



OFFICE OF
VENTNOR CITY ZONING BOARD
VENTNOR CITY PLANNING BOARD

CITY HALL
VENTNOR CITY, NEW JERSEY 08406
(609) 823-7987

Ventnor City Zoning Board

Minutes

Wednesday April 20, 2011 – 6:30 PM

1. Call to Order: 6:30 PM
2. Flag Salute
3. Roll Call

Present

Lorraine Sallata

Dan Smith
Mike Weissen
Clyde Yost
Stephen Rice
Peter Courter
Mike Advena

Professionals:

John Matthews, Esq.
Craig Hurless, Polistina & Associates

4. Adoption of Minutes of March 16, 2011 meetings

Motion: Dan Smith
Second: Mike Advena
Approval: All in favor

5. Adoption of the Following Resolutions

Z-7: Robert Elias

105 S Newport Ave.
Block 27, Lot 6.01
Requested "C" Variance for Front Yard & Lot Coverage - Approved

Motion: Mike Weissen
Second: Steve Rice
Approve: All

Absent

Greg Maiuro

6. Applicants:

a. Robert Elias

105 South Newport Ave.

Block 27, Lot 6.01

Requesting a "C" Variance for Front & Side Yard, and Lot Coverage

Represented by Brian Callaghan

Carried over from March 16, 2011 Meeting

Brian Callaghan Sworn in

Carryover from March Meeting

An awning was planned on the 1st and 2nd floors

1st floor was approved, but had to come back with recommendations for 2nd floor

Options were to include a permanent roof and a 12 month awning

Mr. Barnhardt sworn in:

Reviews last month's application

The open question is the 2nd floor structure

The framing is already built

Renderings are shown with the canopy on and how it will look

Rendering is shown with a permanent roof

The roof would have the same look and materials as the main house

It is a matter of likes and esthetics

The potential negative impact would be to the neighbor next door

An aerial view is shown to show where the views would be for all on the block

Most views are across Newport Ave. and not down the block

Board Questions:

Jack Matthews: the 2nd floor variance is for 1.9' and what of Lot Coverage?

It is 4.6' for the 2nd floor and Lot Coverage is the same

Peter Courter: Was water run-off addressed?

The structure would be guttered on both sides

Mike Advena: What about the awning plan?

There would be the same water issues

Mike Weissen: For the 12 month canopy, what would the wind issues be?

It will be more damageable – would have to replace more often

Believe Mr. Elias is leaning towards the permanent roof

Brian Callaghan: Asked Mr. Agnesino is he felt it was over designed and he said yes, but would not want anything taken down.

Mike Weissen: Are you confident the wind would not pull it off?

It would rip first

Robert Elias – Sworn in
What would you prefer?

Based on the expense, I would like the canopy for a few years but would do whatever is needed. Prefer to put awning up and see what happens.

Lorraine Sallata: Have you considered covering ½ of the deck?
Thought of and would probably do ¾

Mike Advena: Were any other options thought of?
Did one other but only covered part of the deck but it gave an unbalanced look
We are voting on the dimensions only, no matter what way it is done

Lorraine Sallata: We are approving the structure and they can do whatever way they want

Steve Rice: If it is permanent, can we impose a condition that it not be enclosed?
Yes

Public Portion:

None

Jack Matthews: A motion for a Front Yard setback of 4.6' for a permanent 2nd floor awning
Conditions to include: No enclosure and drainage to be installed

Motion: Mike Weissen
2nd: Mike Advena
Vote:

Dan Smith: Yes
Worked with Board – Has options

Mike Weissen: Yes
Bent over backwards to work with Board – Very professional

Clyde Yost: Yes
With conditions noted

Steve Rice: Yes
With conditions noted

Mike Advena: Yes
Applicant addressed additional concerns like 12 month coverage & drainage

Peter Courter: Yes
Great job

Lorraine Sallata: No
Commend work done but not happy with a permanent structure

Motion approved: 6 in favor

1 opposed

- b. Arthur & Anna Bliss
14 South Martindale Ave
Block 86, Lot 26
Requesting a "C" variance for Side and Rear Yard Setbacks
Represented by Chris Baylinson, Esq.
Handled by Brian Callaghan in his absence

Brian Callaghan

Demolished an existing garage and plan to rebuild on the same location
There was an underground oil tank that had contaminated the ground
Had to come before the Board to rebuild

If they tried to move the garage it would have been too close to the house

A shed would not be good because the houses in the neighborhood all have garages

Clean-up has been completed

Board Questions:

Steve Rice: There will be no deck on the roof of the garage?

No

Mike Advena: What materials will be used for the garage?

Sworn in: Janet Novack – contract owner of the property

It will be same materials as the house

What was the old garage made of?

Block

There are concerns of fire – have to be fire rated materials

No problem

Clyde Yost: Will the new garage be against your neighbor's garage?

Close to

Sworn in – Arthur Bliss – Current Owner

Discusses where garage was prior

North Star Environmental – wouldn't have been safe to lift the garage – had to take it down

Will the garage be the same size?

Yes, to keep in uniformity with the neighborhood

Mike Weissen: Do you consider this a hardship?

Yes, it is hard to do anything else

Mike Advena: Is it going to be a flat roof or the same pitch as the house?

Not determined yet, but will meet all zoning requirements

Are flat roofs allowed?

Yes

Would like to see a contoured roof

Public Portion:

None

Motion:

Jack Matthews: Side Yard and Rear Yard Setbacks for a new garage in place of the old

Motion: Mike Weissen

2nd: Clyde Yost

Vote:

Steve Rice: Yes

Hardship met

Mike Advena: Yes

True hardship – Demolishing to build the same size

Peter Courter: Yes

Stipulations all met

Dan Smith: Yes

No Negative impact – will keep in character of the neighborhood

Mike Weissen: Yes

Comments as noted

Clyde Yost: Yes

No Negative impact

Lorraine Sallata: Yes

A Hardship – putting back what was taken

Motion carries:

7 in Favor

0 Opposed

- c. Dr. Ronald Plotka
108 S Victoria Ave.
Block 12, Lot 8
Requesting multiple “C” and “D” variances

Sworn in: Brian Callaghan

Property is in an R-9 Zone

All requirements have been met

Plans are to demolish an existing 4 unit property and rebuild a 4 unit condo with an elevator

Currently an 8 bedroom property with an occupant load of 14

Permitted uses in this zone:

Single family and townhouses

There are not many of those in the area

There are many variances needed because of differences in the Zone map and the ordinances

Sworn in: Dr. Ronald Plotka

Owner since 1977 as a 4 unit

Intent to create value for the building, neighborhood, and the City

Sworn in: John Barnhardt – Engineer & Planner

Sworn in: Christina Buendicho – Architect

Exhibit List:

A1: Aerial Photo

A2: Existing Condition Plan

A3: Site Plan – Ponzio

A4: Block Survey

A5: Tax Map

A6: Ground Floor Parking Diagram

A7: Architect Rendering

Familiarizes Board with location of property

2 story framed dwelling – 4 units – 8 bedrooms

Lot size: 50'x62.5' >>3125 Sq. ft.

Detached Garage

Property has a number of existing non-conformities

From ordinance standards all are met

Discusses units around the property

Jack Matthews: there are differences between the Engineer's report and what the Planner states

Craig Hurless: There are discrepancies in the City Ordinances

However in the back of the book, the written portion governs

Agree that the existing lot size of 3125 conforms

The lot width of 50' conforms

The lot depth of 62.5' conforms

The setbacks – Front: 12' is required

Side: 5' required – Proposed 5' & 3'

Rear: 10' is required

These are set forth for a detached single family property which is all that is allowed

Brian Callaghan: Changes were made but not to the map

John Barnhardt: Discusses City Zoning

Discusses the options for this property

R9 Zone – The area has high density currently – the purpose of the zone is the continuation of growth in the area. The only permitted use for new construction is single family homes. There are no single family homes in the area. It is doubtful anyone would buy a multi-unit dwelling to build a single family home.

Believe the uses are in conflict with the permitted uses
Want to be consistent with the pattern of development in the area

Plan to build a new 4 unit property with 2 bedrooms in each unit
Parking will be on the ground floor and there will be individual storage for each unit on the ground floor.
There will be any elevator and rear steps

Discusses Zoning needs – Plan is to have consistent setbacks as is existing

Discusses other units on the block to justify setbacks – only looking at front and side setbacks of the other properties

Standards are not appropriate with the neighborhood

The old building will be eliminated; it will be elevated to make room for parking and will still be able to keep the 2 on street parking spaces

There are many variances needed because the standards are off. There has been no real development in almost 70 years

There is definite hardship to meet conformity; they cannot take down a multi-unit dwelling to make a single family home

Positive Criteria:

- Desirable Visual Plan: Parking and storage also
- Security from flood and fire – all brought to conformity
- Free flow of traffic – it is a tight block – it will be a better condition than it is today

Negative Criteria:

- No detriment to the character of the neighborhood
- A problem to Zoning – this project meets the plans but not the standards
- Benefits outweigh the detriments

The elevator and height needs – Allowable is 45'

- The elevator tower goes to 62' – 10' above the roof line
- It is considered a high-rise structure based on ordinance

Board Questions:

Clyde Yost: what is the size of the elevator?

- 8.75'x30' long – on the top is a roof garden with access

Mike Weissen: Why is there a 3' setback on one side and 5' on the other – can you do 4'&4'
Driven by the layout of the parking and access to the stairs

Steve Rice: What are heights of surrounding buildings?
Don't have exact numbers but have # of stories

Dan Smith: What is the Height of the Breakers?
There is no parking beneath but it is about 45'

Steve Rice: what is the overhead height for the parking area?
8'

Craig Hurless: In regards the allowable building height of 45' – where was that found?
In your report
The allowable height is 35' – 102.74 govern and refer to 102.18 for 35'

Steve Rice: Do you have occupancy load proof?
Shows multiple documents with 8 bedrooms and a rental license from 1993 with 8

Lorraine Sallata: The property record card shows 6 bedrooms
The package from the Building Dept. shows 8 bedrooms
The City has done 3 evaluations – the have hired people to do, but not all went into houses

Steve Rice: What is the square footage of the proposed units?
About 1400'

Mike Advena: Agree that the bulk requirements for an R-9 zone do not match. The Planning Board is looking to change but on the bigger lots. As far as the setbacks, agree with the conformity with the block, but the height is an issue

Brian Callaghan discusses other applicants asking for similar - there was a 5 story unit approved on Ventnor Ave.

Christina discusses the layout and the plans
Plans presented are made for Zoning
Exact plans with have fire suppression
State of the art design – 3 years in the making
Discusses layout of each level
All units will be laid out the same
Will have a garden on the roof
No water runoff due to vegetation
Each unit will have storage on the ground floor
There will also be showers on the ground floor

Steve Rice: What is the age of the existing structure?
1922-23

Why has there been no upkeep?

There has been some but the structure is non-conforming

Height is a problem – have you looked at other options?

Over last 3 years, have looked at many – economics is an issue – what can be built

What is the timeline for construction?

Have tenant that have to give 6 month notice – probably next spring – 6 mnths to build

Peter Courter: How much will you sell each unit for?

\$550,000 to \$650,000

Lorraine Sallata: There are concerns with the layout – the media room could become a bedroom

This is a code issue – there could be a condition of only 2 bedrooms

3 units for the property would be better for density issues

Mike Advena: Has there been thought of 3 2 bedroom units?

There are economics and scalability issues

Dan Smith: Where are the heating and HVAC units?

There are many ways to do – these are only Zoning Plans

On the ground floor – what kind of pavers and landscaping will there be?

Planting and pavers all around – all non-parking areas will be landscaped – no plans yet

Describe the roof garden

It is an environmental way to keep the water. Also the pavers will be permeable

Mike Advena: Will the parking on the ground floor be open or closed?

The Ocean side will be open

Dan Smith: Will most of the exterior be brick?

It will be a combination of different kinds of textures

Peter Courter: what are the building heights?

The building will be 51' and with the elevator, 62'

Public Portion:

Fanuti Valentino: 105 S Victoria

Feel if approved, it will be a good trend to start

Like to do with my building – no going to rehab

Like to bring mine from 12 units to 6 units

Feel it is a win-win – good for the neighborhood

Exchanging tenants with owners is a good thing

James Vernile: 104 S Victoria

Not all are multi-family – some are single family

The front is looking at 5' where there is now a porch – will be a monolith

Parking is an issue – already crushed for parking

There is a point where what is enough

Mike Weissen: Before the Demarco Brothers bought, did you own

No

When it went from 11 units to 3, were there any issues?

No

Deborah Buchalski: 108 S Philadelphia Ave

Own Remarkable Renovation

Fully support the application

Need to re-address multi-family to support single family

Know that the City is behind to do work

This is the way of the future

David Kramer: 109 S Victoria

Sun would be blocked by the property

Parking is a big issue

Can see more cars coming

Too dense of a project

Last few projects have not been so big

Neighbors don't need to be burdened

Charles Hyman: 107 S Victoria

President of the Condo Association

Parking is an issue on the street

Height of the building is a problem – sun will be blocked

All tenants are against it

Mike Weissen: On the units – how many people drive

Possible multiple cars

Paul McLain: 106 S Victoria

Summer residents and holidays are most that come to this area

Disappointed with the plan

There was a 4 sale sign on it

Thought guidelines would be followed for any development

Rules are put in place for a reason

Should not be entitled to build such a large building

It is overbuilding

Parking will be an issue – adhere to requirements

The front yard setback is all about the view

Height – should stick to requirements

Essentially everything is double

Scope it way back

The actual trend is for single family

Brian Callaghan: when did you purchase

October 2008

Were you aware your property came before the Board and does not conform?

Not aware but do meet front requirements
Are you aware parking is 9'x19' so it does not conform?
Not trying to argue

John Antista: 5400 Boardwalk

President of Breakers
Concern when project should start
Would affect parking issues
Would like it started after the season
What about the parking of construction vehicles
Have never seen the unit well kept
Favor the development, but it is too high
Concerned over affects construction will have on summer

Frank Ferry: 5217 Atlantic Ave

Office in area – see street in transition
Doesn't look like a true residential
Nothing is happening – but not residential
Need to decide what this street is doing
Have known applicant for some time
Good to start a new trend

Steven Becker: 5300

VP of Building association
It is a beach block
Concern is pedestrians with current parking
Integrity is with homes not commercial
It is a combination of old and new
Don't think this plan follows that
Safety is an issue
Mike Advena: Is existing parking the same or more for new construction?
Looks like more
Don't think the beach block can handle that

Mary Lou Ferry:

Owner Farley & Ferry Realty
Support the project
Pivotal moment for construction
Margate had 68 construction permits last year to 11 in Ventnor
This is an opportunity to move forward

Chaya Schapiro: 109 S Victoria

Lived in neighborhood for almost 30 years
Have seen from homes to condos
Where the master plans have gone is from residential to commercial
Don't see putting a building twice as high
Seen multiple building to other homes
Parking is a concern

Have variances given for setbacks but problems with Fire and Utility access is not fair to others

Should keep with the guidelines

This will set a precedent for the future

It is great to put something new but this is massive

Mike Weissen: Would you be in favor of a lesser number of units?

If height was 35'-45' then yes

To Brian Callaghan – according to the ordinance, you can't go over 35'

Code explains multi-unit

Can you build that?

No

Can you build 3 units?

No

Chaya: units are 1400' – most are smaller in that area

With smaller units the cost would be less

Brian Callaghan: at 109 S Victoria – does it conform to today's zoning?

No, but I believe the setbacks are in compliance

Was money made in the sale?

I don't know, but what does that have to do with the plans of Ventnor?

I believe the experts made that case

There were a couple of mis-statements – like the North Side

Incorrect on the dates

Janice Vernile

At the end of last year – bought pink house on Victoria Ave.

Part of the purchase was the balcony with a view

The setbacks would take away that view

Happy that they want to develop but it is too much

It is overkill for the space

Parking is an issue

Clyde Yost: Any considerations of height and front yard setbacks?

Brian Callaghan: We request an adjournment to re-review the plans

If it is under 4 units, may have a major financial concern

Agreeable to no construction over the summer

Jack Matthews: Applicant requests an adjournment until the May 18th meeting at 6:30 pm

There will be no re-notification

If they redesign, may not have the plans in time

Brian Callaghan:

If we can have plans, we will re-notice the public

If we cannot have the plans, we would ask for a continuance and will re-notice all

Lorraine Sallata: Application adjourned to May 18th

7. Other Business

a. Discuss the Shoup application

i. Will be on May 18th meeting

ii. Noticing issue with date change

Motion to adjourn: Mike Weissen

Second: Steve Rice

Meeting adjourned at 9:39 PM