

## Ventnor City Planning

### Minutes

April 14, 2021, 6:30pm

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

Chairman Cooke called the meeting to order at 6:34pm.

1. Flag Salute
2. Roll Call

#### Present

Tom Halpin  
Jay Cooke  
Roman Zabihach  
Lorraine Sallata  
Dan Smith III  
Mike Wiesen  
Peter Tocco  
Greer Gaskill  
Wendy Bartlett

#### Absent

Commissioner Landgraf  
Commissioner Kriebel  
Tim Koob

#### 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 procedures which to follow.

3. Minutes

Motion to adopt March 22, 2021 minutes was made by Dan Smith III and seconded by Tom Halpin and were unanimously approved.

#### 4. Resolutions

The motion to approve the following resolutions was made by Mike Wiesen and seconded by Peter Toccon and were unanimously approved.

P – 18 – 2021 – Leonard & Teri Schuchman – 25 S Avolyn Ave.

P – 19 – 2021 – Joe Berenato – 106 S Buffalo.

#### 5. Application

\*\* 111 S Cornwall Associates, LLC – 111 S Cornwall Ave, block 19, lot 1, located in the R-1 zone. The applicant is requesting a one-year extension for a minor subdivision. The minor subdivision approval was obtained on June 22, 2020.

Eric Goldstein Esq., Attorney for the applicant presents the request for the extension.

Mr. Manos explains to the Board that the applicant has 190 days to perfect the subdivision. He also states that the Governor signed a law to extend the time in which a subdivision can be perfected, due to Covid-19.

The extension was granted with an all-in favor vote.

\*\* Christoforos Pylaras – 6624 Ventnor Ave, block 73, lot 9, located in the Commercial District zone. The applicant is seeking C variance relief for front yard setback, parking, and rear yard decks above the 1<sup>st</sup> habitable floor. The application is a continuation from the March 22, 2021 Agenda.

Mr. McLarnon is sworn in and speaks of the two parking spaces being maintained.

Mr. Cooke inquires as to the size of the parking spaces.

Mr. Cooke inquires as to the size of the planters that shall be added.

Mr. Manos informs Mr. and Mrs. Pylaras that they are still under oath.

Mr. Pylaras discusses the changes made to the application at the Board's recommendation.

Mr. McLarnon states that the revised plans will need an owner signature block.

Mr. Manos would like clarification of the replacement of the cracked concrete.

Mr. Pylaras states that all concrete will be replaced.

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

Mr. Manos states that parking will comply and that variance is removed.

Mr. Manos informs the Board the Mr. Paul Karnavas is still under oath and will be speaking on behalf of the applicant.

Mr. Karnavas explains the site and the changes that were made to the plans.

Mr. McLarnon asks Mr. Karnavas to confirm that the variances being requested would not cause any detriment to the neighbors or Ventnor's zoning ordinance.

Public portion opens.

Public portion closes.

Mr. Manos reviews the C variances for the rear yard setback above 1<sup>st</sup> habitable floor, front yard setback (second floor deck), a waiver for landscaping, as well as replacing all concrete and adding a signature block on plans.

Motion to approve C variances was made by Peter Tocco and seconded by Roman Zabihach. The motion was approved seven in the affirmative and zero in the negative. Ayes; Tom Halpin, Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco and Greer Gaskill. Nays; None.

**\*\*Paul & James Muskett – 5602 Edgewater Ave, block, 150, lot 13, located in the R-7 zone. The applicant is seeking C variance relief for front yard setback (building), rear yard setback (building), rear yard setback decks (1<sup>st</sup>, 2<sup>nd</sup> floor), rear yard deck height (2<sup>nd</sup> Floor) and possibly others to construct a new flood compliant single-family dwelling.**

James Muskett, 5600 Edgewater Ave, is sworn in.

Peter Weiss, Licensed New Jersey Architect, 101 N Washington Ave Margate NJ, is sworn in.

Mr. McLarnon, Board Engineer & Professional Planner reads his review dated April 8, 2021, which is attached. He states that the application is both a hardship variance as well as a substantial benefit variance. He also needs clarification on landscape and does not recommend street trees at this site.

Mr. Cooke inquires as to the bulkhead.

Mr. McLarnon states the bulkhead appears to be compliant.

Mr. Muskett, Attorney and property owner, presents the application and gives a brief history of the property. He also describes the condition of the site and sees no detriment to the neighbors or Ventnor's zoning ordinance.

Mr. Halpin inquires as to a suppression system being installed.

Mr. Musket states if he is required to by the Board, he will comply.

Mr. Cooke would clarification of the landscape plan.

Mr. Muskett states that he will have permeable pavers in the driveway as well as a dozen shrubs and Ivy on the right side of the property.

Mr. Cooke inquires as to the materials being used for the raised planter bed. He also would like clarification on the curb cut.

James Muskett states that a new concrete will be added as well as a new curb cut.

Mr. Tocco inquires as the location of the air condensers. He also questions if the air condensers need a variance.

Mr. Cooke inquires as to the type of system being installed.

Mr. Muskett explains the location of the air condensers.

Mr. Cooke would like clarification as to the number of variances.

Mr. McLarnon states there are six variances being requested.

Mr. Weiss describes the design of the proposed dwelling.

Public portion opens.

\*\* Nancy Walker, property owner 5601 Edgewater Ave, is sworn in and has questions regarding the curb cut as well as parking.

Mr. McLarnon states that the applicant is providing two off street parking spaces and are compliant.

Ms. Walker inquires as to commercial vehicles parking on the street as well as construction hours.

Public portion closes.

Mr. Manos inquires as to a street tree waiver.

Mr. Manos reviews C variances for front yard setback (building), rear yard setback (building), rear yard setback decks (1<sup>st</sup>, 2<sup>nd</sup> floor), rear yard deck height (2<sup>nd</sup> Floor), side yard setback for (hvac), a waiver for street trees, a new survey shall be submitted as well as any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variances was made by Lorraine Sallata and seconded by Greer Gaskill. The motion was approved seven in the affirmative and zero in the negative. Ayes; Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen and Peter Tocco. Nays; None.

\*\*Steven Kramer Living Trust – 106 S Philadelphia Ave, block 37, lot 6, located in the R-3 zone. The applicant is seeking C variance relief for front yard setback (3<sup>rd</sup> fl deck), building coverage, principal building height, eave height, curb cut width, third floor deck, minimum roof pitch, dormer face setback from wall, dormer length, dormer length as percentage of total length of building and possibly others to construct a new flood compliant single-family dwelling. The applicant is being represented by Eric Goldstein Esq.

Robert Lolio, New Jersey Licensed Architect, 219 Bellevue Ave, Hammonton N.J, is sworn in and his credentials are accepted.

Steven Kramer, property owner, 106 S Philadelphia Ave, sworn in.

Mr. McLarnon reads his review dated April 10, 2019, which is attached. He states that the applicant shall submit a survey as well as show the location of the shrubs.

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

Mr. Lolio, reviews the plans and describes the layout of the proposed new home. He also explains the variances be requested.

Mr. Goldstein states the lot coverage will be greatly reduced. He asks Mr. Lolio to discuss the building coverage.

Mr. McLarnon inquires as to the roof being a pop-up roof.

Mr. Lolio discusses parking and curb cuts.

Mr. Cooke inquires as to the size of the curb cuts.

Mr. Goldstein asks Mr. Lolio to confirm that plans submitted would not cause any detriment to the neighbors or to Ventnor City zoning ordinance. He also asks Mr. Lolio to confirm that the positive criteria will outweigh the negative.

Mr. Cooke inquires as to the dormer length.

Mr. McLarnon inquires as to square footage of the 3<sup>rd</sup> floor.

Mr. Cooke inquires as to the landscape including street trees.

Mr. Lolio states two trees in the governor strip will be added.

Mr. Cooke would like the trees relocated.

Mr. Kramer agrees to relocate the trees.

Mr. Smith III states trees would be a positive addition to the landscape.

Public portion opens.

Public portion closes.

Mrs. Sallata inquires as to the number of variances.

Mr. Manos reviews C variances for front yard setback (3<sup>rd</sup> fl deck), building coverage, principal building height, eave height, curb cut width, third floor deck, minimum roof pitch, dormer face setback from wall, dormer length, dormer length as percentage of total length of building, a survey shall be provided as well as any other conditions set forth in Mr. McLarnon's report.

Motion to approve C variance relief was made by Roman Zabihach and second Peter Tocco The was approved seven in the affirmative and zero in the negative. Ayes; Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III, Mike Wiesen and Peter Tooco. Nays; None.

\*\* Jeff Allen – 6 S Baltimore Ave, block 83, lot 18, located in the R-4 zone. The applicant is seeking C variance relief for building coverage, principal building heights, third floor exterior wall flat roof, roof over the second-floor deck and possibly others to construct a new flood compliant single-family dwelling with a flat roof. The applicant is being represented by Brian Callaghan Esq.

Todd Miller, New Jersey Licensed Architect, 15 S Dorset Ave, is sworn in and his credentials are accepted.

Jeff Allen, property owner, 6 S Baltimore Ave, is sworn in.

Mr. McLarnon reads his review dated April 8, 2021, which is attached. He suggests the applicant request a waiver for the survey being older than 2 years. He also states that as a condition of approval the applicant shall submit a landscape plan.

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

Mr. Miller presents the design and describes the layout and variances being requested. Mr. Miller also states that he would like to request a waiver for street trees. He states that several shrubs shall be planted.

Mr. Callaghan states if necessary, dwarf trees can be planted.

Mr. Callaghan asks Mr. Miller to confirm that the positive criteria will outweigh the negative.

Mrs. Sallata suggests adding street trees to enhance the neighborhood.

Mr. Zabihach, agrees that Street trees will enhance the aesthetics of the neighborhood.

Mr. Callaghan, on behalf of the applicant, will add a street tree.

Public portion opens.

Rick Schwartz, property owner, 15 S Baltimore Ave, is sworn in and speaks in favor of the application.

Phyllis Greenberg, property owner, 13 S Baltimore Ave, is sworn in, and is in favor of the application.

Sharon Solomon Lowden, property owner, 22 S Baltimore Ave, is sworn in, and is pleased with the application.

Public portion closes.

Mr. Manos reviews the C variance relief for building coverage, principal building heights, third floor exterior wall flat roof, roof over the second-floor deck, a waiver for the survey that is older than 2 years, a waiver for 2 street trees and any other conditions set forth in Mr. McLarnon's report.

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

\*\*Franco Borda – 6700 Atlantic Ave, block 31, lot 7, located in the R-3 zone. The applicant is seeking C variance relief for front yard setback (1<sup>st</sup> floor deck Troy Ave), front yard setback (2<sup>nd</sup> floor deck Troy Ave), front yard setback (3<sup>rd</sup> floor deck Troy Ave), curb cut width, third floor deck, dormer face setback from wall below, dormer length, dormer length as a percentage of total length of building and possible others to construct a new 3 story single-family dwelling.

Dan Smith III recuses himself.

Franco Borda, property owner, 6700 Atlantic Ave, is sworn in.

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

Mr. McLarnon reads his review dated April 10, 2021, which is attached. He states that a waiver should be requested due to the fact the survey is older than two years and that a written statement is required. Mr. McLarnon also recommends adding street trees and the air condition unit should be outside of the building envelope.

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

Mr. Dothe describes the design and explains the variances being requested.

Mr. Callaghan would like clarification as to the location of which the street trees shall be planted.

Mr. Dothe suggests removing the street trees on Troy Ave and relocating them on Atlantic Ave.

Mr. Callaghan discusses the positive criteria.

Mr. Callaghan asks Mr. Dothe if the Air condition units can be relocated.

Mr. Zabihach inquires as adding a governor's strip on Atlantic Ave.

Mr. Cooke inquires as to the height of the dwelling.

Public portion opens.

Public portion closes.

Mr. Manos inquires as to the air conditioner units being re located.

Mr. Manos reviews C variances for front yard setback (1<sup>st</sup> floor deck Troy Ave), front yard setback (2<sup>nd</sup> floor deck Troy Ave), front yard setback (3<sup>rd</sup> floor deck Troy Ave), curb cut width, third floor deck, dormer face setback from wall below, dormer length, dormer length as a percentage of total length of building, a waiver for the survey that is old than two years and any other conditions stated in Mr. McLarnon's report.

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

## 6. Other Business

Mr. Zabihach gives a brief presentation of the variances that were requested for the years 2019 and 2020.

There being no further business, motion to adjourn was made by Roman Zabihach and seconded by Peter Tocco.

Audio of this recording is available on the Ventnor City Website.

Respectfully submitted  
Carmella Malfara  
Planning Board Administrator

[041021 rdm ventnor planning board engineering report 6700 Atlantic Avenue.pdf](#)

[041021 rdm ventnor planning board engineering report 106 South Philadelphia Avenue.pdf](#)

[031821 rdm ventnor planning engineering report 6624 Ventnor Avenue variance report.pdf](#)

[040821 rdm ventnor planning board engineering report 5602 Edgewater Avenue.pdf](#)

[040121 rdm ventnor planning and engineering report 6 South Baltimore Avenue.pdf](#)

