

# Ventnor City Planning Board

## Meeting

March 11, 2020, 6:30pm

6201 Atlantic Ave, Ventnor N.J 08406

Chairman Cooke called the meeting to order at 6:36pm.

1. Flag Salute
2. Roll Call

### Present

Commissioner Landgraf

Commissioner Kriebel

Jay Cooke

Tom McAdam

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Greer Gaskill

Wendy Bartlett

### Absent

Tom Halpin

Tim Koob

### Professionals

Leo Manos Esq., Board Solicitor

Roger McLarnon, Board Engineer & Professional Planner

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 procedures which to follow.

### 3. Minutes

The motion to adopt February 24, 2020 minutes was made by Roman Zabihach and seconded by Tom McAdam. The motion was unanimously approved, with the exception of Commissioner Landgraf who had to abstain.

### 4. Resolutions

Motion to approve the following resolution was made by Tom McAdam and second by Dan Smith III and were unanimously approved.

P – 11 – 2020 – Marc Feldman – 910 N Harvard Ave.

P – 12 – 2020 – Gerald Sokolowski – 118 N New Haven Ave.

### 5. Applications

\*\*Sandra Horowitz – 15 S Washington Ave, block 84, lot 6.02, located in the R-4 zone. The applicant is requesting C variance relief front yard deck encroachment (setback first floor), front yard deck encroachment (setback second floor), lot coverage and a waiver for landscape plan. The applicant is being represented by Brian Callaghan Esq.

Brian Callaghan, attorney for the applicant, presents the application and describes the variances being requested.

Peter Wiess, New Jersey Licensed Architect, 101 N Washington Ave, Margate N.J, is sworn in and his credentials are accepted.

Sandra Horowitz, property owner, 15 S Washington Ave, is sworn in.

Mr. McLarnon, Board Engineer & Professional Planner is sworn in.

Mr. Wiess presents the design.

Mr. Callaghan, on behalf of the applicants, gives testimony as to the need for the extension of the first-floor deck and a new second floor deck.

Mr. Callaghan asks Mr. Wiess to confirm that granting the variances requested would not have a negative impact on the neighborhood and also, that the positives would outweigh the negatives.

Mr. McLarnon inquires as to new concrete is being proposed.

Mr. Wiess confirms that new concrete will be added.

Ms. Sallata, would like clarification as to the location of the new concrete. She would also like to see the lot coverage reduced and would like more grass.

Mr. Smith III inquires as to lot coverage.

Mr. Callaghan states that the proposed shed will need to be placed on concrete.

Mrs. Horowitz, gives her testimony. She gives a brief history of the property and discusses the need for the decks and the reason that she is not in favor of adding additional grass.

Mr. Cooke inquires as to the dimensions of the decks and he states that the dimensions were not on original plans.

Mr. Callaghan inquires as to what may be used in place of grass.

Mr. Smith III inquires as to whether or not permeable pavers are an option.

Mr. Commissioner Landgraf is not in favor of permeable pavers and are not acceptable.

Public portion opens.

Public portion closes.

Commissioner Landgraf would like to see street tress as part of the landscaping.

Mr. Horowitz, property owner, 15 S. Washington Ave, is sworn in and gives testimony.

Mrs. Horowitz states adding grass and street tress will not be practical nor functional.

Mr. McLarnon reads his review dated March 7, 2020, which is attached. He states the total amount of the proposed concrete was not clear on the plans and that the proposed shed will not exceed 12ft.

Mr. Callaghan, on behalf of the applicants, agrees to add two street trees.

Nr Manos reviews the C variance requested for front yard deck encroachment (setback first floor), front yard deck encroachment (setback second floor), lot coverage and a waiver for landscape plan and all other conditions set forth in Mr. McLarnon's report.

Motion to approve C variances was made Roman Zabihach and second by Tom McAdam. The motion was unanimously approved. Seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Commissioner Kriebel, Jay Cooke, Tom McAdam, Roman Zabihach, Lorraine Sallata and Dan Smith III. Nays; None.

Chairman Cooke recuses himself.

Vice Chairman McAdam steps in.

Mark & Joan Miller – 111 S Pittsburg Ave, block 38, lot 1, located in an R – 3 zone. The applicant is seeking C variance relief for side yard setback (deck), dormer width (rear side), third floor deck (ocean side). The applicant is being represented by Eric Goldstein Esq.

Mr. Goldstein, attorney for the applicant, advises the Board that that applicant is in the process of purchasing a section of land that extends from the property line to the bulkhead, from the City of Ventnor.

Mr. McAdam inquires as to the purchase being contingent on the approval of this application.

Commissioner Landgraf and Commissioner Kriebel recuses themselves.

Mr. McLarnon states that as a condition of purchase the applicant shall repair the bulkhead.

Jon Barnhart, Licensed Engineer & Professional Planner, in the State of New Jersey, 400 N Dover Ave, Atlantic City N.J, is sworn in and his credentials are accepted. Mr. Barnhart describes the variances being requested.

Mr. Smith inquires as to the bulkhead and the property line.

Mr. Barnhart states that the Bulkhead will not be relocated.

Terri Cummings, Licensed Architect, in the State of New Jersey, 102 Arbor Ct West, Linwood N.J, is sworn in and her credentials are accepted.

Ms. Cummings presents the design.

Mr. Manos notes that exhibit A – 1, A – 2, A – 3 have been entered in the record.

Mr. Goldstein asks Ms. Cummings 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 positives outweigh the negative criteria.

Mr. Manos inquires as to the bulkhead being compliant.

Public portion opens.

James Pearlstein, property owner, 107 S Pittsburgh Ave, is sworn in and speaks in favor of the application.

Richard Wells, 110 S Pittsburgh Ave, is sworn in and has no objections to the applications.

Public portion closes.

Mr. McLarnon read his review dated March 9, 2020, which is attached. He states that as a condition of approval a landscape plan and an as built survey must be submitted.

Mr. Manos reviews C variance relief for side yard setback (deck), dormer width (rear side), third floor deck (ocean side) with conditions whereas landscape plan and an as built survey must be submitted.

The motion to approve the C variances was made by Roman Zabihach and seconded by Dan Smith III. The motion was unanimously approved seven in the affirmative and zero in the negative. Ayes; Tom McAdam, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen, Peter Tocco and Greer Gaskill. Nays; None.

Mr. Cooke returns and has a brief discussion on beachfront homes.

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

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

Respectfully submitted  
Carmella Malfara  
Planning Board Administrator/ Secretary.

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