

Ventnor City Planning Board

Minutes

February 10, 2021, 6:30pm

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

Chairman Cooke called the meeting to order at 6:30pm.

1. Flag Salute

2. Roll Call

Present

Commissioner Landgraf

Commissioner Kriebel

Jay Cooke

Roman Zabihach

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Wendy Bartlett

Absent

Tom Halpin

Lorraine Sallata

Professionals

Leo Manos Esq., Board Solicitor

Roger McLarnon, Board Engineer & Professional Planner

Carmella Malfara, Board Administrator/Secretary

Procedure

Chairman Cooke announced that the meeting was 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 procedures which to follow.

3. Minutes

Motion to adopt January 13, 2021 minutes was made by Tim Koob and seconded Peter Tocco. The motion was unanimously approved, with the exception of Commissioner Landgraf who had to abstain.

4. Resolutions

Motion to approve the following resolutions was made by Tim Koob and seconded by Peter Tocco and were unanimously approved, with the exception of Commissioner Landgraf who has to abstain.

P – 5 – 2021 – Chairman – Jay Cooke, Vice Chairman – Roman Zabihach, Board Secretary – Carmella Malfara

P – 6 – 2021 – Board Engineer & Planner – Roger McLarnon, Board Solicitor – Leo Manos Esq.

P – 7 – 2021 – Cecelia DiFabio – 720 N Little Rock Ave.

P – 8 – 2021 – Franco Borda – 6709 Atlantic Ave.

P – 9 – 2021 – SJ Hauck properties, LLC – 5505 Wellington Ave.

5. Applications

** Paul Raffelo & Samantha DeMaio – 5301 Atlantic Ave, block 55, lot 1, located in the Commercial Mixed Use Zoning District. The applicant is requesting an interpretation of the Municipal Development Regulations to determine if the Proposed tattoo studio is a permitted use with in the Commercial district.

Paul Raffelo & Samantha DeMaio, 5301 Atlantic Ave, are sworn in.

Roger McLarnon, Board Engineer & Planner is sworn in.

Mr. Callaghan, attorney for the applicant reviews the application. Mr. Callaghan states that a tattoo parlor has previously determined as a non-permitted use. The interpretation is to reclassify a tattoo parlor as a permitted commercial use.

Mr. Raffelo gives testimony regarding his intension to open an art gallery in the front portion of the studio and the tattoo studio would be located in the rear. Mr. Raffelo also explains that the tattoo studio would be by appointment only, to accommodate private clients.

Mr. Callaghan asks Mr. Raffelo to clarify the hours of operation and what type is any signage would be used.

Ms. DeMaio, gives testimony as to her vision for the art gallery. Ms. DeMaio states that she and Mr. Raffelo are artists and would like to inspire others in the community to create art as well.

Mr. Zabihach speaks in favor of enhancing art and cultural activities in the new streetscape area of North Beach on Atlantic Avenue.

Commissioner Kriebel states his concerns as to allowing a tattoo parlor as a permitted use.

Mr. Manos suggests creating regulations that will adhere to tattoo parlor's as a permitted use.

Commissioner Kriebel is in favor of the art gallery.

Mr. Wiesen compliments Mr. Raffelo. He also suggests using the wording Body Art as opposed to tattoo parlor.

Mr. Cooke inquires as to what portion of the studio will be used as the art gallery.

Mr. Tocco inquires as to body piercing.

Mr. Raffelo states that he will not offer body piercing as a service.

Public portion opens.

Public portion closes.

Mr. Manos reviews the interpretation of the Municipal Development Regulations to determine if the proposed tattoo studio is a permitted use with in the Commercial district.

Motion in the affirmative was made by Roman Zabihach and seconded by Peter Tocco and was unanimously approved. Six in the affirmative and one in the negative. Ayes; Commissioner Landgraf, Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, and Peter Tocco. Nays; Commissioner Kriebel.

Peter Tocco recuses himself.

** Peter and Patricia Pagano – 129 N Surrey Ave, block 149, lots 8,9,10, located in the R-7 zone. The applicant is seeking C variance relief for front yard setback, rear yard setback, lot coverage, pool front yard. The applicant is proposing to construct a new pool and cabana.

Mr. McLarnon informs the Board that the applicant is intending to postpone this application in order to submit revised plans. He also states that the applicant would like some feedback from the Board prior to submitting those revisions.

Christina Amey, New Jersey Licensed Architect, 761 Asbury Ave, Ocean City N.J, is sworn in and her credentials are accepted.

Peter & Patricia Pagano, property owners, 129 N Surrey Ave, are sworn in.

Mr. Abbott, attorney for the applicant, presents the application. He states the applicants had prior approval to construct a new family dwelling. He states the applicants have purchased the adjoining lots for construct the pool and cabana. The applicants have DEP approvals and have constructed a new Bulkhead. He also states that after reading Mr. McLarnon's review they will like to make revision to lower the deck and consolidate the lots to eliminate the side yard setback.

Ms. Amey describes the variances be requested. She also states that the revised plans will show a reduction in the number of variances requested.

Mr. Pagano gives a brief history of the property as well as personal history. He states that his intensions are not to obstruct views and the importance of improving the neighborhood.

Mr. Abbott discusses the double car driveway.

Mr. Cooke suggests the applicant revisit the off-street parking.

Mr. Cooke inquires the length of the structure.

Mr. Manos inquires as to the public portion of the meeting.

Mr. McLarnon suggests keeping the deck at a higher elevation due to all the flooding in that area.

Public portion opens.

Ms. Agan, property owner, 110 N Surrey Ave, is sworn in, and inquires as to the location of the proposed pool. She also states that she is not in favor of adding additional curb cuts.

Tom Lukas, property owner 128 N Surrey Ave, is sworn in, and states his concerns for the lack of parking on the street.

Peter Tocco, property owner, 225 N Surrey Ave, is sworn in, he states his concerns as to the height of the pool deck. He would like to see it lowered.
Public portion closes.

Mr. Abbott asks for a postponement until the February 22, 2021 Planning Board Meeting.

Mr. Manos states postponement is granted. Renotification is not necessary.

6. Other Business

Mr. Cooke discusses variance list from 2020.

Mr. Zabihach will comprise a list of variances requested in 2019, 2020 and the zone in which the variances were requested.

The motion to adjourn was made by Roman Zabihach and seconded by Tim Koob.

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

Respectfully Submitted
Carmella Malfara
Planning Board Administrator/Secretary