

Ventnor City Planning Board

Minutes

January 13, 2021, 6:30pm

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

Chairman Cooke called the meeting to order at 6:31 pm.

1. Flag Salute

2. Roll Call

Present

Tom Halpin

Jay Cooke

Roman Zabihach

Lorraine Sallata

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Wendy Bartlett

Absent

Commissioner Landgraf

Commissioner Kreibel

Dan Smith III

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

3. Minutes

Motion to adopt December 9, 2020 minutes was made by Lorraine Sallata and seconded by Roman Zabihach and were unanimously approved.

4. Resolutions

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

P – 1 – 2021 – Antoinette Juliano – 23 S Oakland Ave.

P – 2 – 2021 – Franklin Ave of Margate, LLC – 1 S Nashville Ave.

P – 3 – 2021 – Joel & Tamar Port – 6801 Atlantic Ave.

P – 4 – 2021 – Jacob Winigrad – 5501 Winchester Ave.

5. Re-Organization

****Chairman** – A nomination for Jay Cooke as Planning Board Chairman was received, on a motion of Roman Zabihach and seconded by Peter Tocco and was unanimously approved.

**** Vice Chairman** – A nomination for Roman Zabihach as Planning Board Vice Chairman was received, on a motion of Lorraine Sallata and seconded by Tim Koob and was unanimously approved.

****Board Engineer & Planner** – A nomination for Planning Board Engineer & Planner was received, on a motion of Lorraine Sallata and seconded by Roman Zabihach and was unanimously approved.

****Board Solicitor** – A nomination for Planning Board Solicitor was made Peter Tocco and seconded by Lorraine Sallata and was unanimously approved.

**** Board Administrator** – A nomination for Planning Board Administrator was made by Lorraine Sallata and seconded by Roman Zabihach and unanimously approved.

6. Meeting dates 2021/2022

A motion to approve 2021/2022 meeting dates was made by Lorraine Sallata and seconded by Roman Zabihach and were unanimously approved.

7. Applications

Mr. Manos informs the Board that the Application of 107 S Newark Avenue, has been withdrawn.

Vice Chairman Zabihach recuses himself.

Mr. Manos informs the Board that the application of 720 N Little Rock Ave is a continuation from December 9th meeting. The following Board members may not participate due to the fact they were not in attendance at December's meeting, Tim Koob, Mike Wiesen and Tom Halpin.

** Cecelia DiFabio – 720 N Little Rock Ave, block 339, lot 12, located in the R-8 zone. The applicant is seeking C variances relief for side yard setback (deck right), side yard setback (deck left), side yard setback (shed left), rear yard setback (deck), rear yard setback (shed) and lot coverage. The applicant proposes to construct a rear yard deck and an addition to the existing shed. The applicant is being represented by Christopher Baylinson Esq.

Mr. Baylinson, attorney for the applicant, explains that the application is a continuance from December 9, 2020. He states the applicant has agreed to make revisions to the deck. Ms. DiFabio will reduce the size of the deck by four feet as well as adding several trees along the side of the fence that is directly adjacent to the neighbor.

Mr. Manos reminds Ms. DiFabio and Mr. Barnhart that are still under oath.

Mr. Cooke inquires as to any changes made to the rear of the deck.

Mr. Baylinson states the rear of the deck will remain the same.

Mr. Cooke inquires as to the maintenance of the trees along the side of the fence.

Mr. Baylinson states the trees will be planted and maintained.

Mrs. Sallata would like clarification as to the all changes being made.

Mr. Baylinson explains in addition to reducing the deck size, Ms. Difabio has redirected the downspouts to drain onto her property.

Mrs. Sallata inquires as to changes to the shed as well as the materials being used underneath the deck.

Mr. McLarnon is sworn in. He informs the Board that he is satisfied with the revisions that applicant has made and sees no issues as to mold or drainage.

Public Portion opens.

Asley Storm, property owner, 718 N Little Rock Ave, is sworn in. Ms. Storm states her concerns as to the deck and her lack of privacy. Ms. Storm is not in favor of the application.

Public portion closes.

Mr. Manos inquires as to change to the landscape coverage.

Mr. Barnhart states the 40 square feet of landscape coverage was added.

Mr. Manos reviews the C variances for side yard setback (deck right), side yard setback (deck left), side yard setback (shed left), rear yard setback (deck), rear yard setback (shed) and lot coverage as well as several conditions.

A motion to approve C variances with conditions was made by Peter Tocco and seconded by Lorraine Sallata. The motion was approved five in the affirmative and zero in the negative. Ayes; Jay Cooke, Lorraine Sallata, Peter Tocco, Greer Gaskill and Wendy Bartlett. Nays; None.

Roman Zabihach, Tim Koob, Mike Wiesen and Tom Halpin return.

**Franco Borda – 6709 Atlantic Ave, block 75, lot 1, located in the R-7 zone. The applicant is seeking C variance relief for D Use variance (possible), front yard building (Atlantic ave), front yard 1st,2nd,3rd floor deck encroachment (Atlantic Ave), front yard building (Richards Ave), front yard 1st,2nd,3rd floor deca encroachment (Richards Ave),side yard setback (building), side yard setback (3rd fl deck), rear yard setback (building), building coverage, building height, eave height, off street parking, off street parking space depth and setback to mechanical equipment (air conditioner units).The applicant proposes to abandon the existing non-conforming commercial space at grade and convert to storage, entry way and a garage for 1 vehicle. The second floor will be added above and a 3rd floor will be added above that. The applicant is being represented by Brian Callaghan Esq.

Craig Dothe, Licensed Architect, in the State of New Jersey,33 N Brighton Ave, Atlantic City N.J, is sworn in and his credentials are accepted.

Franco Borda, property owner, property owner, 6709 Atlantic Ave, is sworn.

Mr. McLaron reads his review dated January 8, 2021, which is attached. He states a D “Use “variance should not be required however the Board should discuss the conditional use aspect of the application whether it merits a conditional use variance or just view it as a single-family dwelling with zero setbacks.

The Board agrees a D variance will not be required.

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

Mr. Dothe reviews the plans and describes the existing structure as well as conditions of the site. He also explains how the application meets the criteria for the variances being requested.

Mr. Callaghan asks Mr. Dothe to confirm the size of the proposed deck that will encroach in the public right away. He also asks Mr. Dothe to discuss parking.

Mr. Dothe states that a one car garage is proposed on the Richards Ave side of the dwelling.

Mrs. Sallata has concerns as to the location of the driveway on Richards Ave, due to the fact of the narrowness of the street.

Mr. McLarnon recommends adding a two-car garage with a wider driveway.

Mr. Zabihach is in favor of a two-car garage.

Mr. McLarnon states the parking variance is eliminated.

Mr. Callaghan suggest adding mirrors for safety when backing out of the garage.

Mr. Cooke asks Mr. Callaghan if he is amending the application.

Mr. Dothe explains the location of the air condensers.

Mr. Callaghan asks Mr. Dothe to confirm that granting the variances being 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 outweigh the negatives.

Public portion opens.

Steve Cohen, property owner, 23 S Richards Ave, is sworn in, and states his concerns as to the location and noise of the air condensers.

Mr. Dothe states the air condensers will be located.

Mr. Cohen inquires as to the demolition and placement of the dumpster.

Mr. Gold, 32 S Richards Ave, is sworn in, and inquires as to street trees located on Richards Ave. He also has concerns as to the lack of parking and would like to see the parking meters on Atlantic Ave removed.

Mr. Callaghan states one tree on Atlantic Ave as well as one tree on Richards Ave.

Public portion closes.

Mr. Manos reviews the C variances for front yard building (Atlantic Ave), front yard 1st,2nd,3rd floor deck encroachment (Atlantic Ave), front yard building (Richards Ave), front yard 1st,2nd,3rd floor decks encroachment (Richards Ave),side yard setback (building), side yard setback (3rd fl deck), rear yard setback (building), building coverage, building height, eave height, relocation of mechanical equipment (air conditioner units), as well as conditions whereas the applicant shall provide street trees, obtain an encroachment license, utilities shall be placed underground and mirrors will added to the corners of the garage.

A motion to approve C variance relief was made by Roman Zabihach and seconded by Peter Tocco. The motion was approved seven in the affirmative and zero in the negative. Ayes; Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Mike Wiesen, Peter Tocco and Tim Koob. Nays: None.

Tom Halpin recuses himself.

**SJ Hauck Properties, LLC – 5505 Wellington Ave, block341, lot 2.02, located in the R-8 zone. The applicant is seeking C variance relief for lot area, lot width, front yard setback (dwelling), front yard setback (deck) and side yard setback (dwelling right). The applicant proposes to relocate an existing single-family dwelling to the above location. The applicant is being represented by Keith Davis Esq.

Mr. Davis, attorney for the applicant, presents the application. Mr. Davis informs the Board of an error when submitting the plot plan. He states Mr. Schaeffer referenced the R-4 zone whereas the R-8 zone applies.

Andy Schaeffer, Licensed Engineer & Planner, 1425 Cantillon Blvd, Mays Landing, N.J, is sworn in and his credentials are accepted.

Steven Hauck, property owner, 5505 Wellington Ave is sworn in.

Mr. Schaeffer reviews the prior subdivision. He states he was unable to determine the bulk requirements.

Mr. Davis asks Mr. Schaeffer to confirm that a zoning permit was secured.

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

Mr. Davis asks Mr. Schaeffer to confirm that there will be no negative impact on the New Jersey Municipal Land Use Law or Ventnor's Zoning code, and also, that the positives would outweigh the negatives.

Public portion opens.

Public portion closes.

Mrs. Sallata inquires to adding trees to the governor's strip.

Mr. McLarnon states that adding trees is not possible, as they would block signage.

Mr. Manos reviews the C variances for lot area, lot width, front yard setback (dwelling), front yard setback (deck), side yard setback (dwelling right), a land scape plan shall be submitted as well as any other conditions stated in Mr. McLarnon's report.

Motion to approve C variance relief was made by Lorraine Sallata and seconded by Peter Tocco. The motion was approved seven in the affirmative and zero in the negative. Ayes; Jay Cooke, Roman Zabihach, Lorraine Sallata, Mike Wiesen, Peter Tocco, Tim Koob and Greer Gaskill. Nays; None.

6. Other Business

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

Full meeting is available on the website.

Respectfully submitted

Carmella Malfara

Planning Board Secretary/Administrator

[072220 rdm ventnor planning Board engineering planning report 720 North Little Rock Avenue.pdf](#)

[010821 rdm ventnor planning board engineering report 6709 Atlantic Avenue revised 011221.pdf](#)

[011021 rdm ventnor planning Board engineering planning report 5505 Wellington Avenue.pdf](#)