

# Ventnor City Planning Board

## Minutes

December 11, 2019, 6:30pm

6201 Atlantic Ave, Ventnor N.J 08406

Chairman Cooke called the meeting to order at 6:38pm.

1. Flag Salute
2. Roll Call

### Present

Jay Cooke  
Tom McAdam  
Roman Zabihach  
Dan Smith III  
Mike Wiesen  
Peter Tocco  
Tim Koob

### Absent

Commissioner Landgraf  
Commissioner Kriebel  
Tom Halpin  
Lorraine Sallata  
Greer Gaskill  
Wendy Bartlett

### Professionals

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

### 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 meetings and procedures which to follow.

3. Minutes

Motion to adopt November 25, 2019 minutes was made by Tom McAdam and Seconded by Tim Koob and was unanimously approved.

#### 4. Resolutions

Motion to approve the following resolutions was made by Roman Zabihach and seconded by Tom McAdam and were unanimously approved.

P – 46 – 2019 – Paul Polinski – 120 N Somerset Ave

\*\*Mr. Manos inquires as to Mr. Callaghan requesting the floor.

Mr. Callaghan requests a postponement of the Joe Sigismondi, 204 N Princeton Ave application until the January 27<sup>th</sup> hearing.

Postponement was granted. Renotification is not necessary.

Mr. Tocco recuses himself for the following applications.

129 N Surrey Ave and 104 S New Haven Ave.

#### 5. Applications

\*\* Peter & Patricia Pagano – 129 N Surrey Ave, block 149, lot 10, located in the R – 7 zone. The applicant is seeking C variance relief for front yard setback (building), rear yard deck height (2<sup>nd</sup> floor), rear yard setback (building), rear yard setback (deck), building coverage, dormer set from end – front left and dormer setback from end – rear right. The applicant proposes to construct a new flood compliant realigned single family dwelling located partially upland of the bulkhead and a portion of the dwelling over open water. The applicant will be represented by Scott Abbott Esq.

Peter & Patricia Pagano, property owners, 129 N Surrey Ave, are sworn in.

Christine Amy, Licensed Architect, in the state of New Jersey, is sworn in and credentials are accepted.

Mr. McLarnon, Board Engineer is sworn in and reads his review dated December 10, 2019, which is attached.

Mr. McLarnon informs the Board of the prior DEP CAFRA permit approval. He also recommends the applicant requests a waiver for landscaping.

Mr. McAdam inquires as to the number of variances being requested.

Mr. McLarnon states 7 variances are being requested.

Mr. Cooke inquires as to the age of the existing dwelling.

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

Christina Amy, Licensed Architect, presents the design and explains the variances.

Mr. Cooke inquires as to the third-floor side walls.

Mr. Cooke inquires as to the location of the Hvac.

Mrs. Amy explains the location of the compressor on the bayside of the dwelling.

Mr. Koob inquires as to the curb cut.

Public portion opens.

Joe Playo, property owner, 124 N Surrey Ave, is sworn in and is not in favor of the application.

Ken Castagna, property owner, 126 N Surrey Ave is sworn in and speaks against the application.

Joe O'Donnell, property owner, 132 N Surrey Ave, is sworn in and gives testimony as to why he is not in favor of the application.

Deb Playo, property owner, 124 N Surrey Ave, is sworn in and is not in favor of the application.

Public portion closes.

Mr. Smith III inquires as to expanding the footprint over the water.

Mr. Cooke inquires as to the habitable square footage of the new dwelling.

Mr. Cooke recommends a landscaping plan be submitted as a condition of approval.

Mr. Manos reviews the C variances for front yard setback (building), rear yard deck height (2<sup>nd</sup> floor), rear yard setback (building), rear yard setback (deck), building coverage, dormer set from end – front left, dormer setback from end – rear right and a condition whereas a landscape plan must be submitted.

Motion to approve C variances for front yard setback (building), rear yard deck height (2<sup>nd</sup> floor), rear yard setback (building), rear yard setback (deck), building coverage, dormer set from end – front left, dormer setback from end – rear right and a condition whereas a landscape plan must be submitted was made by Roman Zabihach and seconded by Dan Smith III. The motion was unanimously approved six in the affirmative and zero in the negative. Ayes; Jay Cooke, Tom McAdam, Roman Zabihach, Dan Smith III, Mike Wiesen and Tim Koob. Nays; None

\*\*Deborah Fahs – 1041 S New Haven Ave, block 29, lot 11, located in the R – 3. The applicant is seeking C variance relief for rear yard setback, building coverage and a D “USE” variance. The applicant is proposing to replace an existing 2 family dwelling with a existing Certificate of Non-Conformity with a new 2 unit dwelling. The applicant is being represented by Brian Callaghan Esq.

Deborah Fahs, property owner, 104 S New Haven Ave is sworn in.  
Jon Barnhart, Licensed Engineer and Professional Planner is sworn in.

Brian Callaghan, attorney for the applicant, presents the application. He states that a Certificate of Non-Conformity was issued on 12/21/2011. The purpose of the Use variance that was being requested, is so the applicant may tear down the existing duplex and rebuild a new two-family dwelling.

Mr. Barnhart, presents the design. He explains the C variances and site plan. He states that the new design will provide off street parking and will have no negative impact on the neighborhood.

Mr. Zabihach inquires as to New Haven Ave being flooded during Super Storm Sandy.

Mr. McAdam inquires as to the property having 2 electric meters.

Mr. Smith III inquires as to the number of bedrooms.

Ms. Fahs states each dwelling will have four bedrooms.

Public portion opens.

Public portion closes.

Mr. McLarnon, Board Engineer and Professional Planner, reads his review dated 11/9/2019, which is attached.

Mr. Cooke inquires as to landscaping.

Mr. Callaghan states that the applicant will comply to Ventnor City's landscape ordinance.

Mr. McAdam inquires as to the applicant adding a governor's strip.

Mr. Zabihach inquires as to the Municipal Land Use Law.

Mr. Manos gives clarification of the law.

Mr. Smith III inquires as to when the law changed.

Mr. Manos explains the changes that were made.

Mr. Manos reviews the C variance relief for rear yard setback, building coverage and a D "USE" variance with a waiver for street trees and conditions in Mr. McLarnon's report.

Motion to approve C variance relief for rear yard setback, building coverage and a D "USE" variance with a waiver for street trees and conditions in Mr. McLarnon's report was made by Roman Zabihach and seconded by Tom McAdam. The motion was unanimously approved six in the affirmative and zero in the negative. Ayes: Jay Cooke, Tom McAdam, Roman Zabihach, Dan Smith III, Mike Wiesen and Tim Koob. Nays; None.

There being no further business, the motion to adjourn was made by Tom McAdam and seconded by Jay Cooke.

[120719 rdm ventnor planning board engineering report 129 North Surrey Avenue.pdf](#)

[110919rdm ventnor planning Board revised planning and engineering report 104 South New Haven Avenue R-2.pdf](#)

Full meeting available on audio.

Respectfully submitted

Carmella Malfara

Planning Board Administrator

