

# Ventnor City Planning Board

## Minutes

October 10, 2018, 6:30 pm

Chairman Cooke called the meeting to order at 6:39pm.

### Procedure

Chairman Cooke announced that the meeting was being held in accordance with due public notice thereof and pursuant to the N.J State "Sunshine Law", which governs all public meetings. He also advised the Board on the intent of the meeting and procedure which to follow.

1. Flag Salute
2. Roll Call

#### Present

Commissioner Landgraf  
Mike Wiesen  
Jay Cooke  
Tom McAdam  
Roman Zabihach  
Dan Smith III  
Leonard Mordell  
Peter Tocco  
Tim Koob  
Greer Gaskill

#### Absent

Tom Halpin  
Lorraine Sallata  
Wendy Bartlett

#### Professionals

Leo Manos Esq., Board Solicitor  
Roger McLarnon, Board Engineer, Professional Planner  
Carmella Malfara, Board Secretary

### 3. Minutes

Motion was made to adopt September 24, 2018 minutes by Tom McAdam and second by Roman Zabihach and were unanimously approved, with the exception of Leonard Mordell who abstained.

#### 4. Resolutions

Motion to approve the following resolutions was made by Roman Zabihach and second by Tom McAdam and were unanimously approved with the exception of Leonard Mordell who abstained.

P – 43 – 2018 – Ventnor memory Park – Ester, Joseph & Scipio Memorial Charity Foundation, Inc. – 5004 – 5010 Ventnor Ave.

P – 44- 2018 – Recommendation on creation of R – 1B zoning district.

#### 5. Other Business

Certificate of Non Conformity

After a brief discussion regarding the issue of Administrative Certificate of Non Conformities in the R-7 zone, a motion was made by Tom McAdam and second by Leonard Mordell to make a Recommendation to the City of Ventnor Board of Commissioner's for the Ventnor City Planning Board Attorney to construct a letter to the Zoning Officer informing him of the Board's decision regarding Administrative Certificates of Non Conformities. The motion was unanimously approved, with the exception of Commissioner Landgraf who had to abstain.

#### 6. Applications:

\*\*Kevin & Tracey Jasey – 2 S. Baltimore Ave, Block 83, Lot 16, located in an R – 4 zone. The applicant is requesting a Certificate of Non Conformity.

Lydia Lewis, Licensed Realtor in New Jersey, is sworn in.

Kevin & Tracey Jasey, property owners, 2 S Baltimore are sworn in.

Mrs. Lewis, speaks on behalf of the applicants and gives a brief history on the property.

Mr. Cooke inquires as to the pulp directory.

Mr. Cooke inquires as to the date of the Certificates of Occupancy's.

Mr. Jasey gives his testimony. He gives a brief statement regarding purchasing the property at 2 S Baltimore Ave.

Mr. Cooke inquires as to the need for the Certificate of Non Conformity.

Commissioner Landgraf inquires as to the Certificate of Occupancies, which end as of 2007.

Commissioner Landgraf inquires as to both units being occupied from the year 2007 through 2018.

Commissioner Landgraf inquires as to the continued use of the property.  
Mr. Manos gives clarification on continued use / abandonment.

Public portion opens.

Phyllis Greenberg, property owner, 13 S Baltimore Ave, is sworn in and is not in favor of the property being used as a duplex and has concerns for parking.

Mr. Wiesen inquires as to how long Mrs. Greenberg has lived on S. Baltimore Ave.

Thomas Lipiros, property owner, 1 S Baltimore Ave, is sworn in, and is opposed to the application due to the lack of parking.

Jeff Allen, property owner, 6 S Baltimore Ave, is sworn in and is not in favor of the application. He has concerns about parking.

Chuck Salomon-lowden, property owner, 22 S Baltimore Ave, is sworn in and is not in favor of this application.

Peter Pistioa, property owner, coner of Baltimore and Ventnor Ave is sworn in, and is opposed to the application due the lack of parking.

Louis Volpe, property owner, 4 S Baltimore Ave, is sworn in, and is not in favor of the application.

Robert Kaufman, property owner, 17 S Baltimore Ave, is sworn in, and is not in favor of the application due to the lack of parking.

Tracey Swartz, 15 S Baltimore Ave, is sworn in, and is opposed to the application.

Mr. Smith inquires as to the number of duplexes on the S Baltimore Ave.

Mrs. Jasey, property owner, 2 S Baltimore, gives a brief statement regarding her intent as to how the property shall be used. She also states that it was not her nor her husband intention to cause turmoil with the neighborhood.

Mr. Wiesen inquires as to the MLS listing.

Mr. Cooke inquires as to the size of the garage.

Mr. Manos would like clarification on the pulp directory which was referenced and the previous homeowners.

Mr. Smith needs clarification on Abandonment.

Mr. Manos gives clarification on abandonment.

Mr. Zabihach states an R-4 zone is a single family zone, which duplexes are not a permitted use.

Mr. Manos reviews the Certificate of Non Conformity.

Motion to approve the Certificate of Non Conformity was made by Tom McAdam and second by Roman Zabihach. The motion was unanimously denied, seven in the negative and zero in the affirmative. Nays; Commissioner Landgraf, Mike Wiesen, Jay Cooke, Tom McAdam, Roman Zabihach, Dan Smith III and Leonard Mordell. Ayes; None.

\*\* EAA Investments Inc, a Florida Corp. – 3 N Nashville Ave – Block 96, Lot 2, located in an RR – 1 Redevelopment Zone, within the R – 7 zone.. The applicant is seeking C variances for lot area, lot width, front yard setback (deck), rear yard setbacks, height and a D “Use” variance. The applicant proposes to construct an attached two family dwelling, which have parking underneath. The applicant is being represented by Brian Callaghan Esq.

Dan Smith III and Tim Koob recuse themselves due to a conflict of interest.

Mr. McLarnon, is sworn in.

Mr. McLarnon states in his review that a Certificate of Non Conformity was not supplied with the application. However Mr. Callaghan has located the Certificate of Non conformity and therefore the D “Use” has been removed.

Mr. McLarnon reads his review dated October 6, 2018, which is attached. He suggests recommends a survey being submitted as a conditional of approval.

Brian Callaghan, Attorney for the applicant, presents the application.

Mr. Cooke inquires as to the demolition of the property.

Jon Barnhart, Licensed Engineer and Professional Planner, 400 N Dover Ave, is sworn in and presents the design.

Commissioner Landgraf inquires as to the approvals on the vacant lot.

Mr. Cooke inquires as to parking.

Mr. Barnhart informs the Board that each unit will consist of 2 parking spaces per unit, 1 in the driveway and 1 in the garage.

Commissioner Landgraf inquires as to the length of the garage.

Mr. Cooke inquires as to the green space and suggest adding more.

Mr. McLarnon requests a landscaping plan.

Mr. Callaghan, aggress.

Mr. Callaghan, asks for a design wavier.

Public portion opens.

Public potion closes.

Mr. Manos reviews C variances for lot area, lot width, front yard setback (deck), rear yard setbacks and height with waivers and conditions of approval.

Motion to approve C variances for lot area, lot width, front yard setback (deck), rear yard setbacks and height with waivers and conditions of approval was made by Roman Zabihach and seconded by Tom McAdam. The motion was unanimously approved, seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, mike Wiesen, Jay Cooke, Tom McAdam, Roman Zabihach, Leonard Mordell and Peter Tocco. Nays; None.

Dan Smith III and Tim Koob return to their respective seats.

Commissioner Landgraf and Mike Wiesen recuses themselves due to a conflict.

\*\* Mike Ruzzo & Richard Jackson – 14 N Hillside Ave – Block 52, Lot 7, located in RR – 2 – Northeast Redevelopment district. The applicant is requesting a D “USE” variance and C variances for lot area, lot width, and front yard deck, along with waivers and conditions of approval. The applicant proposes to construct an upper and lower 2 family dwelling with ground floor parking with storage and or living area.

Mr. McLarnon, Board Engineer, reads his review dated October 7, 2018, which is attached.

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

Mr. Cooke, suggests that the applicant proceed with the D “USE” variance first and then suggests following up with C variances.

Mr. Callaghan disagrees and wish to keep the application as one application.

Mr. Manos agrees with Mr. Callaghan, and should present the application as one.

Jon Barnhart, licensed Engineer, Professional Planner in the State of New Jersey, 400 N Dover Ave Atlantic City New Jersey, is sworn in.

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

Mike Ruzzo, property owner, 14 S Hillside Ave, is sworn in and testifies to the need of a new duplex.

Richard Jackson, property owner, 14 S. Hillside Ave, is sworn in, and gives history on the property.

Jon Barnhart, Licensed Engineer, Professional Planner, gives testimony as to the application.

Mr. Weiss, Licensed Architect, presents the application.

Mr. McAdam inquires as to the number of existing duplexes in the area.

Mr. Zabihach inquires as to what is across from the vacant lot.

Public portion opens.

Mr. Richard Conklin, property owner, 19 S. Hillside Ave, is sworn in and is opposed to the applicant building a duplex.

Mr. Cooke inquires as to Mr. Conklin owning a duplex.

Resident, 123 N Swarthmore, is not in favor of the application.

John Olive, property owner. 4919 Ventnor Ave, is sworn in, and is not in favor of the application.

Debra Edmonson, property owner, 20 S Hillside Ave, is sworn in and is not in favor of the application.

Mike Saltz, property owner, 12 S Hillside ave, is sworn in and is opposed to the application.

Mr. Cooke inquires as to Mr. Saltz owning a duplex.

Maureen Leidy, property owner, 5 S Hillside Ave, is not in favor of the application.

Warren Grossman, property owner, 15 N Austin Ave, is sworn in and is not in favor of the application.

Alan Kreisher, property owner, 32 A N Weymouth Ave, is sworn in and is opposed to the application.

Helen Olive, property owner, 4919 Ventnor Ave, is sworn in and is opposed.

Peter D'orazio, property owner, 5000 Boardwalk 1706, is sworn in and is not in favor of the application.

Public portion closes.

Mr. McLarnon, he proposes a condition whereas the applicant must produce a landscaping plan, lighting, architectural design standards and sidewalks and walkways.

Mr. Cooke inquires as to the two street trees which are required and as to the governor's strip.

Mr. Manos reviews a D "USE" variance and C variances for lot area, lot width, and front yard deck, along with waivers and conditions of approval.

Motion for D "USE" variance and C variances for lot area, lot width, and front yard deck, along with waivers and conditions of approval was made by Leonard Mordell and second by Peter Tocco. The motion was approved 5 in the affirmative and two in the negative. Ayes; Jay Cooke, Tom McAdam, Dan Smith III, Leonard Mordell, Peter Tocco. Nays; Roman Zabihach and Tim Koob.

\*\* Two Pioneers LLC – 6 N Baton Rouge Ave – Block 92, Lot 1, located in an R – 7 zone. The applicant is requesting major subdivision D "USE" variance, C variances for lot area, lot width, front yard setbacks, rear yard setbacks, preliminary and final site plan approval and major subdivision approval. The applicant proposes to subdivide and construct 8 fee simple single family attached town homes.

Arthur Ponzio, Licensed Engineer, in the State of New Jersey, is sworn in.

Jon Barnhart, Licensed Engineer, in the State of New Jersey, is sworn in.

Mr. McLarnon, Board Engineer, reads his report dated September 9, 2018, which is attached and addresses all comments and requirements that shall be met as conditions of approval.

Brian Callaghan, Attorney for the applicant, presents the application.

Mr. Ponzio, Licensed Engineer, presents the design.

Mr. Cooke suggests putting more architectural design on the exterior of the dwellings.

Mr. Ponzio, on behalf of the applicant agrees to more architectural design.

Public portion opens.

Mary Peterman, property owner, N Baton Rouge Ave, is sworn in and is not in favor of 8 fee simple townhomes but speaks in favor of development in the area and has concerns for parking.

John Olive, property owner, 4919 Ventnor Ave, is sworn in and inquires to the width of the townhomes and is not in favor.

Hector Maldonado, property owner, 13 N Baton Rouge Ave, is sworn in and is not favor due to lack of Parking.

Helen Olive, property owner, 4919 Ventnor Ave, is opposed to the application.

William Polistina, Attorney on behalf of the Peterman, suggests modifying the design and suggests a compromise.

Brian Peterman, Maxcy Assoc.189 S Lake Dr. Gibbsboro New Jersey, is sworn in and is not in favor of the 8 fee simple townhomes.

Mr. Callaghan, inquires as to the density variance, in which Mr. Peterman is referring.

D.J Gluck, 109 S Bartum Ave, speaks in favor of the Application.

Mr. Maldonado, would like the parking located in the back of the units.

Public portion closes.

Mr. Smith III, inquires as to street parking.

Mr. Koob inquires as to parking.

Mr. Barnhart states that the applicant is not seeking a parking variance. The parking will conform.

Mr. McLarnon, recommends the applicant seek a preliminary site plan and sub Divison approval and shall return to the Board for their final approvals.



Mr. Callaghan, will agree to a preliminary site plan and subdivision approval.

Mr. Manos reviews the D "USE" variance, C variances for lot area, lot width, front yard setbacks, rear yard setbacks, preliminary and final site plan approval and major subdivision approval with conditions.

Motion to approve D "USE" variance, C variances for lot area, lot width, front yard setbacks, rear yard setbacks, preliminary and final site plan approval and major subdivision approval with conditions was made by Roman Zabihach and second by Tom McAdam. The motion was approved seven in the affirmative and zero in the negative.

Ayes; Jay Cooke,

Tom McAdam, Roman Zabihach, Dan Smith III, Leonard Mordell, Peter Tocco and Tim Koob. Nays; None.

There no being no further business, the motion to adjourn was made by Dan Smith III and second by Roman Zabihach and unanimously approved.

Full meeting is available on audio.

Respectfully submitted

Carmella Malfara

Planning Board Secretary

[..\..\Desktop\100618 rdm ventnor planning engineering report 3 North Nashville Avenue variances - Shortcut.Ink](#)

[..\..\Desktop\100718 rdm ventnor planning board engineering report 14 South Hillside Avenue - Shortcut.Ink](#)

[..\..\Desktop\090918 rdm ventnor planning board engineering report 6 North Baton Rouge Avenue - revised - Shortcut.Ink](#)



