

# Ventnor City Planning Board

## Minutes

October 13, 2021, 6:30pm

Chairman Cooke called the meeting to order at 6:35pm.

1. Flag Salute

2. Roll Call

Present

Commissioner Kriebel

Jay Cooke

Roman Zabihach

Lorraine Sallata

Dan Smith III

Mike Wiesen

Peter Tocco

Tim Koob

Greer Gaskill

Don Siglin

Absent

Commissioner Landgraf

Tom Halpin

Wendy Bartlett

Professionals

Leo Manos Esq., Board Solicitor

Roger McLarnon, Board Engineer & Planner

Carmella Malfara, Board Administrator/Secretary

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 September 27, 2021 minutes was made by Tim Koob 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 Tim Koob and were unanimously approved.

P – 53 – 2021 – David & Joan Kligerman – 706 & 708 N Harvard Ave.

P – 54 – 2021 – Anthony Marotta – 6616 Ventnor Ave.

P – 55 – 2021 – Jon & Kelly Hollander – 103 S Portland Ave.

#### 5. Applications

Beth Rose & Eric Neiderman – 101 S Suffolk Ave, block 13, lot 7, located in the R-1 zone. The applicant is seeking C variance relief for front yard setback - building (Atlantic Ave), front yard setback – 2<sup>nd</sup> floor deck – (Atlantic Ave), front yard setback - 2<sup>nd</sup> floor deck (Suffolk Ave) and possibly others to enclose a portion of the second-floor deck to create a powder room and to construct a second-floor deck fronting on Suffolk Ave where a roof exists. The applicant shall request a waiver for a survey older than one year.

Mr. Neiderman, property owner, 101 S Suffolk Ave, is sworn in.

Mr. McLarnon, Board Engineer & Planner, is sworn in and reads his review dated October 9, 2021, which is attached. In addition, he reviews the variances requested. He also states the landscape is unique and vibrant and will remain. He recommends the existing concrete on Atlantic Ave remain due to the pedestrian circulation and proximity to the city tennis/pickle ball courts are high.

Mr. Neiderman presents the application. He gives testimony as to the need for the deck enclosure and the proposed second floor deck. He discusses the variances being requested and describes the layout of the site. Mr. Neiderman believes that the variances being requested would not cause and detriment to the neighbors nor to the Ventnor City zoning ordinance.

Public portion is open.

Anne Corrigan, property owner, 17 S Derby Ave, Ventnor NJ, President of the St. Leonards Tract Association, is sworn in and speaks in favor of the application.

Public portion is closed.

Mr. Tocco inquires as to Mr. Neiderman building a Juliet balcony.

Mr. Neiderman states he is not building a Juliet balcony.

Mr. Cooke inquires as to the setback of the vestibule.

Mr. Manos inquires as to the location of the third-floor deck.

Mr. Manos review the C variances for front yard setback-building (Atlantic Ave), front yard setback – second floor deck (Atlantic Ave), front yard setback – second floor deck (Suffolk Ave) along with a waiver for the survey being older than one year, a waiver for landscape as well as any other conditions set forth in Mr. McLarnon’s report.

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

Commissioner Kriebel recuses himself.

\*\*Newark Beach Block Condominium – 7 S Newark Ave, block 77, lot 9, located in the R-4 zone. The applicant is seeking a D “USE” variance as well as C variance for a side yard setback and possible others to construct a roof over the second-floor deck. The applicant is being represented by Brian Callaghan Esq.

John Limongelli, property owner, 7 S Newark Ave, is sworn in.

Todd Miller, New Jersey, Licensed Architect, 15 S Dorset Ave, Ventnor N.J, is sworn in and his credentials are excepted.

Mr. McLarnon reads his review dated October 9, 2021, which is attached. Mr. McLarnon state the “D” variance is needed due to the fact that the existing property is a two-unit condominium and the seconded -floor deck would constitute an expansion of a nonconforming use. He also recommends adding two street trees.

Mr. Cooke inquires as to the access to the second floor being part of the expansion.

Mr. McLarnon confirms the access to the second floor is part of the “D” variance.

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

Mr. Miller describes the condition of the site as well as the layout of the proposed deck. He also states the air conditioning unit are being relocated to a more conducive location. He states the applicant will add a governor’s strip as well as the two street trees.

Mr. Callaghan asks Mr. Miller to confirm that granting the variances being requested would not have a negative impact on the neighborhood nor to the New Jersey Municipal Land Use Law and also that the positives outweigh the negatives.

Mrs. Sallata inquires as to any interior renovations.

Public portion is open.

Public portion is closed.

Mr. Manos reviews the D "USE" variance as well as the C variance for a side yard setback with the condition that the applicant shall add two street trees to the governor's strip.

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

Tim Koob recuses himself.

\*\*4925 Ventnor Avenue LLC – 4925 Ventnor Avenue, block 93, lot 3, located in the Commercial Mixed-Use Zone. The applicant is seeking approval for a major subdivision, D "USE" variance along with C variances for lot area, lot width, lot depth and building coverage to subdivide one large lot into four individual lots to construct four fee-simple single-family attached dwellings. The applicant is being represented by Brian Callaghan. Esq.

Blake Barabuscio, property owner, 6513 Monmouth Ave is sworn in.

Nate Russo, property owner, 6509 Monmouth Ave is sworn in.

Thomas Dase, New Jersey Licensed Engineer & Professional Planner, 400 N Dover Ave, Atlantic City N.J is sworn in and his credentials are accepted.

Peter Weiss, New Jersey Licensed Architect, 101 N Washington Ave, Margate City N.J is sworn in and his credentials are accepted.

Mr. Callaghan, attorney for the applicant, presents the application. Mr. Callaghan states that the applicants are seeking a preliminary site plan and preliminary subdivision approval only.

Mr. Dase describes the conditions of the site and explains the variances being requested. He states that each unit will have three bedrooms and eight on site parking space will be provided.

Mr. Callaghan asks Mr. Dase to confirm 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 that the positives would outweigh the negative.

Mr. McLarnon reads his review dated October 9, 2021, which is attached. He gives testimony as to the density in the area and explains that the applicant could have proposed a much bigger project.

Mr. Weiss presents the design and describes the layout of the proposed new dwellings.

Mr. Callaghan ask Mr. Weiss to describe the landscaping plan.

Mr. Cooke suggests making changes to the flat wall facing the Ventnor Avenue and suggests adding a deck for aesthetic enhancement.

Mr. Smith III inquires as to if a deck were to be added, would that change the landscaping.

Mrs. Sallata inquires as to the number of bedrooms in the existing apartment building and states her concerns as to the narrowness of the proposed new dwellings.

Mr. Gaskill inquires as to the units having garages.

Mr. Wiesen inquires as to the site becoming another apartment building.

Mr. Smith III would like clarification as to the relief that is being sought.

Mr. Callaghan states a conditional use variance, preliminary site plan and preliminary subdivision approvals, along with C variances.

Public portion is open.

John Olive, property owner, 4919 Ventnor Ave, is sworn in, and is not in favor of the application and states his concerns as to density and parking.

Steve Lagreca, property owner, 2 S Marion Ave, is sworn in, he explains the site in question is undesirable and speaks in favor of the application.

Helen Olive, property owner, 4919 Ventnor Ave, is sworn in, she states that she is in favor of demolishing the existing building but is not in favor of the proposed new dwellings.

Paul DiMico, 2 S Marion Ave, is sworn in and speaks in favor of the application.

Mr. McLarnon gives clarification as to density in the area.

Mr. Manos reviews the D"USE" variance, the preliminary site plan and preliminary subdivision approvals along with C variances. He states that the applicants will come back to the Board on November 10, 2021 for final site plan and subdivision approvals. He also states that the applicant will not have to readvertise or renotece.

Motion to approve variance relief was made by Roman Zabihach and seconded by Lorraine Sallata. The motion was approved six in the affirmative and zero in the negative. Ayes; Jay Cooke, Roman Zabihach, Dan Smith III, Mike Wiesen, Peter Tocco and Greer Gaskill. Nays; Lorraine Sallata.

## 6. Other Business

Mr. Cooke discuss the ordinance review pending from December 2020. He states that it will go in front of the Board of Commissioner's for the first reading and will be brought back to the Planning Board on October 25, 2021 for approvals.

Mr. Zabihach discusses the Zone Analysis prepared by Himself and Tim Koob.

There being no further business, the motion to adjourn was made by Roman Zabihach and seconded by Lorraine Sallata and was unanimously approved at 9:05pm.

[100921 rdm ventnor planning and engineering report 7 South Newark Avenue - Use.pdf](#)

[100921 rdm ventnor planning engineering report 4925 Ventnor Avenue Major subdivision.pdf](#)

[ENGINEER REPORT 2021\100921 rdm ventnor engineering and planning Board review 101 South Suffolk Avenue.pdf](#)

