

Ventnor City Planning Board

Minutes

September 28, 2020, 6:30pm

The meeting was held in a hybrid format both in person and by remote access, by video and audio means.

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

1. Flag Salute

2. Roll Call

Present

Commissioner Kriebel
Tom Halpin
Jay Cooke
Roman Zabihach
Lorraine Sallata
Dan Smith III
Mike Wiesen
Peter Tocco
Tim Koob
Greer Gaskill

Absent

Commissioner Landgraf
Wendy Bartlett

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 meetings. He also advised the Board on the intent of the meeting and procedure which to follow.

3. Minutes

Motion to adopt September 9, 2020 minutes was made by Lorraine Sallata and seconded Tim Koob. The motion was unanimously approved.

4. Resolutions

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

P – 32 – 2020 – William Burstein – 100 S Dudley Ave.

P – 33 – 2020 – Troy Ave Owners, LLC – 114 S Troy Ave.

P – 34 – 2020 – Gordy & Cynthia Combs – 605 N Derby.

5. Applications

**JAB Development Corp – 115 S Newport Ave, block 27, lot 1.03, located in the R-3 zone. The applicant is requesting minor by-right subdivision and is being represented by James Swift.

Arthur Ponzio Jr., New Jersey Licensed Surveyor and Planner, 400 N Dover Ave, is sworn in and his credentials are accepted.

Mr. McLarnon, Board Engineer & Professional Planner, is sworn in, and reads his review dated September 21, 2020, which is attached. He states this application is a by-right subdivision, in which all requirements are being met and no variances are being requested.

Mr. Cooke asks Mr. Manos to give clarification as to the definition of a by-right subdivision.

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

Mr. Ponzio describes the condition of the site and discusses the subdivision.

Public portion opens.

Emily Christian, property owner, 111 S Newport Ave, is sworn in and is not in favor of the application. She states her concerns as to parking and the density of the neighborhood as well as her concerns as to emergency vehicles not having accesses to the street. She also presents documentation of the property having a prior subdivision.

After a brief discussion Mr. Manos states that the prior subdivision has no rendering on this application.

Ralph Reinberg, property owner, 113 S Newport Ave, is sworn in, he is not in favor of the subdivision. He shares his concerns for parking and density of the neighborhood.

Public portion closes.

Mrs. Sallata would like further clarification as to any legalities of the prior subdivision, as well as any safety issues with emergency personnel having access to the street.

Lt. Halpin, Ventnor City's Fire Official, states the emergency personnel vehicles have not had any problem accessing the street.

Mr. Manos reviews the minor subdivision to create two new conforming lots, as well the conditions of approval regarding ADA ramp, grading plan and a waiver that was requested.

A motion to approve a minor subdivision was made by Roman Zabihach and seconded by Peter Tocco. The motion was approved nine in the affirmative and zero in the negative. Ayes; Commissioner Kriebel, Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen, Peter Tocco and Tim Koob. Nays; None.

**Frank & Lori Morello – 9 S Newark Ave, block 77, lot 8, located in the R-7 zone. The applicant is seeking C variance relief for front yard building roof setback, front yard setback (2nd floor deck), building coverage, curb cut and possible others to construct a new flood compliant duplex where one existed before in a single-family zone. The applicant is being represented by Steven Altamuro Esq.

Frank & Lori Morello, property owners, 9 S Newark Ave, are sworn in.

Mr. McLarnon reads his review dated September 23, 2020, which is attached. In addition, he informs the Board that the property has a Certificate of Non-Conformity which was issued September 19, 1998.

Mr. Altamuro, attorney for the applicant presents the application and the discusses the variances being requested.

Mr. Morello, gives a brief history of the property and the need for the fiberglass decks.

Mr. Altamuro asks Mr. Morello to confirm that the variances being granted would not have a negative impact on the New Jersey Municipal Land Use Law or on Ventnor's Zoning Code.

Mr. Cooke inquires as to the front deck appearing to be closer to the property line.

Mr. McLarnon gives clarification of the variances being requested. He also states the decks would not be considered building coverage if they were open but now a roof is covering them so that increases building coverage.

Mr. Cooke inquires as to the length of the curb cut.

Mrs. Sallata inquires as to the need for the number of variances for new construction.

Mr. Cooke states that the decks are permitted, it is the roof that is causing the variance.

Mr. Zabihach is not in favor of the proposed 19.58ft wide curb cut.

Mr. Altamuro, on behalf of the applicant, will reduce the size of the curb cut so it shall comply. Therefor the variance for the curb cut is removed.

Public portion opens.

Nancy Morgan, property owner, 18 S Newark Ave, states that she is in favor of the application, however questions the size of the deck.

Public portion closes.

Mr. Manos reviews the C variances for front yard building roof setback, front yard setback (2nd floor deck), building coverage, where as the variance for curb cut was removed along with any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variance relief was made by Roman Zabihach and seconded by Dan Smith III. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Kriebel, Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III and Mike Wiesen.

6. Other Business

Mr. McLarnon leads a discussion recommending the Board to consider revisiting several ordinances and possibly make changes.

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

Respectfully Submitted
Carmella Malfara/ Planning Board administrator

[Engineer Report 2020\092320 rdm ventnor planning board engineering report 9 South Newark Avenue.pdf](#)

[092020 rdm ventnor planning Board planning and engineering report 115 South Newport Avenue minor subdivision.pdf](#)