

Ventnor City Planning Board

Minutes

August 24, 2020, 6:30pm

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

Chairman Cooke called the meeting to order at 6:37pm.

1. Flag Salute

2. Roll Call

Present

Commissioner Landgraf

Commissioner Kriebel

Jay Cooke

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Wendy Bartlett

Absent

Greer Gaskill

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 procedure which to follow.

3. Minutes

Motion to adopt August 12, 2020 minutes was made by Lorraine Sallata and seconded by Dan Smith III. The motion was unanimously approved.

4. Resolutions

Motion to approve the following resolutions was made by Tim Koob and seconded by Commissioner Landgraf and were unanimously approved.

P – 27 – 2020 – 135 -137 N Surrey Ave.

P – 28 – 2020 – 103 S Newport Ave.

Mr. Manos makes the announcement that 720 N Little Rock will be postponed until September 28, 2020.

5. Applications

Dante & Eleanora Vespertino – 5702 Edgewater Ave, block 150, lot 7, located in the R-7 zone. The applicant is seeking c variances for lot area, front yard setback, side yard setback, parking and possibly others to construct a new single-family dwelling.

Thomas Baglivo, New Jersey Licensed Architect, 301 East Germantown Pike, East Norriton, Pa, is sworn in and his credentials are accepted.

Bob Catalano, New Jersey Licensed Land Surveyors, 12 S. Virginia Ave, Atlantic City NJ, is sworn in and his credentials are accepted.

Dante & Eleanora Vespertino, property owners, are sworn in.

Scott Abbott, attorney for the applicants, presents the application and gives history of property.

Mr. Cooke inquires as to the dimensions not being on the plans.

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

Tom Baglivo, describes the variances being requested as well as the design of the proposed new home and the condition of the site. Mr. Abbott asks Mr. Baglivo to explain the left side elevation.

Mr. Cooke inquires at as the size of the garage.

Mr. Baglivo describes the layout of the third-floor family room and third-floor deck. Mr. Abbott would like Mr. Baglivo to explain the storm water drainage.

Mr. Cooke would like to the decks be align.

Commissioner Landgraf inquires as to the side lot line.

Mr. Baglivo can reduce the deck two feet.

Mr. Vespertino agrees to reduce the size of the deck.

Mr. Abbott requests a waiver for landscaping.

Mr. Smith III would like clarification as to the deck size.

Mr. Baglivo states the deck will 19x11.

Mr. McLarnon reads his revised review dated August 21,2020, which is attached.

Mr. Zabihach inquires as to the curb cut.

Mr. McLarnon inquires as to the rear stairs. He suggests relocating the stairs.

Public portion opens.

Public portion closes.

Commissioner Kriebel would like clarification on the variances being requested.

Mr. Abbott asks Mr. Baglivo to confirm that the plans submitted would not cause any detriment to the neighbors, zone plan or zoning ordinance.

Mr. Zabihach inquires as to a railing on the third-floor deck.

Mr. Manos reviews the C variances for lot area, front yard setback (build), front yard setback(deck), side yard setback (build), side yard (1st fl deck), side yard setback (1st fl deck left), side yard setback (rt deck), rear yard setback (build), rear yard setback(1st,2nd,3rd decks), build coverage, lot coverage, parking, waiver for landscaping as well as a condition of approval to relocate the stairs and to have the decks align.

A motion to approve C variance relief was made by Roman Zabihach and seconded by Tim Koob. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Commissioner Kriebel, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III and Mike Wiesen. Nays; None.

Wendy Bartlett recuses herself.

** Kenneth & Kathleen Calemno – 5903 Ventnor Ave, block 114, lot 2, located in the R-1 zone. The applicant is C variance relief for height of accessory structure and lot area to construct a new pool house and garage. The applicant is being represented by Nick Talavacchia Esq.

Arthur Ponzio, New Jersey Licensed Engineer, 400 N Dover Ave, Atlantic City N.j, is sworn in and his credentials are accepted.

Kenneth & Kathleen Calemno, property owners, are sworn in.

Nick Talvacchia, attorney for the applicant, presents the application.

Mr. Ponzio describes the conditions of the site and he also explains how the application meets the criteria for the variances being requested.

Mr. Talvacchia speaks as to the location of the driveway. He also speaks of the positive criteria. He asks Mr. Ponzio to describe any negative impact to the neighborhood. He suggests relocating the two street in the governor's strip along Ventnor Avenue.

Mrs. Sallata is not in favor of relocating the tress in the governor's strip.

Mr. Smith III inquires as to the new location of the trees.

Mr. Koob inquires as to the sycamore tree being removed.

Mr. Calemno states he has no intention of removing the sycamore tree.

Mr. Cooke suggests moving the tress back for better site lines.

Mr. Zabihach inquires as to the design of the garage.

Mr. McLarnon reads his review dated August 17, 2020, which is attached.

Public portion opens.

Todd Miller, property owner, 15 S Dorset Ave, is sworn in and speaks in favor of the application. However, he would like to see the gate to the driveway should be moved back. He also inquires as to the pool house/ garage having air conditioning.

Public portion closes.

Mr. McLarnon suggests moving the accessory structure to have a 4ft rear yard setback, as to not infringe on the neighbors.

Mr. Ponzio, on behalf of the applicants, agrees to the changes.

Mr. Manos review the C variances for height of accessory structure and lot area to construct a new pool house and garage, along with conditions of approval such as preserve the sycamore tree, the accessory structure shall be moved as well as planting two street trees.

Motion to approve C variances with conditions was made by Tim Koob and seconded by Roman Zabihach. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Commissioner Kriebel, Jay Cooke, Roman Zabihach, Roman Zabihach, Lorraine Sallata, Dan Smith III and Mike Wiesen. Nays; None.

Wendy Bartlett returns.

**Barry Sable – 102 S Oakland Ave, block 6, lot 8, located in the R-9 zone. The applicant is seeking a D "Use" variance along with C variances for front yard set back (1st, 2nd, 3rd floor decks), rear yard setback (building), rear yard setback (landing), HVAC equipment and building coverage. The applicant is proposing to construct a new Two-family dwelling. The applicant is being represented by Brian Callaghan Esq.

Commissioner Landgraf and Commissioner Kriebel recuse themselves.

Barry Sable, 104 Mountainview Rd, Mt Laurel, NJ, is sworn in.

Craig Dothe, New Jersey Licensed Architect, 33 N Brighten Ave, Atlantic City NJ is sworn in and his credentials are accepted.

Arthur Ponzio, New Jersey Licensed Engineer & Planner, 400 N Dover Ave, Atlantic City NJ, is sworn in and his credentials are accepted.

Mr. Callaghan, attorney for the applicant, introduces the application.

Mr. Cooke would like to have two separate votes. One being the D "Use" variance to build a two-family dwelling and the seconded being for C variances.

Mr. Callaghan agrees. He gives a brief history of the property. He states the dwelling was two units. He discusses the property having a fire and as a result the home was demolished.

Mr. Cooke inquires as to the property having a Certificate of Non-Conformity.

Mr. Callaghan states that the property does not have a Certificate of Non-Conformity. He also states that under the previous ordinance a two-family dwelling was permitted.

Mr. Dothe, presents the project and the design of the proposed structure. He describes the decks, storage and parking.

Mr. Ponzio explains the variances being requested. He reviews the positive and negative criteria. He also states the proposed dwelling will be FEMA compliant.

Mr. Callaghan asks Mr. Ponzio to discuss the waiver for street trees.

Mr. Ponzio states that a governor's strip will be added along with additional landscaping.

Mr. Zabihach inquires as to the distance of the curb to the property line and the surrounding properties.

Mr. Cooke inquires as to the number of two-family dwellings on the block.

Mrs. Sallata inquires as to the number of bedrooms before the fire.

Mr. McLarnon reads his review dated August 19, 2020, which is attached.

Public portion opens.

Jenna Weinerman, property owner, 103 S Nashville Ave, is sworn in and is not in favor of this application. She believes the decks will be close to her property.

Mr. Callaghan informs Mrs. Weinerman that the decks will not face her property.

Marl Weinerman, property owner, 103 S Nashville Ave, is sworn in and is not in favor of the application. He states his concerns for water run-off and the noise from air conditioner condensers.

Mr. Callaghan states all drainage will go to Oakland Ave and that that noise will not be an issue.

Susan Gross, property owner, 100 S Oakland Ave, is sworn in and is not in favor of the application. She states her concerns for lack of parking.

Public portion closes.

Mr. Smith III inquires as to the number of parking spaces.

Mr. Manos reviews the D"Use" variance to allow a two-family dwelling whereas a single family dwelling is permitted.

Motion to approve D"Use" variance was made by Peter Tocco and seconded by Lorraine Sallata. The motion was denied two in the affirmative and five in the negative. Ayes; Dan Smith III and Peter Tocco. Nays; Jay Cooke, Roman Zabihach, Lorraine Salatta, Mike Wiesen and Tim Koob.

Mr. Manos states that with the D "Use" variance being denied there would be no reason to vote on C variances.

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

Respectfully submitted
Carmella Malfara
Planning Board Administrator

[Engineer Report 2020\072220 rdm ventnor planning board engineering report 5702 Edgewater Avenue.pdf](#)

[Engineer Report 2020\081720 rdm ventnor revised engineering and planning Board review 5903 Ventnor Avenue.pdf](#)

[Engineer Report 2020\102 South Oakland Avenue.msg](#)

