

Ventnor City Planning Board

Minutes

February 27, 2023, 6:30pm

Chairman Cooke called the meeting to order at 6:35pm.

1. Flag Salute

2. Roll Call

Present

Commissioner Landgraf

Tom Halpin

Jay Cooke

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Jessica Stilley

Absent

Commissioner Kriebel

Wendy Bartlett

Professionals

Roger McLarnon, Board Engineer & Professional Planner

Leo Manos Esq., Board Solicitor

Carmella Malfara, Board Administrator

Procedure

Chairman Cooke announced that the meeting was being held in accordance with due public notice thereof and pursuant to the New Jersey State "Sunshine Law", which governs all public meetings. He also advised the Board on the intent of the meeting and procedures which to follow.

Jessica Stilley is sworn in as the new Planning Board Member.

3. Minutes

Motion to adopt February 8, 2023 minutes was made by Roman Zabihach and seconded by Lorraine Sallata and were unanimously approved, with the exception of Commissioner Landgraf who had to abstain.

4. Resolutions

Motion to approve the following resolution was made by Peter Tocco and seconded by Roman Zabihach and was unanimously approved, with the exception of Commissioner Landgraf and Dan Smith III who had to abstain.

P – 10 – 2023 – Giovanni Scipione – 139 N Newport Ave.

5. Applications

Tom Halpin Recuses himself from this application.

**Ellen Jacobs – 6221 Winchester Ave, block 163, lot 33, located in the R-7 zone. The applicant is seeking approval for a Certificate of Non-Conformity. The applicant is being represented by Scott Abbott Esq.

Ellen Jacobs, property owner, 6221 Winchester Ave, is sworn in.
Mark Jacobs, property owner, Mill Rd, Northfield N.J, is sworn in.

Scott Abbott Esq., attorney for the applicant presents the application.

Mr. Jacobs gives a brief history of the property. Mr. Jacobs states that at the time of purchase the property was listed as a duplex. He also states the dwelling has two separate entrances as well as two gas meters and two electric meters.

Mr. Smith III inquires to the test year.

Mr. Manos explains that in 1997 the Zoning Officer could issue a Certificate of Non-Conformity administratively.

Mr. Cooke inquires as to the property being taxed on two units.

Mr. McLarnon refers to the 1965 property record card which states the dwelling is two units.

Mr. Manos provides a summary of the application for approval of a Certificate of Non-Conformity.

Motion to approve the Certificate of Non- Conformity was made by Dan Smith III and seconded by Lorraine Sallata. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen and Peter Tocco. Nays; None.

Tom Halpin returns.

Mike Wiesen and Greer Gaskill recuse themselves.

**Kevin Bisch – 405 N Derby Ave, block 260, lot 3, located in the R-2 zone. The applicant is seeking C variance relief for side yard setback, rear yard setback and possible others to construct an addition over an existing garage. The applicant is being represented by Eric Goldstein Esq.

Todd Miller, New Jersey, Licensed Architect, 15 S Dorset Ave, Ventnor N.J, is sworn in. Kevin Bisch, property owner, 405 N derby Ave, Ventnor N.J, is sworn in.

Mr. Goldstein, attorney for the applicant presents the application.

Mr. Miller, presents the design as well as the layout of the proposed addition. He also describes the condition of the site and explains the variances being requested.

Mr. Goldstein asks Mr. Miller to confirm that the plans submitted would not cause any detriment to the neighbor's or Ventnor City zoning ordinance. He also asks Mr. Miller to confirm that the positive criteria outweigh the negative.

Mr. Cooke inquires as to the size of the lot.

Mrs. Sallata inquires as to the number of bedrooms.

Mr. McLarnon inquires as to the water runoff.

Mr. Goldstein states that a grading plan will be submitted.

Mr. Cooke recommends adding street trees.

Public portion opens.

Public portion is closed.

Mr. McLarnon reads his review dated February 24, 2023, which is attached. He states the survey submitted is older than two years and would confirm that it is accurate.

Mr. Manos reviews C variances for side yard setback, rear yard setback along with conditions whereas two street trees will be added, a grading plan shall be submitted and a waiver for a survey older than two years.

Motion to approve C variances was made by Roman Zabihach and seconded by Lorraine Sallata. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III and Peter Tocco. Nays; None.

Mike Wiesen and Greer Gaskill return.

Commissioner Landgraf, Tom Halpin and Jessica Stilley recuse themselves.

**6900 Ventnor PKPZ, LLC – 6900 Ventnor Ave, block 78, lot 12, located in the R-7 zone. The applicant is seeking D “USE” variance, minor subdivision, along with C variances for front yard setback (building lot A Ventnor Ave), front yard set (building lot B Newark Ave), front yard setback (building lot B Newark Ave), front yard setback (porches/decks lot A Ventnor Ave), side yard setback (lot B), and possible others to subdivide an existing oversized lots into 2 conforming lots and construct an attached single-family dwelling. The applicant is being represented by Nick Talvacchia Esq.

Mr. Manos informs the board that this application is a continuation from January 23, 2023 hearing.

Jon Barnhart, New Jersey Licensed Engineer, 400 N Dover Ave, Atlantic City N.J, is sworn in and his credentials are accepted.

Robert Kravitz, property owner, 6900 Ventnor Ave, is sworn in.

Andrew Bechtold, New Jersey Licensed Architect, 599 Shore Road, Somers Point N.J, is sworn in and his credentials are accepted.

Nicholas Talvacchia, attorney for the applicant, presents the application. He informs the Board that several changes were made to the application and three legal parking spaces were added.

Mr. Barnhart explains the changes that were made to the design from the original application. He states five variances were eliminated. Mr. Barnhart discusses the remaining variances that are being requested as well as the minor subdivision.

Mr. Talvacchia asks Mr. Barnhart to confirm that the variances being requested would not have a negative impact on the New Jersey Municipal Land Use Law or Ventnor's zoning code and also that the positives outweigh the negatives.

Mr. Bechtold presents the design and describes the revised layout of the proposed dwelling.

Mr. Cooke inquires as to the roof top deck needing a variance.

Mr. McLarnon states the roof top deck is within the building envelope and does not require a variance.

Mr. Bechtold states that the applicant will provide a governor's strip, however would prefer to place the street trees on the property, not in the governor's strip.

Public portion opens.

Public portion is closed.

Mr. McLarnon reads his revised review dated February 23, 2023 which is attached.

Mr. Manos reviews D "USE" variance, minor subdivision, along with C variances for front yard setback (building lot A Ventnor Ave), front yard set (building lot B Newark Ave), front yard setback (building lot B Newark Ave), front yard setback (porches/decks lot A Ventnor Ave), side yard setback (lot B), along with conditions whereas a governor's strip will be placed on Ventnor Ave as well as Newark Ave and a waiver for landscaping.

Motion to approve the variances requested and the minor subdivision was made by Roman Zabihach and seconded by Tim Koob. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen, Peter Tocco and Tim Koob. Nays; None.

6. Other Business

There being no further business, the motion to adjourn was made by Roman Zabihach and seconded by Tim Koob.

Full meeting is available on audio.

Respectfully submitted
Carmella Malfara
Planning Board Administrator

[..\Engineer Report 2023\022423 rdm ventnor planning board engineering report 405 North Derby Avenue Bisch.pdf](#)

[..\Engineer Report 2023\012023 rdm ventnor planning engineering report 6900 Ventnor Avenue Minor subdivision Revised 022323.pdf](#)