

Ventnor City Planning Board

Minutes

October 26, 2020, 6:30 pm

6201 Atlantic Ave, Ventnor N.J 08406

Chairman Cooke called the meeting to order at 6:32 pm.

1. Flag Salute
2. Roll Call

Present

Commissioner Landgraf
Commissioner Kriebel
Tom Halpin
Jay Cooke
Roman Zabihach
Lorraine Sallata
Peter Tocco
Tim Koob
Greer Gaskill
Wendy Bartlett

Absent

Dan Smith III
Mike Wiesen

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 of the meeting and procedures which to follow.

3. Minutes

Motion to adopt October 14, 2020 minutes was made by Greer Gaskill and seconded by Peter Tocco. The motion was unanimously approved, with the exception of Commissioner Landgraf who had to abstain.

4. Resolutions

None

5. Applications

Deborah Tye-Feith – 103 S Cornwall Ave, block 19, lot 4 & 5, located in the R – 1 zone. The applicant is seeking C variance relief for accessory building height (cabana), accessory building height (garage), curb cut and possibly others. The applicant proposes to demolish the existing structure on lot 4 and consolidate the lot with lot 5. The structure on lot 5 will remain. The vacant lot 4 will add an in-ground pool, cabana with outdoor dining. The applicant is being represented by Richard King Esq.

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

William McLees, Licensed Architect, in the State of New Jersey, is sworn in and his credentials are accepted.

Mr. McLees, reviews the plans and describes the layout of the proposed pool, cabana, garage and parking. Mr. McLees discuss the previous structure and the variances being requested. Mr. King asks Mr. McLees to confirm the size and use of the second floor of the cabana.

Mr. king inquires as to the pool counting as impervious coverage.

Chairman Cooke confirms that the pool will count as lot coverage.

Mr. McLees states that the proposed lot coverage will be at 65%, whereas 60% is required.

Mr. King requests a lot coverage variance.

Chairman Cooke inquires as to the curb cut being 24 ft.

Mr. McLees explains for the need for the 24ft curb cut.

Mr. King asks Mr. McLees to confirm that 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 also, that the positives would outweigh the negatives.

Vice Chairman Zabihach inquires as to the use above the garage. He would like the curb cut to be reduced.

Mr. McLees states that is a bedroom above the garage and a bathroom is proposed on the second floor of the cabana.

Mrs. Sallata would like the lot coverage variance to be eliminated.

Chairman Cooke inquires as to the additional lot coverage being requested. As well as the height of the existing garage.

Mr. McLees confirms the height as being 14ft.

Mr. McLarnon is sworn in and reads his review dated October 12, 2020, which is attached. He discusses the lot consolidation as well as the elevation of the accessory structures and material being used. He also inquires as to the dimensions of the pool.

Mr. McLees indicates an alternative by keeping the existing lot coverage at 63%. He also agrees to the 18ft curb cut.

Commissioner Landgraf inquires as to cabana setback from the stairs.

Public portion open.

Todd Miller, property owner, 15 S Dorset Ave, is sworn in and gives testimony on behalf of the ST. Leonard's Tract Association. He speaks in favor of the application, however has some concerns as to the setbacks. He states it could potentially be a problem with emergency personnel accessing the property as well a concern for privacy.

Public portion closes.

Mr. Manos asks Mr. King if he is in agreement with the c variance for height.

Mr. King is in agreement.

Mr. Manos review the C variances for accessory structure height (cabana), accessory structure height for the cabana, 2nd curb cut on Cornwall Ave, as well as conditions Cornwall Ave, as well as conditions of approval regarding the cabana being moved 6.6ft

off the rear and side, the cabana will not be used as sleeping quarters, a landscape plan shall be submitted and all other conditions stated in Mr. McLarnon's report.

Motion to approve C variances was made by Vice Chairman Zabihach and seconded by Greer Gaskill. The motion was unanimously approved. Seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Commissioner Kriebel, Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata and Peter Tocco. Nays; None.

**Bruce & Marcia Tomar – 24 N Rosborough Ave, block 129, lot 15, located in the R – 7 zone. The applicant is seeking C variance relief for front yard setback and possibly others. The applicant proposes to extend an existing non-conforming front porch.

Mr. Mrs. Tomar, property owner, 24 N Rosborough Ave, are sworn in.

Scott Ritter, licensed contractor, in the State of New Jersey, is sworn in.

Mrs. Tomar, gives a brief history of the property and the need to extend the front porch.

Mr. Tomar, gives testimony as to the demolition of the existing front porch and the building materials being used to construct the new porch. He states new landscaping will be added as well as an additional 140sqft of porch.

Chairman Cooke inquires as to where the additional 140sqft of porch will be placed.

Mr. Tomar explains that the porch will be built on the Winchester side of the property.

Chairman Cooke inquires as to the dimensions of the proposed porch.

Mrs. Tomar describes the condition of the existing porch. She also states that they will replace the existing awning, with a new retractable awning.

Commissioner Landgraf inquires as to the length of the new awning.

Mr. McLarnon Reads his review dated October 21, 2020, which is attached. He states the increase of length creates two additional variances for lot coverage and landscape.

Commissioner Landgraf inquires as to the 10ft expansion.

Public portion opens.

Scott Ritter, 1790 Oakwayne Rd, Huntingdon Valley PA, is sworn in and gives a brief statement regarding 24 N Rosborough Ave.

David Kirstein, property owner, 23 N Rosborough Ave, is sworn in and speaks in favor of the application.

Erik Schardinger, property owner, 20 N Newark, is sworn in and speaks in favor of the application.

Public portion closed.

Mrs. Tomar states her concerns for safety as well as the high traffic volume in the neighborhood.

Mrs. Sallata would like clarification as to lot coverage.

Mr. Manos reviews the C variance for front yard setback, lot coverage, and landscaping and any other conditions set forth in Mr. McLarnon's report.

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

**Joseph and Andrea Nave – 105 N Little Rock Ave, block 100, lot 26, located in the R – 7 zone. The applicant is seeking C variance relief, D "USE" variance along with a minor subdivision. The applicant is being represented by Brian Callaghan Esq.

Commissioner Landgraf and Commissioner Kriebel recuse themselves.

Mr. Manos gives reason for this application. He reviews correspondence between Brian Callaghan Esq. and Scott Abbott Esq. Mr. Manos states that Mr. Abbott is represents various owners and residents in close proximity to 105 N Little Rock Ave. Mr. Manos informs the Board that the first part of this application is to render a decision as to whether this application should be barred by the doctrine of res judicata, which means that the matter has already been decided.

Mr. Callaghan, attorney for the applicant, review the history of the property and the application. He states the application is not similar to the prior application in 1986.

Mr. Abbott, attorney for various owners and residents, opposes the application and gives testimony as to the application being the same as the prior application in 1986 which was denied.

Mr. Manos gives clarification as to the previous denial. He also states that since 1986 when the prior application was heard many ordinances have changed.

Vice Chairman Zabihach, agrees with Mr. Abbott and believes the two applications are the same and should not proceed.

Mr. Cooke inquires as to the condition of the lot in 1986.

Mr. Manos states the motion is to determine if the application should be barred by the doctrine of res judicata.

The motion was made by Roman Zabihach and seconded by Tom Halpin.

The motion was approved four in the affirmative and 3 in the negative. Ayes; Tom Halpin, Roman Zabihach, Lorraine Sallata, Wendy Bartlett. Nays; Jay Cooke, Peter Tocco and Tim Koob.

6. Other Business

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

Full meeting is available on tape.

Respectfully submitted

Carmella Malfara

Planning Board Secretary/Administrator

[Engineer Report 2020\101220 rdm ventnor planning board engineering report 103 South Cornwall Avenue.pdf](#)

[102020 rdm ventnor planning board engineering report Block 129 Lot 15 24 North Rosborough Avenue.pdf](#)

[101720 rdm ventnor planning and engineering report 105 North Little Rock Avenue minor Subdivision - use variance revised 102620.pdf](#)

