

Ventnor City Planning Board

Minutes

March 27, 2023, 6:30pm

6201 Atlantic Ave, Ventnor N.J 08406

Chairman Cooke called the meeting to order at 6:31pm.

1. Flag Salute

2. Roll Call

Present

Jay Cooke

Roman Zabihach

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Wendy Bartlett

Jessica Stilley

Absent

Mayor Landgraf

Commissioner Kriebel

Tom Halpin

Lorraine Sallata

Professionals

Roger McLarnon, Board Engineer & Professional Planner

Leo Manos Esq., Board Solicitor

Carmella Malfara, Board Administrator/ Secretary

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 the procedures which to follow.

3. Minutes

Motion to adopt March 8, 2023 minutes was made by Roman Zabihach and seconded by Tim Koob and unanimously approved, with the exception of Greer Gaskill who had to abstain.

4. Resolutions

Motion to approve the following resolutions was made by Tim Koob and seconded by Roman Zabihach and were unanimously approved, with the exception of Peter Tocco who had to abstain from P – 15 – 2023.

P – 14 – 2023 – Scott & Sydria Schaffer – 101 S Dudley Ave.

P – 15 – 2023 – Horace & Kimberly Palmer – 5608 Edgewater Ave.

5. Applications

**Anthony Marotta – 6917 Atlantic Ave, block79, lot1, located in the R-4 zone. The applicant is seeking approval for a D “USE” variance, a minor subdivision along with C variances for lot width (lot B), front yard setback building(lot B Atlantic Ave), front yard setback deck (lot B Atlantic Ave), off street parking (lot A) and possibly others to subdivide an existing oversized lot into 2 nonconforming lots. The corner lot (lot B) will have a single family dwelling and the newly interior lot (lot A) will have a 2 family unit which is not permitted. The applicant is being represented by Eric Goldstein Esq.

Mr. Goldstein, introduces the professionals.

Bob Lolio, New Jersey Licensed Architect, 219 Bellevue Ave, Hammonton N.J, is sworn in and his credentials are accepted.

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

Anthony Marotta, 16 S Wissahickon Ave, is sworn in.

Mr. McLarnon Board Engineer and Professional Planner is sworn in.

Mr. Goldstein, attorney for the applicant, presents the application. Mr. Goldstein would like to have two separate votes. He would like the Board to vote on the D” USE” variance first and have a second vote on the subdivision and C variances.

Mr. Goldstein’s request is granted.

Mr. Barnhart explains the variances being requested. He describes the conditions of the site and the layout of the lot. He also confirms that the positive criteria outweighs the negative. Mr. Barnhart confirms that by granting the variances requested would not have a negative impact on the New Jersey Municipal Land Use Law or Ventnor’s zoning code.

Mr. Tocco inquires as to the R-7 zoning requirements.

Mr. Zabihach believes that the side lot that faces Atlantic Ave is not consistent with the neighborhood.

Mr. Lolio presents the design and the layout of the proposed dwellings.

Mr. Marotta gives a brief history of the property and the reason for the two family dwelling. He talks of other properties similar to this application.

Mr. McLarnon asks Mr. Marotta to confirm the zoning district of the properties he was referring to. He also asks Mr. Marotta if there is a Certificate of Non Conformity attached to 6917 Atlantic Ave.

Mr. Goldstein would like to amend the application by making the lot 37 feet wide and reduce the width of the side by side units to 18 ½ feet.

Public portion is open.

David Gibson, property owner, 24 S Rosborough Ave, is sworn in and speaks in favor of the application.

John Ciniglia, property owner, 19 S Wyoming, is sworn in and states his concerns regarding parking.

Mr. Brodack, property owner, 22 S Rosborough, is sworn in and has safety concerns with cars backing out of the driveway into traffic as well as concerns regarding parking.

Mr. Wiesens inquires as to additional parking on Rosborough towards Atlantic.

Mr. McLarnon states that is not a legal parking space.

Public portion closes.

Mr. Goldstein rest and would like the Board to vote on the D variance only.

Mr. McLarnon asks Mr. Goldstein to confirm that the vote would include the amended lot width change.

Mr. Manos reviews the D variance with the amended lot width change.

Motion to approve the D variance was made by Roman Zabihach and seconded by Peter Tocco. The motion was denied zero in the affirmative and seven in the negative. Ayes; None. Nays; Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco, Tim Koob and Greer Gaskill.

Mr. Goldstein would like to amend the subdivision and C variances. He states the application will now be a by right subdivision. He states there will be two lots one being 45 feet and the interior lot being 37 feet wide.

Mr. Manos reviews the by right subdivision.

Motion to approve the by right subdivision was made by Peter Tocco and seconded by Tim Koob. The motion was approved nine in the affirmative and zero in the negative. Ayes; Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco, Tim Koob, Greer Gaskill, Wendy Bartlett and Jessica Stilley. Nays; None.

**Michael Samshick – 111 S Cambridge Ave, block 20 lot 2, located in R-1 zone. The applicant is seeking A D"USE" variance to expand a Non-Conforming Use. The applicant wishes to construct a swim and spa pool on a roof top deck. The applicant is being represented by Scott Abbott Esq.

Mr. Abbott presents the application. He explains that Mr. Samchick owns the building at 111 S Cambridge Ave. The pool will be for private use only and will not be open to the rest of the apartment building.

Brad Landis, New Jersey Licensed Structural Engineer, is sworn in and his credentials are accepted.

Janice Woodcock, New Jersey Licensed Architect, is sworn in and her credentials are accepted.

Michael Samschick, property owner is sworn in.

Mr. Landis gives explanation of the structure of the building. He also explains that six new columns will be installed to support the weight of the pool and that he does not foresee any issues.

Mr. Cooke inquires as to the height of the building increasing.

Mr. Koob Inquires as to the condition of the existing steel.

Mrs. Woodcock presents the design. Ms. Woodcock states a spiral staircase and a lift will be added as well as glass panel railings which will 8ft tall. She also states that the building height will not be increased.

Mr. McLarnon disagrees and states the height is increasing.

Mr. Samschick, property owner, gives a brief history of the property and the need for the pool. He also gives clarification on the design of the pool and the surrounding deck. He also discusses the safety of the steel columns and the glass railings.

Mr. Abbott states his client has had several discussions with the Sands Condominiums and they have come to an agreement which they would like to be on record.

Mr. Cooke states his concerns as to privacy for the neighbors.

Public portion opens.

Bill Sill, property owner, S Suffolk Ave, President of St. Leonard's Tract Association, is sworn in and is not in favor of the application. He discusses noise concerns as well as lack of privacy.

Mr. Abbott addresses the noise and privacy concerns. He does not see any reason for concern. He states there is no detriment to the public good.

Mr. Samschick ensures that the public will not be able to see up to the rooftop deck as well he is not able to see on to the neighbor's property.

Public portion is closed.

Mr. Manos reviews the D "USE" variance for the expansion of a Non-Conforming Use.

Motion to approve the D "USE" was made by Roman Zabihach and seconded by Peter Tocco. The motion was denied four in the negative and three in the affirmative. Nays; Jay Cooke, Mike Wiesen, Tim Koob and Greer Gaskill. Ayes; Roman Zabihach, Dan Smith III and Peter Tocco.

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

Full audio of this meeting is on the Ventnor City website.

Respectfully submitted

Carmella Malfara

Planning Board Administrator/Secretary

[..\Engineer Report 2023\031823 rdm ventnor planning engineering report 6917 Atlantic Avenue Minor subdivision Use Variance.pdf](#)

[..\Engineer Report 2023\031823 rdm ventnor planning engineering report 111 South Cambridge Avenue.pdf](#)