

Ventnor City Planning Board

Minutes

September 24, 2018, 6:30pm

6201 Atlantic Ave, Ventnor N.J 08406

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

1. Flag Salute
2. Roll Call

Present

Commissioner Landgraf
Mike Wiesen
Jay Cooke
Tom McAdam
Roman Zabihach
Lorraine Sallata
Dan smith III
Peter Tocco
Tim Koob
Greer Gaskill

Absent

Tom Halpin
Leonard Mordell
Wendy Barlett

Professionals

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

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 meeting. He also advised the Board on the intent of the meeting and procedure which to follow.

3. Minutes

Motion to approve September 12, 2018 minutes was made by Tom McAdam and seconded by Roman Zabihach and were unanimously approved.

4. Resolutions

Motion to approve the following Resolution was made by Tom McAdam and seconded by Roman Zabihach and were unanimously approved.

P – 40 – 2018 – Paul Steinberg – 11 N Nashville Ave.

P – 41 – 2018 – Gary & Linda Goldsmith – 107 S Newark Ave.

5. Applications

Commissioner Landgraf and Mike Wiesen recuse themselves from this application.

** Ventnor Memory Park – Esther, Joseph & Scipio Memorial Charity Foundation, Inc – 5004 – 5010 Ventnor Ave, Block 50, Lots 13 – 16, located in the Commercial Mixed Use Zone. The applicant is requesting a D (Use) variance and a Preliminary and Final Site Plan approval. The applicant is being represented by Richard DeLucry Esq.

The applicant proposes to construct a new recreational quasi – public pocket park / urban green space. The proposed pocket park will consist of a water feature, benches, gazebo and a special events area, decorative pavers and extensive landscaping and will have an 8ft fence surrounding the park.

Richard DeLucry Esq., Attorney for the applicant, gives a brief statement regarding the proposed pocket park.

Todd Miller, QMA Architects, 15 S Dorset Ave Ventnor N.J Licensed Architect, in the State of New Jersey is sworn in.

Jason Sciuillo, 9315 Ventnor Ave Margate N.J, Licensed Engineer, in the State of New Jersey, is sworn in.

Paula DeLuca, property owner, 5004 – 5010 Ventnor Ave, is sworn in.

Joe DeLuca, 101 N Little Rock Ave, Ventnor N.J, is sworn in.

Roger McLarnon, Board Engineer, is sworn in and reads his review dated September 19, 2018.

Mr. McLarnon states that there two additional variances for lot depth and fence height that should also be requested.

Mr. McLarnon suggests that the applicant proceed with the D (Use) variance only and recommends returning for the Site Plan approval.

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

Todd Miller, Licensed Architect, presents the design.

Mr. Cooke inquires as to the setbacks.

Mr. McAdam inquires as to the height of the gazebo.

Mr. DeLucry address several comments from Mr. McLarnon's review.

Mr. Cooke would like clarification on all waivers.

Mr. Cooke inquires as to the mission of the pocket park.

Mr. Miller gives clarification as to what the park will consist of.

Mr. Zabihach is not in favor of the 8ft fence and would like additional information.

Mr. Miller states the 8ft fence is for security purposes.

Mr. McAdam inquires as to what shall be placed in the shed.

Mrs. DeLuca, property owner, gives testimony as to the charity foundation and gives detailed explanation of the park.

Mr. Gaskill states concerns as to minors loitering in the park.

Mr. Smith III inquires as to the fencing.

Mr. Miller states a security system will be installed.

Mr. Zabihach inquires as to property maintenance.

Mrs. Sallata has concerns as to property maintenance.

Mrs. Sallata inquires as to the user group and would clarification.

Mr. McAdam inquires as to the park being open to the public.

Mr. DeLucry explains the park will be open to user groups.

Mr. Cooke inquires as to the tax structure.

Mrs. Sallata inquires as to the sustainability of the park.

Mr. Cooke would like additional information on the user groups.

Jason Sciallo, licensed Engineer, explains the design.

Mr. McLarnon requests a site plan be submitted.

Public portion opens.

Michael Weinraub Esq., 5001 Ventnor Ave, is sworn in and speaks in favor of the application.

Norm Klinger, 1 S Oxford Ave, is sworn in and is in favor of the application.

Eileen Barker, 1 S Nashville Ave, is sworn in, and has safety concerns.

Mike Wiesen, 326 N Dorset, is sworn in, and inquires as security, landscape, maximum occupancy for the park.

Pastor James, Way of Life Church, is in favor of the church.

Public portion closes.

Mr. Zabihach suggests a maintenance plan be requested.

Mr. Cooke suggests putting a maintenance plan on the site plan.

Mr. Manos states that the Board shall be voting on the D (Use) variance and the two additional C variances for lot depth and fence height only. The applicant shall have to appear before the Board for the preliminary and final site plan at a later date.

Mr. Manos reviews the D (Use) variance and the two additional C variances for lot depth and fence height with several conditions and waivers.

Motion to approve D (Use) variance and the two additional C variances for lot depth and fence height with several conditions and waivers was made by Tom McAdam and second by Tim Koob. The motion was unanimously approved, seven in the affirmative and zero in the negative. Ayes; Jay Cooke, Tom McAdam, Roman Zabihach, Lorraine Sallata, and Dan Smith III, Peter Tocco and Tim Koob. Nays; None.

Commissioner Landgraf and Mike Wiesen return to their respective seats.

6. Other Business

The Ventnor City Planning Board continued discussions regarding the amendments to the Residential 1 Zoning District. Mr. McLarnon suggests the boardwalk lots be placed within Residential R -1 B zone which will allow for all of the same permitted uses, Conditional uses and Accessory uses with the R – 1 Zone.

Mr. McLarnon, reviews his report dated September 24, 2018, which is attached.

Mrs. Sallata would clarification.

Mr. Smith inquires at to the Lots.

Mr. Smith inquires as to negative impact.

Commissioner Landgraf gives clarification on lot sizes.

Mr. Wiesen inquires as to being cost affective.

Mr. Zabihach is in favor of the zoning change.

Public portion opens.

Craig Anmuth, property owner, 109 S Dorset Ave, is sworn in and expresses concerns as for the boardwalk lots becoming their own zone.

Michael Bluestein, property owner, 111 S Derby Ave, is sworn in, inquires as to the minimum lot width. He speaks in favor of the zone remaining the same.

Norm Klinger, property owner, 1 S Oxford Ave, is sworn in and speaks on Ventnor's Master Plan.

John Irons, property owner, 106 S Derby Ave, is sworn in and speaks in favor of the Zoning change.

Todd Miller, property owner, 15 S Dorset Ave, is sworn in and speaks in favor of the zoning change.

Art Ponzio, property owner, 808 N Harvard Ave, is sworn in and is not in favor of the zoning changes.

Amanda Bronson, property owner of the lot on S Dorset Ave, is sworn in and speaks in favor of the zoning change.

Bill Sill, property owner, 103 S Suffolk Ave, speaks in favor of the zone chance.

Public portion Closes.

Mr. Manos reviews the Recommendation to the City of Ventnor Board of Commissioner's to approve the proposed Ordinance Revisions – Article IV, Residential 1 Zoning District, R -1- B, 102-12 through 102-14- R-1Zoning District R-1-B, 102-15 through 102-14.

Motion to approve the Recommendation to the City of Ventnor Board of Commissioner's to approve the proposed Ordinance Revisions – Article IV, Residential 1 Zoning District, R -1- B, 102-12 through 102-14- R-1Zoning District R-1-B, 102-15 through 102-14 was made by Tom McAdam and second by Roman Zabihach. The motion was unanimously approved nine in the affirmative and zero in the negative. Ayes; Commissioner Landgraf, Mike Wiesen, Jay Cooke, Tom McAdam, Roman Zabihach, Lorraine Sallata, Dan Smith III, Peter Tocco and Tim koob. Nays; None.

Full meeting is available on audio.

Respectfully submitted

Carmella Malfara

Planning Board Secretary



City of Ventnor City

City Hall
6201 Atlantic Avenue
Ventnor City, New Jersey 08406



Roger McLarnon
P.E., P.P., C.M.E., C.F.M., C.P.W.M

Ventnor City Municipal Engineer's Office
609-437-2311

MEMORANDUM

September 24, 2018

To: Carmella Malfara, Planning Board Administrator
Ventnor City Planning Board

From: Roger D. McLarnon, PE, PP, CME, CFM, CPWM
Planning Board Engineer, Planner

Cc: Planning Board Members

Re: Proposed Ordinance Revisions of Article IV, Residential 1 District, §102-12 through §102-14 – R-1 Zoning District, creating Zoning District R-1-B, §102-15 through §102-14.

Amendments to §102-14 by ordinance No. 2003-9 put prohibitions into the ordinance creating a new set of standards isolated to the properties along the bulkhead and beach which in my opinion are not consistent with the overall zone. The beachfront lots maybe should have had its own zone. The following is support to create its own zone.

The proposed amendments before you tonight reflect the overall zoning of the R-1 District, and are more consistent with lot sizes and widths of the entire zone versus a handful of lots. The existing uses are not under consideration for any changes and have not been mentioned as the current uses are consistent with the master plan. §102-14.A(3) is moved to §102-17A(3) maintaining minimum lot sizes as 10,000 sf. The boardwalk is a public right of way or easement, so all of the lots have frontages. The boardwalk lots shall be placed within Residential R-1-B zone which allows for all of the same Permitted uses, Conditional uses and Accessory uses within the R-1 Zone.

§102-14.B(2): Maintains 60 feet minimum width for corner lots and 50 feet for interior lots.

§102-14.B(3): Moves and maintains the minimum lot width requirements of 80 ft. to §102-17A(3).

§102-14.F: Moves and maintains the minimum side yard setback requirements of 15 ft. to §102-17F.

Prior to 2003, the minimum lot size was 5,750 sf and minimum lot widths were 50 feet for all parcels within R-1 District. The proposed ordinance reinforces correctly the intent of the 2003 Ordinance changes. The bulk requirements are distinct enough to justify a new zone.

The City's other option is do to do nothing.

If the Board of Commissioners introduces and adopts the Ordinance on first reading, the City Clerk shall provide a referral that the Ordinance will be advertised according to law and shall be scheduled to have a second reading and public hearing on the next available Commissioner meeting, likely in late October or early November 2018.

The "Municipal Land Use Law" provides the Planning Board with thirty five (35) days from the referral date to prepare, review, adopt and transmit their consistency report regarding Ordinance ___-2018 to the City Board of Commissioners. NJS 40:55D-26 describes the Planning Board's responsibility regarding the mast plan consistency review as follows:

"...the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed development regulation, revision or amendment which are inconsistent with the master plan and recommendations concerning those inconsistencies and any other matters as the board deems appropriate."

The proposed ordinance revisions advances the following objective from the Ventnor City Master Plan:

- *To review the City's history, document progress towards prior goals and objectives, and develop plans and strategies for how the City can continue to adapt and thrive in the future.*
- *Include new elements for resiliency and economic development.*
- *Upon review of the master plan efforts, it became evident that items that were priorities of prior plans are no longer concerns and items that are significant concerns now are not mentioned in prior planning efforts. This can be expected to some degree when reviewing prior master plan efforts in any community. However, the aftermath of Hurricane Sandy has shifted the discussion and priorities of many coastal communities. The steps that a coastal community such as Ventnor must take to ensure its long tem existence has been taken for granted until recently.*

I have carefully reviewed and analyzed the proposed zoning changes and the Master Plan. Based on this review, it is my professional opinion that proposed changes are consistent the Ventnor City Master Plan.

Consistency Review
R-1 Zoning Ordinance Modifications
City of Ventnor
September 24, 2018

Respectfully submitted,

Roger D. McLarnon, PE, PP, CME, CPWM, CFM

New Jersey Professional Engineer License No. GE04512900
New Jersey Professional Planner License No. LI00616800

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