

Ventnor City
Planning Board
Minutes
May 12, 2014

1. Roll call

Absent

Comm. Sarno
Emily Christian

Present

Steve Rice
John Santoro
Tom McAdam
Robert Landau
Jay Cooke
Chief Hazlett
Don Siglin, Jr.
David Holtzman
Mayor Bagnell

Professionals:

Stan Bergman, Jr
Craig Hurless

2. Adoption of April 2014 minutes. Motion was made by John Santoro and seconded by Mayor Bagnell.

3. Resolutions: NONE

4. Applications:

ATR Polish Restaurant, (Shelly's café) – 6427-6433 Ventnor Ave, Block 121, Lot 5.01, Requesting a minor site plan and "C" variance. Represented by Chris Baylinson. They want to break through the dry cleaners next store that was there presently. Wants to add 44 seats to the restaurant, that requires 15 new parking spots. There is no off street parking for any of the commercial properties on Ventnor Ave, the dry cleaner has 3 parking spots grandfathered in so they technically need a variance for 12 parking spots only. Jon Barnard work for Art Ponzio & Assoc. He is a lisc. Planner and Engineer present to speak.

Exhibit A1- an aerial photo of the property.

A2- . A picture of the property with a rendering of the new addition presented. The kitchen area and the rest of the entire restaurant will remain the same, they are only adding seating. Trash and recyclables schedule will be the same, no changes to that. Hours of operation will remain the same- 7am-2pm serving breakfast and lunch only. Their deliveries are the same, 6am and they unload on Ventnor Ave in front of the store. Question about the existing awning on the dry cleaner property, will they take it down or they will rename it? That is the plan Mr. Baylinson states. Public portion opens 6:56pm- no one comes forward Public Portion closes 6:56pm. Mr. Hurless states it is a minor site plan with c variance for parking only. The board would be approving 28 seats in the restaurant technically from the proposed 44 new seats.

A motion was made to approve this application as a minor site plan with a c 1 variance for 12 parking places by Tom McAdam and seconded by John Santoro. Vote was taken Robert Landau- yes wonderful people. Great idea John Santoro- yes great to have someone perk up Ventnor Ave. Tom McAdam- yes, Great to see revitalization and hard work Steve Rice- yes positive to the area Jay Cooke- yes congruent to the master plan- it's a positive move. All health and safety issues were addressed. They have been a successful operation. Chief Hazlett- yes good luck, nice job Don Siglin, Jr- yes proven to be good operators and expanding is positive more forward. David Holtzman- yes they ran an exciting business prior this should be no different. Mayor Bagnell- yes like the added emergency exists and glad trash concerns have been addressed. Motion carried and approved

Application: 5202 Wellington Ave, Triple Ace Buffet LLC.- minor site plan with no variance. Represented by Chris Baylinson. They own several buffets throughout the Northern & Southern New Jersey and they have been very successful and in business for over 30 years. They have been working with the Plaza property owners. They are here tonight because they wanted to change the main entrance of the building to face AC side. All fronts face Wellington Ave. They were requested to have a stripping plan where the new entrance will be, they have agreed and the property owners of the plaza as well. Philip Snyder of LeMar Corporation (Wellington Plaza owners present).

Landscaping plan was discussed. They have agreed to place some kind of potted plants and or flowers along the new frontage- the pathway. Mr. Snyder also mentioned that he had previously ordered planters to cover in front of Pathmark to the Post Office but certainly can order more so that to continue it to the buffet property.

Outdoor seating was discussed, no plans as of now Amy stated.

Trash and recycling are picked up 3 times a week

All concerns have been addressed as they were stated in Mr. Hurless letter to the applicant dated May 6, 2014.

Public portion opens at 7:18pm

Public portion closes at 7:18pm- no one in the audience.

A motion was made to approve application with the Landscaping plan intact and also the stripping being done prior to the opening by Tom McAdam and seconded by Don Siglin.

A vote was taken.

Robert Landau- yes very sincere investment.

John Santoro- yes tickled to death to see new development and ideas in the plaza

Tom McAdam- yes for the same reason as mentioned above. A great idea

Jay Cooke- yes- all permits being obtained and they are working closely with the building department. The stripping will be done so welcome to Ventnor.

Chief Hazlett- yes he sees no negative impact to the city

Don Siglin- yes great business and great for the city.

David Holtzman- yes – bd. member was inside and the restaurant looks beautiful inside.

Mayor Bagnell- yes great idea, going to be really nice and thank you for choosing Ventnor.

Motion carries- 8 yes/ 0 no's

Discussion:

Outdoor seating- need to figure out in regards to private property. Municipal code says 102-85 for retail stores & Shops, fully enclosed, tea rooms. This might revitalize some areas. A new draft would have to be done since in Mr. Hurless opinion this is not a permitted use at this present time. A proposal will be submitted to the city to approve the work and payment being done. A motion was made to give Mr. Hurless the approval to proceed and present at next month's meeting. All were in favor.

Live music- a recommendation was made to have a "new definition" of accessory use in the entertainment district - In regards to live artist, performers, artist, amplified music etc. Craig Hurless did a report dated 5/5/2014. #10 reference to controls of specific uses.

Whatever is decided will affect all commercial zones city wide as an accessory use. This means coffee houses, restaurants, café's etc. The question of how will the noise (volume) be measured? Will it be measured from the property line? Board considered measuring clearly audible vs. decibel reading. The board agreed to measure at the property line at clearly audible reading. Question brought about regulating the hours of the music. Board agreed on 11pm.

Public portion open at 8:14pm-

Brian Callaghan, Esq. understands the concept of clearly audible but what about along Ventnor and Atlantic Aves that have apts. above them. If they hear the smallest bit of music they can call the police and have the music shut down. The State of NJ has ruled that it is 65 in decibels.

George Shallius- 216 N. Dorset Ave. Spoke about his grandson's business that this new ordinance will affect. Ventnor Coffee has been open for 11 months and doing a great business. They abide by all the rules and only had 2 complaints and they acted quickly on those complaints. Mr. Shallius stated that the city should give his grandson a chance.

Maury Linn- 212 N Dorset Ave- good place to go and socialize, family atmosphere. He has taken his grand children there. It is a positive atmosphere.

Public portion closes 8:22pm

Mayor Bagnell stated that this is not specifically about Ventnor Coffee that it would affect all businesses in Ventnor.

Stephen Alexander- 227 39th St, Brigantine, NJ- there is an app on your phone where you can see the level of noise. He just did it based on our microphones at the meeting, they are at normal voice level and they read 70. So giving music at 65 is not a lot.

Suggestion was made to borrow the noise meter from Margate (Ventnor's is broken) and have at next month's meeting to see just how loud 65 is.

Mr. Hurless will craft some kind of letter for next month's meeting.

New subject: Bulkhead and Flood Zone. The professionals really didn't have all details in regards to these subjects. Suggestion was made to have the building and code official present to discuss these matters with the board. Mayor Bagnell will discuss with him.

On next month's agenda to be discussed:

Building heights

Bulkheads

Flood zone requirements

Music crafted resolution

Motion was made to adjourned by David Holtzman and Tom McAdam. All were in favor