narrowness of lot
- Driveways are pushed away from Atlantic
 - Busy corner
- All other landscaping completed

Eric Goldstein:

- Agree with Engineer review
- Under building and lot coverage
 - Trying to be as considerate as possible
- Hillside Ave Setback of building is only variance needed

John Oblenis – Architect

- Parking was made large enough for 2 spaces
 - Ground floor parking
- Bedrooms on 2nd and 3rd floors
- Keeping decks off Atlantic

Eric Goldstein

- Are there any detriments
 - None
 - Benefits outweigh the negatives
- There is a lot of landscaping on the ground level

Abby Segal

- Enjoy the Shore and new home
- Have 24 S Hillside as a second residence – want to be here year round

Roger McLarnon

- What is existing Hillside setback?
 - Looks further back from street

Commissioner Landgraf

- Can move driveway back – will it affect garage?
 - Think will be OK

Jay Cooke

- Any way to move cars back more

Roger McLarnon

- Could possibly mess up 2nd & 3rd floors

Eric Goldstein

- Survey shows 6.03' back

Jay Cooke

- New house is 2'-3' further back from existing house

Public – None

Eric Goldstein – Closing

- A nice addition to the area

Roger McLarnon

- Stop sign is too far back
- Will check with DPW to fix

Leo Manos – Attorney

- Prepares vote resolution
 - C Variance for front yard which 12' is required and 8.5' is requested

- Motion: Dan Smith III
- 2nd: Lorraine Sallata

- Vote:
 - Jay Cooke – Yes
 - Improve neighborhood – helps city plan – replacing old with new
 - Rejuvenating – master plan filled
 - Commissioner Landgraf – Yes
 - Minimal needs – improves home – old doesn't fit needs
 - Commissioner Kriebel – Yes
 - Agree with all – design porch facing Atlantic – an advertisement to others
 - Gives curb appeal
 - Roman Zabihach – Yes
 - Improves area – flood compliant – very appealing
 - Mike Weissen – Yes
 - Well maintained – a good trade off
 - Lorraine Sallata – Yes
 - Appropriate – builds to lot – sets back further
 - Peter Tocco – Yes
 - All reasonable – minimal relief – an asset to area

- **Application approved 7 yes, 0 no**

Applicant

114 S Nashville Ave

Block 7, Lot 10.01

Nashville Beach LLC

Seeking C Variance for Rear Yard

For a spiral staircase

The Dean Residence

Represented by Eric Goldstein, Esq.

Sworn in: Marc Petrella

Eric Goldstein:

- It has been a subject of debate – is it big enough
- Don't want to change the character of the area or the home
- Need an additional means of egress
- Goal is to get in and out of the house without going in
- Beneficial from an emergency standpoint
- Accommodate an older home but accomplishes the goals

Read and discuss engineer report – all in agreement

Does not meet the setback requirements

Neighbor on Nashville is in favor

Marc Petrella:

- Mark Thomas also worked on this – a new architect
- Plans is an open circular staircase – 6'4" in diameter
- Tucked into rear yard
- No closed risers
- No impact to open air

Jay Cooke

- Rear yard – Beach front?
 - Opposite Nashville Ave

Is a 2nd means of egress from home

Eric Goldstein:

- Owner wants relatively see-thru
- An open staircase
- Any negatives
 - None – no open-air impact
 - Only positives
- Positives outweigh the negatives

Jay Cooke

- Setbacks – 3.5' vs 10' required

Lorraine Sallata

- Says 15' but plan says 10'
- Roger McLarnon
 - R9 is supposed to be 10'

Commissioner Kriebel

- How wide are the treads
 - Total diameter is 6'4" so wider than normal

Lorraine Sallata

- Is there anywhere else to put the staircase?
 - Reviews plan
 - Shows windows – not in front
- Possibly more tucked in
 - Discuss windows more
- All are new
 - Doesn't impact 2nd floor – only 1st is impacted
- Are there other back doors?

Commissioner Landgraf to Roger McLarnon

- Setback to Boardwalk – Says 25'
 - About right
- Can move to inset of deck – front left corner
- Wrap around front side?

Board discusses possible move of staircase

- Could put into neighbors' line of sight
- Discuss columns and shutters – could affect
- Proposed is best – is tucked in
 - Could tuck more – in front of windows and glass
- Possibly cut in 1' – more flush with deck

Eric Goldstein

- Amends to 4.5' vs 10' required
- Same location but in more
- All else same

Engineer report – Roger McLarnon

- R9 zone – “C” Variance
- Substantial benefit variance
 - Circular staircase
- Possible prior approvals – need to know when
 - Many years ago
- Rear yard – 10' required to 4.5' as amended requested
- Is a corner lot with 2 front yards
 - If it was a side yard, would only need 5'

Public – None

Leo Manos – Attorney

- Prepares resolution
- 4.5' requested where 10' is required

Motion: Roman Zabihach

2nd – Lorraine Sallata

Vote:

Jay Cooke: Yes

- Amended is worthwhile – minimal – works for neighbor
- Looks like it belongs

Commissioner Landgraf: Yes

- Appreciate amendment – no issues

Commissioner Kriebel: Yes

- Appreciate the adjustment – esthetically fits house

Roman Zabihach: Yes

- Nice Touch

Mike Weissen: Yes

- Appreciate listening to Board – may trigger other ideas
- Fits to house

Lorraine Sallata: Yes

- Looks lovely – know why they want

Peter Tocco: Yes

Appreciate Willingness – Best place for it

Motion Approved: 7 in favor, 0 opposed

Applicant:

5904 Boardwalk

Block 18, Lot 1.01

Timothy Bradley

C Variances for a 3rd floor deck

Represented by Eric Goldstein, Esq.

Sworn in: Jon Barnhardt

John Obelenus

Engineer Report:

- Original report – August 17, 2021
- Amended report – April 23, 2022
- R1 District
 - Substantial benefit variances
- For a 3rd floor deck going beyond the building envelope

Eric Goldstein

- Issue is with use of 2nd floor deck
 - Purpose of 3rd floor deck is a roof to the 2nd floor deck
- Owner has sensitivity to the sun, but 2nd floor deck cannot be roofed
 - Possible 3rd floor deck as a sun shield

John Obelenus

- Allowed to have decks over decks
 - Wanted views to Ocean
- Will be a 3rd floor deck off the main bedroom
 - Only accessible by master bedroom
- Most of living is on the 2nd floor
- 1st floor has some bedrooms
- 3rd floor only master bedroom
- This was best idea could come up with
 - It is allowable by CAFRA
 - Best option

Jay Cooke

- Size of 3rd floor deck?
 - 12' deep by 52'
- Size of 2nd floor deck?
 - 12' deep by 52'
 - Both same size – to match 2nd floor
- Consider bringing in sides of deck?
 - Looked at all options – all living space

Commissioner Landgraf

- Why this big
- Need to step it in
 - Needed for cover of 2nd floor deck

Eric Goldstein

- Look to bring in – want to compromise

Roman Zabihach

- Why not use retractable awning?
 - Thought about – Wind and other issues – wanted more solid

Eric Goldstein – Could compromise

Jay Cooke – What is orientation

- Parallel to Boardwalk
- In afternoon, no sun on deck

Board Discussion – Deck size

- Too big as proposed
- Just off Master Suite – Not more
- From the 2 center columns in – about 1/3 of size planned

Eric Goldstein – Discussed with Jimmie Agnesino

- 3rd floor deck and then room
- Ventnor is ok with it, but CAFRA is not
- Fear to enclose

Jay Cooke

- Have a solution
- A sun-shaded structure – and angled pergola
- Center section will be a deck and then open trellis on sides
 - Looking to just cover the 2nd floor

Jon Barnhardt – Engineer for client

- Matter of definition
- DEP – does not regulate decks
- As soon as you put on a roof, it becomes part of the building
- Want a roof but can't have a roof
- This is a positive modification

Eric Goldstein – want a straw vote

- What size deck will Board go for

Mike Weissen

- What about an awning on the 3rd floor
- To be a seasonal awning

Jay Cooke

- Think the pergola would be a better option
- Deck can be 12'x24' which is a standard deck
 - Sides can have decorative timber
- Possibly a mechanical pergola
 - Turns and closes to create shade
 - Opens and looks like a trellis

BOARD TAKES A 5 MINUTE RECESS

Eric Goldstein

- Spoke with owner
- Like idea of slotted mechanical pergola
 - But on both sides
- Amend the application
 - Deck cut in 10' on both sides
 - Deck in middle – about 32'
 - Center with the columns
 - Can't end on columns

PUBLIC:

- Alan Laiter
 - Live directly behind house
 - 3rd house in
 - Can see the decks in my view
 - 12' of railing would block my view
 - If bring in, have no issues

Amended application

- 30' wide deck – 12' in on each side
- 30' centered on front
- Pergola or other option – no above deck line
- 12'x30' deck
- On either side – no railing or other structure
- Consider motorized trellis

Leo Manos – Board Attorney

- Resolution – “C” Variance for 3rd floor deck
 - Condition – 30'x12' on center
 - On each side – permitted motorized trellis

Motion: Peter Tocco

- 2nd: Dan Smith III

Vote:

Jay Cooke: Yes

- Discussed at length – innovative solution – trellis system will work – resort nature kept

Commissioner Landgraf: Yes

- As amended – original was too big – like amendment – satisfies all – Better façade

Commissioner Kriebel: Yes

- Compromise struck – fits scale of house – keeps columns

Roman Zabihach: No

- Appreciate the compromise – not justified

Mike Weissen: Yes

- Remember old application – think appropriate for look of building – good compromise

Lorraine Sallata: No

- Torn – deck still too large – 30' is significant

Peter Tocco: No

- Not comfortable – tuck 3rd floor deck – overpowering

Motion passes 4 in favor, 3 opposed

Applicant: 8 S Melbourne Ave

Block 82, Lot 17

Ocean PNC, LLC

Represented by Kristopher Facenda

Sworn in: Jon Barnhardt

Dennis Shear

“D” Variance for use

“C” Variances for Building Height, Building Coverage, Front Yard (3rd floor)

New Duplex Condo

Note: Commissioners Landgraf and Kriebel leave meeting – cannot sit for “D” Variance

Note; Vote on “D” variance 1st – then “C” if needed

Engineer report: Dated 4/8/22

- “C” & “D” Variances
- One “D” variance for height is now a “C” Variance
- R4 Zone – for a new duplex
 - Height is a “C” because less than 10% of allowable
- Did have a tri-plex previous
- Building coverage – 50% vs 58.17% because of decks
- Height – 35’ proposed
- Parking – 4 spaces vs 4 spaces – good
- 3rd floor deck – within building envelope
- Curb cuts – 21’ vs 2x9’
- Landscape plan – need to provide
- Could separate “C” and “D” variances for vote
- Cannot use a CNC in R4 District

Jay Cooke – Do you wish to separate

Roman Zabihach – Yes, separate votes

Kristopher Facenda

- Plan duplex that used to be a tri-plex
- In 2018 was approved with a CNC

Jay Cooke

- On the zoning schedule says R4 & R7
 - To demonstrate was complying with R7

Jon Barnhardt – Applicant Engineer

- Exhibit A1 – Photo Aerial
- Front is 38' by 76' deep
- Was an old 3-unit building – 2018 got a CNC from the Board
- Purchased in 2021 to renovate
 - Was not in best interest to keep a tri-plex
 - Better to make a duplex
 - Meets intent
- Tried to comply as best as possible
- Have already torn the building down
 - Old building had everything going against it
- This is better for block and area
- This is a better plan – open minded to ideas
- Proposal
 - Duplex over/under
 - Garage and parking stacked
 - Curb cut for each
- Exhibit A2 – Design Plan
 - Conforming parking scenario
 - Plant count – will comply – no variance
- Proposal
 - Each floor is 9' high – now a 34' eave height – no variance needed
- Have eliminated 3 variances and taken 1 “D” to a “C”
- Need 3 “C” variances
 - Height – function is based on width
 - 31' allowed vs 34' planned – based on 9' ceilings
 - Building Coverage – now can remove
 - Building and decks – 50% +Decks – 58%
 - 3rd floor deck
 - across the face of the building – take 4' off each side
 - stacked deck
- Use “D” Variance
 - Had a legal 3-unit building
 - Came to Board with a better plan

Jay Cooke

- What is size of 3rd floor deck
 - 22'x7' – will amend application

Jon Barnhart

- This is much better plan
- Is not permitted but did have
- Made to look like a single-family home
- Kept setbacks as needed

Roger McLarnon

- 74.8% lot coverage – complies
- Ordinance change
 - Decks count as lot coverage but not building coverage
 - 2021 ordinance
 - Can remove variance

Jon Barnhart

- Use – now a vacant lot
 - Look at how played out
 - Always wanted a multi-family
- Special Reasons
 - Securing flood – flood compliant proposed
 - Air, light, & Open space – front setbacks proposed – 12'vs 16'
 - Decks 7'vs 10' proposed
 - Lot and building coverages comply
 - Free flow of traffic – now will comply with parking
 - Desirable visual environment – very pleasing
 - Designed to look like a single-family home
- No negatives – no detriments
 - Zone plan kept – has been multi-family for years
- Is a unique circumstance

Kristopher Facenda

- Operated as a tri-plex for years – met 1947 date for compliance
 - Now more in conformity

PUBLIC: None

Roger McLarnon: what are size of units

- 1st – 1478 Sq. Ft
- 2nd – About 2300 Sq Ft

Lorraine Sallata: P30-2018 CNC

- Test Date 1947 – Approved

Mike Weissen

- Advice given?
 - Got some from City
 - Didn't ask to wait to take down

Jay Cooke

- Development portion of block? – How many duplexes
 - None seen - but building is similar
 - Do have on next block but not this one

Wendy Bartlett

- Thought about getting rid of 3rd floor deck
 - It is off master bedroom

VOTE ON “D” VARIANCE:

Motion: Roman Zabihach

2nd: Lorraine Sallata

VOTE:

Jay Cooke: No

- Land use – only reason not to grant – use was abandoned

Roman Zabihach: No

- From Master plan – single family – needs to work was functions

Mike Weissen: No

- Need to conform to books – single family

Lorraine Sallata: No

- Single neighborhood – was an old legal move – negligent to Board

Peter Tocco: No

- Reasons stated – single family area – not there any more

Dan Smith III: No

- CNC no longer there – nothing to support – need to keep make up of neighborhood

Wendy Bartlett: No

- Understand position – based on CNC – is single family – master plan compliance

Application fails 0 in favor, 7 opposed

Kristopher Facenda: Without use, can Board consider single family

Vote on “C” Variances as a single family

Bedrooms on Single family conform to 4 spaces

Can have unlimited Bedrooms with 4 spaces

Jay Cooke: 2 variances left

- Height
- 3rd floor deck – 7’x22’

Board discusses other Variances

- Plan shows 34’

Proposal:

- Single Family
- 3rd floor deck to comply
- Height – 33’

Leo Manos – Board Attorney

- Prepares resolution
 - “C” Variance
 - Height: 33’ vs 31’
 - Conditions
 - Single Family
 - Revise plans

Motion: Roman Zabihach

2nd: Lorraine Sallata

VOTE:

Jay Cooke: Yes

- Height Size – About right

Roman Zabihach: Yes

- Thank you – appreciate eliminating variances

Mike Weissen: Yes

- Thanks – very easy to work beautiful house in single family area – right to do

Lorraine Sallata: Yes

- Plan B – Appreciate – glad to do – fits in

Dan Smith III: Yes

- Advances master plan – willing to change

Peter Tocco: Yes

- Minimal – Beautiful

Wendy Bartlett: Yes

- Appreciate 3rd floor deck change

Application approved 7 in Favor, 0 Opposed

Jay Cooke – Thanks All

Other Business:

- None

Motion to Adjourn: Roman Zabihach

2nd: Wendy Bartlett

Approve: all

Meeting Adjourned at 9:30 pm