

# Ventnor City Planning Board

## Minutes

September 25, 2017

6201 Atlantic Ave, Ventnor N.J 08406

Chairman Jay Cooke called the meeting to order at 6:38pm.

1. Roll Call
2. Flag salute

### Present

Commissioner Landgraf  
Mike Wiesen  
Jay Cooke  
Tom McAdam  
Roman Zabihach  
Lorraine Sallata  
Marie McQueen  
Dan Smith III  
Leonard Moedell  
Peter Tocco  
Tim Koob

### Absent

Captain Culbertson  
Dan Smith IV

### Professionals

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

### Procedure

Chairman Cooke announced that the meeting is 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 procedures which to follows.

### 3. Minutes:

Motion was made to adopt September 13, 2017 minutes by Tom McAdam and seconded by Roman Zabihach and were unanimously approved.

#### 4. Resolutions:

P-37-2017 – Malcolm Schaffer -4925 Ventnor Ave, Block 93, Lot 3.

Motion was made to adopt the following resolution by Marie McQueen and seconded by Leonard Mordell and were unanimously approved.

Mr. Manos, Board Solicitor, announces that the application for the Dunkin Dounts has been postponed from October 11<sup>th</sup> to the October 23<sup>rd</sup> Agenda date. Mr. Manos states that the applicant will not have to re-notice.

#### 5. Applications:

\*\* Angela Roth – 25 S Nashville Ave, Block 50, Lot 5, located in an R-7 zone. Requesting a Certificate of Non Conformity.

Angela Roth, property owner, is sworn in and gives testimony and explains the application. Mrs. Roth states that the home she purchased was a listed as a duplex. She provided ample proof showing that the property has had Certificate of Occupancy's and showed valid past Land Use Certificate's.

Mr. Wiesen inquires as to who will be living in the units.

Mrs. Roth states that she will be renovating the top unit and will reside there. She states that she will rent the first unit.

Ms. Sallata inquires as to any additional records that may provide adequate documentation showing the home was used as a duplex.

Mr. Cooke inquires as to the test year provided by Mr. Agnesino.

Mr. McAdam inquires as to whether the units were rented at the time of purchase.

Mrs. Roth states that the first floor was rented at that time.

Public portion at 6:52.

Public portion at 6:52.

Leonard Mordell inquires as to the amount of bedrooms in both units.

Mr. Manos reviews the request for the Certificate of Non Conformity.

Motion to approve the Certificate of Non Conformity was made by Roman Zabihach and seconded by Tom McAdam. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Mike Wiesen, Tom McAdam, Roman Zabihach, Lorraine Sallata, Marie McQueen and Jay Cooke. Nays – None.

\*\* Stacey & Jeff Jaskol – 104 S Nashville Ave – Block 7, Lot 8, located in the R-9 zone. Requesting C variances, represented by Brian Callaghan. The applicant is seeking C variances for curb cut 10ft is the maximum width and 2-10ft curb cuts are proposed, dormer projection and a waiver for landscaping. The applicant will demolish the existing family dwelling and will construct a new single family dwelling that will contain 6 bedrooms and six off street parking spaces.

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

Jeff Jaskol, property owner, is sworn in and gives testimony.

John Obelenus, licensed architect, in the State of New Jersey, is sworn in and gives testimony.

Mr. Obelenus explains the need for the dormer variance. He states that it will not be used for living space, it will be used for the elevator access.

Mr. Obelenus explains the need for the 30ft curb cut.

Mr. Callaghan inquires as to the negative impact of the curb cut.

Mr. Obelenus states that there shall be no negative impact with the curb cut.

Dan Smith III inquires as to the amount of parking spaces.

Mr. McLarnon inquires as to the setbacks for the decks.

Mr. Callaghan states that the decks will conform, there for no variance is required.

Commissioner Landgraf inquires as to whether the decks will be usable.

Mrs. Sallata inquires as to the length of the curb cut and suggests making it smaller.

Public portion opens 7:17pm.

Sue and Elizabeth Slater, 5100 Atlantic Ave, are sworn in and state their concerns as to the height of the dwelling, as well as the setbacks for the decks.

Mr. Obelenus assures the Slater's that the decks will be within the proper setbacks and there will not be an issue with the height.

Doug Stranger – 5101 Atlantic Ave, is sworn in and gives testimony. Mr. Stranger is in favor of the application and believes it will improve the neighborhood.

Public portion closes 7:30pm.

Roger McLarnon, Board Engineer is sworn in and reads his review dated September 19, 2017.

Mr. McLarnon suggests moving the driveway over slightly.

Mr. Jaskol States that if they moved it over, he would have to remove a flower box which sits on the property line.

Mr. Manos, Board Solicitor, reviews the C variances for the curb cuts, dormer, and wavier for landscaping.

Motion to approve C Variances for curb cuts, dormer and the wavier for landscaping was made by Tom McAdam and seconded by Marie McQueen. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Mike Wiesen, Tom McAdam, Roman Zabihach, Marie McQueen and Jay Cooke. Nays-None.

Chairman Cooke recused himself, due to the fact he is the neighboring property. Vice Chair McAdam, steps in and Chairs the meeting.

Peter Kleiner- 910 N Harvard, Block 317, Lot 20, located in an R-2 zone. Requesting C variances, represented by Brian Callaghan Esq. The applicant proposes to construct a new 2 Story dwelling. The applicant also proposes to build a pool. The C variances are as follows, lot depth, front yard (building), front yard ( landing ), front yard ( porch), Lot coverage ,eave height, building height, curb cut, and rear yard (pool). This was a previously subdivided lot.

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

Peter Kliener, owner of the property and is sworn in and gives testimony.

Peter Weiss, Licensed Architect in the State of New Jersey, is sworn in and gives testimony.

Thomas Dase, Licensed Engineer in the State of New Jersey, is sworn in and gives testimony.

Mr. Weiss that ground level will be a storage area and garage. He states the structure will have vinyl siding, new concrete, shingles and will have to be built on columns.

Mr. Callaghan asks the Board to make a condition of approval regarding fencing around the pool equipment to act as a sound barrier.

Mr. Callaghan inquires as to the neighbors maintain their views.

Mr. Dase replies, yes, the neighbor's shall maintain their views. He does not see any negative impact.

Mrs. Sallata inquires as to reducing the lot coverage by adding grass.

Mr. Kleiner states that he wishes to construct a small extension over the vinyl retaining wall and will need to have a walkway.

Mr. Callaghan inquires as to the use of permeable pavers.

Mr. Kleiner agrees to the permeable pavers.

Public portion opens at 8:09

Donna Balara, 910 N Harvard, is sworn in and inquires as to the subdivision. She also states her concerns as to the height of the dwelling and if her views will be blocked.

Pat Cooke, 902 N Harvard, is sworn in. She states she has no objection to the application.

Michael Czyzyk, 908 N Cambridge Ave, is sworn in and states his concerns as to the height of the dwelling.

Public portion closes at 8:21pm.

Roger McLarnon, Board Engineer, is sworn in and summarizes his review dated September 16, 2017 and states his conditions of approval and recommendations.

Mr. Manos reviews the C variances for lot depth, front yard setback ( building ), front yard setback ( Landing ), front yard ( porch ), lot coverage, eave height, building height, curb cut and rear yard setback ( pool ).

Motion to approve C variances for lot depth, front yard setback (building ), front yard setback ( landing ), front yard setback ( porch ), lot coverage, eave height, building height, curb cut, and rear yard (pool) was set forth by Marie McQueen and seconded by Roman Zabihach. The motion was approved seven in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Mike Wiesen, Tom McAdam, Roman Zabihach, Lorraine Sallata, Marie McQueen and Dan Smith III. Nays- None.

Chairman Cooke returns to the dais.

\*\* Georgette Rassman – 26 N Washington Ave, Block 135, Lot 20, located in an R-7 zone, requesting C variances. The applicant proposes to construct a new single family two story dwelling to replace an existing single family dwelling that was previously demolished. The C variances are as follows, lot width, front yard setback (building), front yard setback ( 1<sup>st</sup> & 2<sup>nd</sup> floor decks ), rear yard setbacks (building ), rear yard setback (deck), building coverage, and lot area.

Robert Bolton, Licensed Architect in Pennsylvania cannot testify due to the fact he is not licensed in the State of New Jersey.

Sean Rassman, 300 E 34<sup>th</sup> Street, N.Y, N.Y, son of the applicant, is sworn in and gives testimony.

Mr. McLarnon, Board Engineer, is sworn in and summarizes his report dated September 19, 2017.

Mr. Rassman states that the new single family dwelling will conform to the neighborhood.

Mr. McLarnon, agrees, has been to the property, lot is narrow it is existing non-conforming.

Leonard Mordell inquires as to when the home was damaged.

Mr. Rassman replies, the home was Damaged in Super Storm Sandy.

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

Mrs. Sallata inquires as to the rear yard deck elevation and its impact on the neighbors.

Mr. Rassman states that the structure will be moved back. He also states that they reduced the lot coverage.

Mr. McLarnon inquires as to grass on both sides of the driveway.

Commissioner Landgraf inquires as to a governor's strip.

Mrs. Sallata suggests putting shrubs on either side to soften the look of the home.

Mr. McLarnon agrees, 5 shrubs on both side should be sufficient.

Public portion opens at 8:59pm.  
Public portion closes at 8:59pm.

Request is accepted by Mr. Rassman.

Mr. Zabihach inquires as to the possibly eliminating the decks.

Mr. Rassman states the need for the decks.

Mr. Manos reviews the C variances for lot area, lot width, front yard setback ( building ), Front yard setback ( 1<sup>st</sup> & 2<sup>nd</sup> floor decks ), rear yard setback ( deck ), rear yard setback(building ), building coverage, and a wavier for landscaping, along with conditions.

The motion to approve C variances for lot area, lot width, front yard setback (building), Front yard setback (1<sup>st</sup> & 2<sup>nd</sup> floor decks), rear yard setback (deck), rear yard setback (building), building coverage, and a wavier for landscaping, along with conditions was set forth by Roman Zabihach and second by Tim Koob. The motion was approved six in the affirmative and one in the negative. Ayes; Commissioner Landgraf, Mike Wiesen, Tom McAdam, Roman Zabihach, Lorraine Sallata, Jay Cooke. Nays; Marie McQueen.

## 6. Old Business

## 7. New Business

\*\* Mrs. Sallata has a brief discussion with the Board regarding landscaping wavier.

\*\*Mr. Zabihach has a brief discussion with the Board regarding Atlantic County Master Plan Review.

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

Respectfully submitted  
Carmella Malfara  
Planning Board Secretary

