

# Ventnor City Planning Board

## Minutes

May 13, 2020, 6:30pm

The meeting was held by remote access only by video and audio means.

Chairman Cooke called the meeting to order at 6:47pm.

### 1. Flag Salute

### 2. Roll Call

#### Present

Commissioner Landgraf

Commissioner Kriebel

Tom Halpin

Jay Cooke

Tom McAdam

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Wendy Bartlett

#### Absent

### Professionals

Leo Manos Esq., Board Solicitor

Roger McLarnon, Board Engineer & Professional Planner

Carmella Malfara, Board Administrator

### 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 meeting. He also advised the Board on the intent of the meeting and procedures which to follow.

### 3. Minutes

Motion to adopt March 11, 2020 minutes was made by Peter Tocco and seconded by Tim Koob. The motion was unanimously approved.

### 4. Resolutions

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

P – 12 – 2020 – Sandra Horowitz – 15 S Washington Ave.

P – 13 – 2020 – Mark & Joan Miller – 111 S. Pittsburgh Ave.

### 5. Applications

\*\*John Spagnola – 18 S Troy Ave, block 74, lot 24, located in the R – 7 zone. The applicant is requesting C variance relief for building coverage, building coverage, rear yard setback(building), rear yard setback(deck) and possibly others. The applicant is being represented by Brian Callaghan Esq.

Mr. McLarnon, Board Engineer & Professional Planner, is sworn in and reads his review dated May 8, 2020, which is attached.

Mr. Callaghan, attorney for the applicant presents the application. Mr. Callaghan, on behalf of the applicant, gives testimony as to the need to enclose new set of rear access stairs and to extend an existing first floor deck.

Craig Dothe, New Jersey Licensed Architect, 33 N. Brighten Ave, Atlantic City N.J, is sworn in and his credentials are accepted. Mr. Dothe describes the existing structure and explains the variances being requested.

Commissioner Landgraf inquires as the need for an encroachment license.

Mrs. Sallata inquires as to the date the home was purchased and would like clarification of habitable space.

Mr. Manos explains the definition of habitable space.

Mr. McLarnon states that the lower level can not be converted into a separate unit.

Mr. Zabihach also has concerns that the lower level will be converted into a sperate unit.

Mr. Callaghan assures the Board that the property will remain a single-family dwelling and the lower unit will consist of a game room and serve as a storage area.

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

Mr. Cooke inquires as to parking. He also inquires as to the applicant meeting with the City's Flood Plain Manager.

Mr. McLarnon inquires as to any improvements to the lower level. He also states that a landscape wavier was requested but the applicant shall add green space and one street tree.

Commissioner Landgraf would like as a condition of approval that the applicant must obtain an encroachment license.

Mr. McAdam inquires as to the lower level being below flood plain level.

Public portion opens.

Public portion closes.

Mr. Manos reviews the C variances for building coverage, building coverage, rear yard setback(building), rear yard setback(deck) and possibly others, along with a landscape wavier whereas the applicant will add green space and one street tree, a copy of the Certificate for Land Use Compliance and the applicant shall obtain an encroachment license.

Motion to approve the C variances was made by Roman Zabihach and seconded by Tim Koob. The motion was unanimously approved, seven in the affirmative and zero in the negative. Ayes: Commissioner Landgraf, Commissioner Kriebel, Tom Halpin, Jay Cooke, Tom McAdam, Roman Zabihach and Lorrain Sallata. Nays: None.

Chairman Cooke recuses himself from this application.

Vice Chairman McAdam steps in.

\*\*Washington Beach LLC, - 110 S Washington Ave, block 43, lot 12, located in the R – 3 zone. The applicant is requesting C variance relief for side yard setback(beach), rear yard setback and lot coverage and possibly others. The applicant is being represented by Eric Goldstein Esq.

Mr. McLarnon reads his review dated May 13, 2020, which is attached. Mr. McLarnon states that the variance for the rear yard setback is not required and therefor removed.

Commissioner Landgraf asks for clarification on variances for accessory structures.

Mr. Goldstein, attorney for the applicant, presents the application.

Marl Patrella, New Jersey Licensed Architect, 1020 Atlantic Ave, Atlantic City N.J, is sworn in and his credentials are accepted. Mr. Patrella describes the variances being requested and he also explains the design of the proposed new set of exterior steps.

Mr. Goldstein asks Mr. Patrella to confirm that granting the variances requested would not have a negative impact on the Ventnor's Zoning code and also, that the positives outweigh the negatives.

Commissioner Landgraf inquires as to the material being used.

Mr. Patrella stat the pressure treated wood for the structural posts, along with azek for the risers and trex for the treads.

Public portion opens.

Terri Gelberg, property owner 108 S. Washington Ave, is sworn in and states her concerns. She is not opposed to the application; however she would like things to be finished in a timely matter and requests that the applicant will deviate from the plan that requested.

The boarding neighbor (Pat) speaks in favor of the application.

Mr. McLarnon requests that a survey be submitted as a condition of approval.

Public portion is closed.

Mr. Manos reviews the C variances requested for side yard setback(beach) and lot coverage and possibly others. The applicant must submit an as built survey as a condition of approval.

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

There being no further business, the motion to adjourn was made by Lorraine Sallata and seconded by Tim Koob.

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

Respectfully submitted  
Carmella Malfara  
Planning Board Administrator

