

# Ventnor City Planning Board

## Minutes

June 14, 2023, 6:30pm

Chairman Cooke called the meeting to order at 6:32pm.

1. Flag Salute
2. Roll call

### Present

Mayor Landgraf  
Commissioner Kriebel  
Jay Cooke  
Roman Zabihach  
Dan Smith III  
Mike Wiesen  
Peter Tocco  
Tim Koob  
Greer Gaskill  
Jessica Stilley

### Absent

Tom Halpin  
Lorraine Sallata  
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 is 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 May 22, 2023 minutes was made by Roman Zabihach and seconded by Dan Smith III and were unanimously approved, with the exception of Jay Cooke who had to abstain.

#### 4. Resolutions

Motion to approve the following resolutions was made by Tim Koob and seconded by Peter Tocco and were unanimously approved, with the exception of Jay Cooke and Mike Wiesen who had to abstain.

#### 5. Applications

Mr. Manos makes an announcement that the application of 316 N Oxford Ave has been postponed to the July 12, 2023 Planning Board hearing.

Chairman Cooke recuses himself.

Vice Chairman Zabihach will lead this application.

\*\*Herbert & Marcia Spivak – 105 S Nashville Ave, block 6, lot 4, located in the R-9 zone. The applicant is seeking approval for a Certificate of Non-Conformity. The applicant is being represented by Andrew Miller Esq.

Mr. Miller attorney for the applicant, presents the application. Mr. Miller states that the application is a continuation from the May 22, 2023 Planning Board hearing. Mr. Miller also describes the photos that were submitted.

Steven Spivack, 1924 Rodman Street, Philadelphia, PA is sworn in.

Mr. Miller, asks Mr. Spivack to confirm that the dwelling is in fact a two-family dwelling. Mr. Spivack also confirms the number of years his parents owned the properties.

Mr. Zabihach inquires as to the test year.

Mayor Landgraf states the test year is 1978.

Mr. McLarnon states the property record states in 1970 the property was listed as a two-family.

Public portion is open.

Public portion is closed.

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

Motion to approve the Certificate of Non-Conformity was made by Dan Smith III and seconded by Tim Koob. The motion was approved nine in the affirmative and zero in the negative. Ayes; Mayor Landgraf, Commissioner Kriebel, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco, Tim Koob, Greer Gaskill and Jessica Stilley. Nays; None.

Jay Cooke returns to Chair the meeting.

\*\* Brian & Mary Peterman – 7 N Baton Rouge, block 90, lot 3, located in the R-7 zone. The applicant is seeking C variance relief for front yard setback (porch/deck), lot coverage, landscape coverage and possibly others for an expansion to the front yard deck that is currently under construction.

Brian Peterman, New Jersey Licensed Engineer, property owner, 7 N Baton Rouge Ave is sworn in and his credentials are accepted.

Mary Peterman property owner, 7 N Baton Rouge Ave is sworn in.

Mr. Peterman presents the application. He gives a brief history of the property. He discusses the previous approved application. Mr. Peterman describes the conditions of the site as well as the need for the larger deck. Mr. Peterman feels that granting the variances requested would not have a negative impact on the neighborhood or Ventnor's zoning ordinance and also, that the positive criteria outweigh the negative.

Mr. Cooke inquires as to the side yard setback.

Mr. Koob inquires as to adding a governor's strip.

Mr. Peterman states that he is not removing any landscaping.

Mr. Cooke inquires as to the number of parking spaces.

Mr. McLarnon inquires as to the upper deck having a roof.

Commissioner Kriebel inquires as to the depth of the deck.

Public portion is open.

Public portion closed.

Mr. Cooke inquires as to the decks remaining open.

Mr. Manos reviews the C variances for front yard setback (porch/deck), lot coverage, landscape coverage along with a condition whereas the decks remain open and any other conditions in Mr. McLarnon's report.

Motion to approve C variances was made by Roman Zabihach and seconded by Tim koob. The motion was approved eight in the affirmative and one in the negative. Ayes; Mayor Landgraf, Commissioner Kriebel, Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Tim Koob and Greer Gaskill. Nays; Peter Tocco.

## 6. Other Business

Commissioner Kriebel has a brief discussion with the Board in regards to signage and changes to the ordinance.

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

The audio of this meeting is available on the Ventnor City website.

Respectfully submitted  
Carmella Malfara  
Planning Board Administrator/Secretary