

Ventnor City Planning Board
Minutes
March 13, 2024, 6:30 pm

Vice Chairman Zabihach called the meeting to order at 6:30pm.

1. Flag Salute

2. Roll Call

Present

Mayor Landgraf
Commissioner Kriebel
Roman Zabihach
Lorraine Sallata
Dan Smith III
Mike Wiesen
Peter Tocco
Greer Gaskill
Wendy Bartlett

Absent

Tom Halpin
Jay Cooke
Tim Koob
Jessica Stilley

Professionals:

Roger McLarnon, Board Engineer and Professional Planner.
Leo Manos, Board Solicitor
Carmella Malfara, Board Administrator/Secretary

Procedure:

Vice Chairman Zabihach 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.

3. Minutes:

Motion to adopt February 26, 2024 minutes was made by Lorraine Sallata and seconded by Dan Smith III and was unanimously approved, with the exception of Mayor Landgraf, Commissioner Kriebel, Peter Tocco and Wendy Bartlett who had to abstain.

4. Resolutions:

Motion to adopt the following resolution was made by Lorraine Sallata and seconded by Mike Wiesen and was unanimously approved, with exception of Mayor Landgraf, Commissioner Kriebel, Peter Tocco and Wendy Bartlett who had to abstain.

P – 12 – 2024 – Elaine & Kathryn Francis – 25 N New Haven Ave.

5. Applications:

**Tim Tonczyczyn LLC, - 105 N Sacramento Ave, block 165, lot 4.02, located in the R-7 zoning district seeking C variances for side yard setback - rear deck, rear yard setback – deck to first habitable floor to allow a recently constructed deck to remain. The deck was constructed as part of an interior and exterior renovation.

Mr. McLarnon, Board Engineer and Planner is sworn.

Chuck Alexander, New Jersey Licensed Contractor, 29 N Oakland Ave, Ventnor N.J, is sworn in.

Robert Smith, New Jersey Licensed Contractor, Hammonton, N.J, is sworn in.

Eric Goldstein Esq., on behalf of the applicant, explains that Mr. Tonczyczyn was unable to attend the hearing and will present the application.

Mr. McLarnon reads his review dated March 8, 2024, which is attached. He informs the Board that a revised survey has been submitted.

Mr. Alexander gives a brief history of the property and the need for building a larger deck. He explains he had the proper permits for the renovations; however, he did not have permits for the deck.

Mr. Goldstein asks Mr. Alexander to explain the positive and negative criteria.

Mrs. Sallata has concerns as to emergency personnel being able to access the side and rear yard.

Mr. McLarnon inquires as to the air conditioning unit being installed.

Public portion is open.

Public portion is closed.

Mr. Manos reviews C variances for side yard setback - rear deck, rear yard setback – deck to first habitable floor along with any conditions set forth in Mr. McLarnon's report.

Motion to approve C variances was made by Peter Tocco and seconded by Commissioner Kriebel. The motion was unanimously approved nine in the affirmation and zero in the negative. Ayes; Mayor Landgraf, commissioner Kriebel, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen, Peter Tocco, Greer Gaskill and Wendy Bartlett. Nays; None.

** Fran & Steve Rotter – 109 S Derby Ave, block 18, lot 2, located in the R-1 zoning district seeking C variance relief for building coverage, lot coverage and possibly others to convert an existing garage to a cabana for a proposed swimming pool as well as a building expansion to add additional storage. The applicant is being represented by Eric Goldstien Esq.

William McLees, New Jersey Licensed Architect, 5 McArthur Blvd, Somers Point, N.J 08244, is sworn in and his credentials are accepted.

Eric Goldstein, attorney on behalf of the applicant, presents the application. Mr. Goldstein informs the Board that the applicant intends to remove additional concrete and add landscaping which will reduce the lot coverage.

Mr. McLees describes the existing layout of the property. He discusses the proposed design and explains the variances requested.

Mr. Goldstein asks Mr. McLees to confirm that granting the variances requested would not have a negative impact on the New Jersey Municipal Land Use Law or Ventnor's zoning code and that the positive criteria outweigh the negative.

Mr. McLarnon inquires as to the location of the pool equipment as well as the width of the grass strip.

Mrs. Sallata would like clarification of the lot coverage as well as building coverage. She also states her concerns as to the volume of lot coverage.

Mr. McLarnon inquires as to the material being used around the pool.

Mr. Tocco inquires as to the parking requirements.

Mayor Landgraf inquires as to the down spouts and the water run off.

Public portion is open.

Public portion is closed.

Mr. Manos reviews the C variances for building coverage, lot coverage along with conditions whereas the applicant shall create water run off on both sides of the dwelling as well as placing travertine with gaps around the perimeter of the pool, cabana cannot be used as habitable space and any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variances was made by Peter Tocco and seconded by Greer Gaskill. The motion was approved seven in the affirmative and two in the negative.

Ayes; Mayor Landgraf, Commissioner Kriebel, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco and Greer Gaskill. Nays; Lorraine Sallata and Wendy Bartlett.

**Martin & Jodi Friend – 108 S Sacramento Ave, block 24, lot 9, located in the r-3 zoning district seeking C variances for front yard setback porch, front yard setback – 2nd floor deck, side yard setback – porch & 2nd floor deck, lot coverage, landscape coverage and possibly others to extend 1st and 2nd floor decks into the front yard and side yard setback. The applicant is being represented by Eric Goldstien Esq.

Mr. Goldstein, on behalf of the applicant, presents the application. Mr. Goldstein states that the applicant would like to amend the application to reduce lot coverage by removing additional concrete and adding additional landscaping.

Daniel Mascione, New Jersey Licensed Architect, 1409 New Road, Northfield N.J, is sworn in and his credentials are accepted.

Martin Friend, property owner, 108 S Sacramento Ave is sworn in.

Mr. Mascione describes the conditions of the site and discusses the variances requested. He also discusses the front elevation, the additional landscape as well as the proposed decks.

Mr. Goldstein asks Mr. Mascione to confirm that the plans submitted would not cause any detriment to the neighbors, or to Ventnor's zoning ordinance. He also asks Mr. Mascione to confirm that the positive criteria outweighs any negative.

Mayor Landgraf would like clarification as to the location where the additional concrete is being removed and the location of the additional landscaping.

Mr. McLarnon reads his review dated March 8, 2024.

Mr. Smith III would like clarification as to the new lot coverage calculations.

Mrs. Sallata inquires as to the width of the deck and exactly how far the deck will protrude into the front yard setback. She also questions if the landscaping will be removed.

Mr. Friend, gives a brief history of the property and the need for the larger decks. He also informs the Board that he has spoken his neighbor and he has no objection.

Mr. Wiesen questions the distance from the proposed decks to the neighbor's property line.

Public portion is open.

Public portion is closed.

Mayor Landgraf suggests adding French drains on both sides of the property.

Mr. friend agrees to add the French drains.

Mr. Manos reviews C variances for front yard setback porch, front yard setback – 2nd floor deck, side yard setback – porch & 2nd floor deck, lot coverage, landscape coverage with conditions whereas additional landscape shall be added in the rear yard, grass in the driveway and planters shall be added, a waiver for street trees is requested, as well as drainage shall be added to both side of the dwelling.

Motion to approve the C variances with conditions was made by Mike Wiesen and seconded by Greer Gaskill. The motion was approved eight in the affirmative and one in the negative. Ayes; Mayor Landgraf, Commissioner Kriebel, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco, Greer Gaskill and Wendy Bartlett. Nays; Lorraine Sallata.

6. Other Business

Mayor Landgraf would like the Board to consider a way to improve the lot coverage ordinance.

There being no further business, the motion to adjourn was made by Dan Smith III and seconded by Greer Gaskill and was unanimously approved.

Audio of this meeting is available on the Ventnor City website.

Respectfully submitted,
Carmella Malfara
Planning Board Administrator/Secretary

