

# Ventnor City planning Board

## Minutes

January 12, 2022, 6:30pm

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

Chairman Cooke calls the meeting to order at 6:33pm.

### 1. Flag Salute

### 2. Roll Call

#### Present

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

#### Absent

Commissioner Kriebel  
Tim Koob  
Don Siglin

#### Professionals

Roger McLarnon, Board Engineer & Planner  
Leo Manos, Board Solicitor  
Carmella Malfara, Board Administrator

#### Procedure

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

### 3. Re-Organization

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

**\*\*Vice Chairman – A nomination for Roman Zabihach as Planning Board Vice Chairman was received on a motion of Dan Smith III and seconded by Peter Tocco and was unanimously approved.**

**\*\*Board Administrator – A nomination for Carmella Malfara as Planning Board Administrator was received on a motion of Lorraine Sallata and seconded by Dan Smith III and was unanimously approved.**

**\*\*Board Engineer & Planner – A nomination for Roger McLaronon as Board Engineer and Planner was received on a motion of Roman Zabihach and seconded by Greer Gaskill and was unanimously approved.**

**\*\* Board Solicitor – A nomination for Leo Manos Esq., as Planning Board Solicitor was received on a motion of Lorraine Sallata and seconded by Roman Zabihach and was unanimously approved.**

#### **4. Meeting Dates 2022/2023**

Motion to approve 2022/2023 meeting dates was made by Lorraine Sallata and seconded by Peter Tocco and was unanimously approved.

#### **5. Minutes**

Motion to adopt December 8, 2022 minutes was made by Lorraine Sallata and seconded by Dan Smith III and was unanimously approved, with the exception of Roman Zabihach who had to abstain.

#### **6. Resolutions**

Motion to approve the following resolution was made by Lorraine Sallata and seconded by Peter Tocco and was unanimously approved.

P – 01 – 2022 – David & Virginia LeRoy – 121 N Sacramento Ave and Clevi & Estella Villalona – 123 N Sacramento Ave.

#### **7. Reappointments**

Commissioner Landgraf – Class 111 Member

Commissioner Kriebel – Class 1 Member

Tom Halpin – Class 11 Member

Dan Smith 111 – Class IV Member

Mike Wiesen – Class IV Member

Wendy Bartlett – Alternate

## 8. Applications

\*\*Stephen Klein – 108 S Rosborough Ave, block 36, lot 10, located in the R-3 zone. The applicant is seeking C variance relief for a side yard setback for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor decks and possibly others to construct a new single-family dwelling. The applicant is being represented by Jack Plackter Esq.

Mr. McLarnon, Board Engineer and Planner is sworn in.

Mr. Plackter, Attorney for the applicant presents the application.

Arthur Ponzio, New Jersey Licensed Professional Planner & Surveyor, 400 N Dover Ave, Atlantic City, N.J, is sworn in and his credentials are accepted.

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

Stephen Klein, property owner, 108 S Rosborough Ave, is sworn in.

Mr. Ponzio, describes the condition of the site and explains the variances being requested. He states the design will add additional air light and space to the oceanside of the dwelling.

Mr. Plackter asks Mr. Ponzio to confirm that the plans being submitted would not cause any detriment to the neighbors nor to the Ventnor City zoning ordinance and the New Jersey State Municipal Land Use Law. He also asks Mr. Ponzio to confirm the positives outweigh the negatives.

Mrs. Sallata inquires as to the depth of the first and second floor decks.

Commissioner Landgraf inquires as to the proposed decks being the same as the existing decks.

Public portion is opens.

Cindy Auslander, property owner, 103 S Rosborough Ave, is sworn in and states her concerns as to the height. She also inquires as to the start date of construction and approximately when construction will end.

Mr. McLarnon inquires as to the existing building permit.

Bradley Korman, property owner, 109 S Philadelphia Ave, is sworn in and speaks in favor of the application.

Public portion is closed.

Mrs. Sallata has concerns as to the first and second floor decks.

Commissioner Landgraf believes there is no negative impact with granting the variance that is being requested.

Mr. Cooke and Mr. Tocco are in agreement with Commissioner Landgraf.

Mr. McLarnon asks Mr. Plackter to confirm that the applicant will comply with Ventnor's landscape ordinance.

Mr. Manos reviews the C variances for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floor decks, along with any other conditions set forth in Mr. Maranon's report.

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; Commissioner Landgraf, Tom Halpin, Jay Cooke, Roman Zabihach, Lorraine Sallata, Dan Smith III and Mike Wiesen. Nays; None.

Chairman Cooke recommends that Mr. Callaghan, attorney for Franco Borda, 6711 Atlantic Ave and Gary Tavella, 6713 Atlantic Ave present the applications as one, due to the fact the applications are side by side to one another and very similar in nature.

Mr. Callaghan agrees and will present the applications together

Dan Smith III recuses himself.

\*\*Franco Borda – 6711 Atlantic Ave, block 75, lot 2, located in the R-7 zone. The applicant is seeking C variance relief for building coverage, lot coverage, front yard setback (building), front yard setback (deck), side yard setback, rear yard setback (1<sup>st</sup> & 3<sup>rd</sup> floors), max building height and possibly others to construct a new single-family dwelling. The applicant is being represented by Brian Callaghan Esq.

\*\* Gary Tavella – 6713 Atlantic Ave, block 75, lot 3, located in the R-7 zone. The applicant is seeking C variance relief for building coverage, lot coverage, front yard setback (building), front yard setback (deck), side yard setback, rear yard setback (1<sup>st</sup> & 3<sup>rd</sup>

floors), max building height and possibly others to construct a new single-family dwelling. The applicant is being represented by Brian Callaghan Esq.

Roger McLarnon, Board Engineer & Planner is sworn in and reads his review for 6711 Atlantic Ave, dated January 7, 2022, which is attached. He states there is one minor difference between 6711 and 6713 Atlantic Ave, which is the side yard setback, one being on the left and the other on the right. He then reads his review for 6713, dated January 7, 2022, which is attached. He explains that a D "Use" variance is not needed.

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

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

Mr. Dothe describes the layout of the proposed properties and presents the design. He states that the proposed dwellings are mirror images of one another, however different material and textures will be used. He explains that the property of 6709 Atlantic Ave, which is also attached was granted approvals for similar variances that are being requested this evening. He also states the HVAC systems will be located on the roof top, a wall will separate the units to reduce noise.

Mr. Callaghan states that two parking spaces per unit will be provided underneath the dwellings.

Mr. McLarnon asks Mr. Dothe to give explanation of the party wall between the two units.

Mr. Dothe explains that the party wall will have a two-hour fire rating.

Mrs. Sallata would like clarification of the two-hour fire rating.

Mr. Barnhart, explains the variances being requested. He discusses the parking garages as well as just how you will back in and out into to traffic. Mr. Barnhart sees no negative impact on the neighborhood.

Mr. McLarnon speaks of his concerns for the pedestrians when cars are backing out of the garages. He recommends adding a 4ft landscape in front of the dwellings as buffer.

Mr. Callaghan agrees. He also states that mirrors will be added as well for additional safety.

Mr. Tavella agrees to add mirrors as well as landscape.

Public portion is open.  
Public portion is closed.

Commissioner Landgraf inquires as to the dwellings being rentals or will they be sold. He also believes the decks will need an irrevocable license from the city.

Mr. Callaghan on behalf of the applicants agrees.

Mr. Manos reviews the C variances for building coverage, lot coverage, front yard setback (building), front yard setback (deck), side yard setback, rear yard setback (1<sup>st</sup> & 3<sup>rd</sup> floors), max building height as well as conditions whereas the applicants will provide landscaping, mirrors on the garage, will apply for an irrevocable license and any other conditions in Mr. McLarnons report.

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

Peter Tocco and Commissioner Landgraf recuse themselves.

Dan Smith III returns.

Chairman Cooke Steps down and Vice Chairman Zabihach steps in.

\*\*\*\*Lin Org LLC – 29-31 S Weymouth Ave, block 53, lot 2, located in the R-7 zone. The applicant is seeking a D “USE” variance along with C variances for lot width, front yard setback (deck), max coverage (site) and possibly others to maintain the ground level as a restaurant and use the upper portion along Atlantic Ave as an apartment as well as using the home on the Weymouth Ave side as an apartment. The applicant is being represented by Brian Callaghan Esq.

Mr. McLarnon reads his review dated January 11, 2022, which is attached. Mr. McLarnon informs the Board that the applicants had previously received approvals for a use variance as well as site plan approvals with C variances for converting a non-conforming office space to a non-conforming restaurant as well as legalizing a non-conforming duplex in 2014. He states the applicant is proposing to expand the restaurant for non-cooked takeout foods ad to provide outdoor dining.

Mr. Zabihach refers to the resolution of 2014 and inquires as to the vacant lot next to the property being used for parking.

Jon Barnhart, Engineer & Planner describes the condition of the site. He states the building is currently under renovations. He presents the design and explains the variances being requested. He also discusses the small outdoor and indoor seating area. He sees no detriment to the public good.

Mr. Callaghan states there is no change to the commercial use. He. Also states the Mr. Lin would someday like to build townhomes on the vacant lot, however he will provide parking for this upcoming summer.

Mrs. Sallata inquires as to the original intent of the vacant lot. She would also like clarification as to the total number of indoor and outdoor seats.

Steven Lin, property owner, 29-31 S Weymouth Ave, is sworn in.

Mr. Callaghan asks Mr. Lin to confirm the types of food that would be sold.

Mr. Lin states that the restaurant will be seafood takeout only.

Mr. Smith III would clarification of the residential units.

Mr. Callaghan states one unit will have two bedrooms and the other is a three bedroom unit.

Mr. Smith III inquires as to parking for the residential units.

Mrs. Sallata inquires as to the decks on second floor being used for residential or commercial use.

Public portion is open.  
Public portion is closed.

Mr. Manos reviews the D "USE" variance along with C variances for lot width, front yard setback (deck), max coverage (site), parking as well as a waiver for landscaping and any other conditions in Mr. McLarnon's report.

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

## 9. Other Business

There being no further business, the motion to adjourn was made by Lorraine Sallata and seconded by Dan Smith III and was unanimously approved.

Audio of this meeting is on the Ventnor City Website.

Respectfully submitted  
Carmella Malfara  
Planning Board Administrator

[ENGINEER REPORT 2022\123021 rdm ventnor planning board engineering report 108 South Rosborough Avenue.pdf](#)

[ENGINEER REPORT 2022\112621 rdm ventnor planning board engineering report 6713 Atlantic Avenue tavella.pdf](#)

[112621 rdm ventnor planning board engineering report 6711 Atlantic Avenue Borda.pdf](#)

[ENGINEER REPORT 2022\123021 rdm ventnor planning board engineering report Block 53 Lot 2 29-31 Weymouth Avenue.pdf](#)

