



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 December 15, 2010 – 6:30 PM

1. Call to Order: 6:27 PM
2. Flag Salute
3. Roll Call

Present

Absent

Lorraine Sallata

Greg Maiuro

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

**Professionals:**

John Matthews, Esq.  
Wesley Becker, Polistina & Associates

4. Adoption of Minutes of November 17, 2010 meetings

Motion: Clyde Yost  
Second: Mike Advena  
Approval: All in favor

5. Adoption of the Following Resolutions

Z-18: DeLores Hasson & Charles Murrin  
111 N. Washington Ave  
Block 191, Lot 7  
Represented by Chris Ruggles, Crestview Custom Builders, LLC  
Requested a "C" variance for Front Yard Setback – Approved

Motion: Clyde Yost  
Second: Steve Rice  
Approve: All

6. Applicants:

Norman Goldberg  
108 S. Little Rock Ave  
Block 11, Lot 9  
Represented by Brian Callaghan; Callaghan, Thompson & Thompson  
Requesting a CNC

Sworn in: Brian Callaghan

Plan to maintain a 12 unit building. Family acquired property in 1968. The test year in question is 1978. In 1995, the property was passed to various family members. The tax record of 1973 shows 12 units as well as the tax assessor record of same of 12 units.

A certification from one of the brothers and a Mr. Angel, Accountant that the property has 12 units.

Sworn in: Norman Goldberg:

1968: Mother and Brother in Law bought property. They ran a 10-15 unit summer rental property. There was no heat in the units. Heat was eventually put in, and then they also rented out units during the winter.

When the father passed away, the 3 children took ownership of the property. The sister was bought out and in 2001; the remaining brother was bought out.

Board Questions:

**Lorraine Sallata**: What is the layout of the building?

On the street level, there are 2 units in the front and 1 in the rear with individual baths

On the porch level, there are 2 apartments, each with 1 BR and a bath

On the 2<sup>nd</sup> floor, there are 3 rooms with a bath, and 1 efficiency apartment

On the top floor, there is 1 full apartment and 2 smaller ones

The Ventnor Tax Record shows 10 units, and we are trying to know what is in the building

**Mike Advena**: How many water meters

It is one meter, and we are paying \$5000-\$6000

Looks like you are paying for 10 units

We are still waiting on the new meters

In 1968, it was only summer rentals with no heat

Yes, building was bought from Brown family

When was the heat put in?

No sure

**Lorraine S.**: The property record card from 1973 shows 10 baths – when did it become 12?

That is why Mr. Goldberg is testifying, and additional paperwork was submitted

**Mike A.**: Was it 12 summer rentals or 12 Year-round rentals

Only when heat was put in did it become year-round. It was done about the same time 5000 Boardwalk became condos.

How did the people rent?

Various – weekly, monthly, etc.

**Jack Matthews:** The family purchased the property in 1968; do you personally know how many units?

12 units

Has the physical makeup or the number of units ever changed?

No

**Mike A:** Explains the concerns he has over the timeframe of when the heat was put in and the corresponding school concerns.

**Brian Callaghan:** The property is under contract to sell to Batista to use the property as a Bed and Breakfast. Therefore there should be no school issues.

**Peter Courter:** Have you ever had all units rented and any leases?

Yes, the public will answer some of those

Public Portion:

**Anthony Canuso:** Attorney in Ventnor for over 30 years. Family used to own the Monaco Hotel. Around 1968, it was family run – we would send customers as needed to help each other out. Had a good working relationship. Not sure of # of units

**John Batista:** Own and run a Bed & Breakfast across the street. As part of the ownership, we will not be preparing food in this location. Have has 105 S Littlerock since 2003, and have sent customers over as needed. I know there are 12 units. There are no plans for year-round rental, but may extend into winter rentals.

**Brian Callaghan:** do you think the units have been there for a long period of time?

Yes, no doubt

Part of the purchase, are any upgrades planned

There is a permit in place to upgrade the fire alarms

**Lorraine S:** Are there any other upgrades planned?

None at this moment, but we are making a list and will work with the City as needed

**Mike Weissen:** Are there any thoughts of a railing on the 2<sup>nd</sup> floor

It is just used as a fire escape, but may look at a deck – know it needs replacing

**Mayer Patel:** Question the 1968 12 units with 10 bedroom testimony

Referring to the tax record, how many baths are there now?

12

From 1978 to 2005, was it a commercial unit for rental?

It has always been a multi-family unit

What are the parking requirements?

This is only a CNC application that is not applicable

Have an issue as to where parking is going to be

Whatever parking they had, they will still have

**Lorraine S:** Only decision of this Board can be to give permission to continue what they had.

There is no jurisdiction to decide on parking

Board discusses parking concerns along with Mr. Patel

Conclusion is that this would have to come before the commission on these issues.  
**Brian C:** Conclusion based on testimony is that this is a 12 unit property and always has been.  
With the sale, it will only be better for the area

Motion to approve application for a CNC for 12 units. The test year is 1978.

Motion: Mike Weissen

2<sup>nd</sup>: Dan Smith

Vote:

**Dan Smith:** Yes

Great documentation – have been a property

**Mike Weissen:** Yes

Observer been kept up well

**Clyde Yost:** Yes

Great documentation

**Mike Advena:** Yes

Satisfied with documents and testimony

**Steve Rice:** Yes

Satisfied with everything

**Peter Courter:** Yes

Good documentation

**Lorraine Sallata:** Yes

Believe 10 units once but transitioned at one time – good documentation

**7 in favor**

**0 opposed**

**Motion granted**

Applicant: MLG realty, LLC  
18 South Martindale Ave.  
Block 86, Lot 28  
Requesting a "C" variance for a Front and side yard setback

Sworn in: Brian Callaghan for MLG Realty, LLC  
Building is zoned in an R4 Zone. Currently a 1 ½ story single family home. The plan is for an addition to the 2<sup>nd</sup> floor. The following exhibits are presented:

- A1 – Variance Plan
- A2 – Aerial Photos
- A3 – Architectural plans with elevations

Sworn in: John Barnhardt – Licensed Engineer and Planner  
Describes plan for addition  
Discusses Setbacks and Sizes  
Consistent design on block with all 1 ½ to 2 story homes

Proposal: remodel and renovate to increase square footage, but there will be no overall increase to the footprint on the building. Plans are to take ½ story to a full story and include a full master suite. The current house has 4 BR and 3 Bath, and the new plan would stay the same.

The variances needed for non-conformities are the Rear yard porch, a side yard of 3.13'. In front, an open porch will be kept with living space above. The front yard is 3.65' and will stay the same. On the second floor, there will be an architectural arch that will move out to about 2'. Lot coverage is currently 93% and will be going to 94%. The impervious will not change.

Not asking for a building coverage as no change is occurring.

The house is in need of updating and the plan is for creative design techniques to make more space without changing the footprint. There will be a lot of architectural appeal to the structure.

Discusses other properties in the area

Plans are to keep current parking at 3

There is no major detriment, and plans are to keep all the same sizes.

From an engineering plan, the architectural plans will meet all eave and height requirements.

Asking for a waiver for street trees as the plans is to keep the current manner of landscaping in place.

Board Questions:

**Mike Advena**: The existing porch is 8' with it being 12' from the line?

The porch is encroaching 8' into the setback. Asking for the front of the house to be the same 8'.

Do the steps go beyond the property line?

Not to our knowledge

Are the planters on the line?

They are in the property and in the City right of way

Have an issue with a 12' setback going to 8'

Agree with the issues, but the block shows established issues. Others have setback issues. If you deny, will deter people from improving their lots.

**Brian Callaghan**: How do you update a 50-60 year old house? Anything you do will require variances.

**Lorraine Sallata**: Is the front porch staying open

Yes

**Clyde Yost**: Is there any design that can make the spirals not come out 2'?

Yes, can do; will move them more into the bedroom

**Mike A**: There are 2 different 2<sup>nd</sup> floor designs

Plan is to have French doors that just open for air. The railing is planned 18" past for protection.

**Steve Rice**: Have you looked at anything to reduce the lot coverage

Have not really discussed

Discusses with Client: Yes, in back yard, can put grass in except for a walkway. This will reduce coverage by about 300 square feet.

How about a grass strip in the front?

Yes

**Lorraine S**: The existing planters have trees; what are the plans

The same or similar landscaping

Would like type of trees as part of the resolution

**Brian Callaghan** and Board discuss ordinance in regards to trees and grass

Conclusion is that 2 trees are needed

**Steve R**: What is the hardship?

None; asking for a C2 variance that benefit outweighs

**Dan Smith**: What is existing roof height?

Unsure, but will comply with any Zoning needs

**Steve R**: Is the basement full and finished?

Sworn in: Mark Greco

Basement will be a play area and storage

**Steve R:** What is the deck in the rear?  
Basically a shower and stairs out  
What is the finished square footage?  
Approx. 2250' without the porch

Public Portion:

**John Santoro:** Have known family for a long time. There are small bedrooms. The setbacks are small and they need relief. This will be a good job

Closing – **Brian Callaghan:** this is a C2 variance where the benefits outweigh the detriments. This will be good for the family as well as the block. Most areas comply already

Motion: Front yard setback of 3.65'; a side yard setback back of 3.13'. The conditions are #2-#6 on the Engineer's review; Eliminating 300 sq. ft. of concrete in the rear; a grass strip in the front; 2 street trees

Motion: Mike Weissen  
2<sup>nd</sup>: Clyde Yost

Vote:

**Mike Advena:** No

No problem with Side yard or Lot Coverage. Have a problem with the second floor on the front setback.

**Steve Rice:** Yes

Good with conditions as stated

**Peter Courter:** Yes

Like the new design – no neighbor issues

**Dan Smith:** Yes

Good concessions – Good positives – Nice plans

**Mike Weissen:** Yes

Not asking for any more than the neighbors

**Clyde Yost:** Yes

Drawings were good – good to comply with conditions

**Lorraine Sallata:** Yes

Like the application – keeping light and air space

Motion Approved: 6 in favor, 1 opposed

**Motion Granted**

Applicant: Stephen Samost  
105 S. Oxford Ave.  
Block 15, Lot 3  
Requesting a "C" variance for Side yard, Rear yard, and waiver for street trees

Sworn in: Stephen D. Samost  
Applicant and attorney  
Asking for a C2 Variance

Exhibits entered  
Z-1: Plans  
Z-2: Plans

Describes application: have been in real estate and a developer for some 40 years. Purchased this property in the summer of 2010. It is 8 bedrooms and a finished basement.

Inside Plans: The 1<sup>st</sup> floor is mostly redone. The plans are for the 2<sup>nd</sup> floor to create a master suite. The plans will also create an additional bath for the 2<sup>nd</sup> floor. Plan to square off the cut-outs from the outside to fill in the 3<sup>rd</sup> floor. Propose a deck off the bedrooms. Plan to enclose the porch on the side of the house, plan to extend the master bedroom and bath to take deck space. Propose a new bath on the 3<sup>rd</sup> floor.

The 3.9' side yard setback is not planned to be any worse. May need a front yard setback relief for the porch. Asking for a street tree waiver and there are already 2 large planters and shrubbery that will be kept.

Outside Plans: In the back is a 1 story garage with stairs. It has a bad roof and there is an issue with the shower because of the stairs. Need to move stairs to the rear of the house. The plans show putting a deck on the roof of the garage and moving the stairs to the rear.

Sworn in: Herbert Grana Jr – Architect

Discusses the Zoning criteria in regards to areas that are conforming and non-conforming.

Discusses the storage area in the porch and the ground use

The basement is heated and includes a storage area that is accessible both inside and outside. There is plumbing there. There are no plans to use it as a living space since there is not a lot of head room.

**Lorraine Sallata**: I have been in the basement and it is clearly storage

Other than the rear stairs, is there any increase in non-conforming space

No

Is there any other way to do the stairs?

Not without affecting the shower and the walk-through

Plans are to re-do the entire exterior including the siding and decks. The garage will also be enhanced to make it even with the main house.

The number of bedrooms will remain the same at 8. It is a single family home being used as a 2<sup>nd</sup> home and possibly a main home in the future.

Parking is currently at 4 and will remain the same

Engineer's letter is discussed

Board Questions:

**Peter Courter**: Have you thought of using spiral steps

Looked at it, but it doesn't solve the problem. A 90 degree turn would but it would hurt other access. The only solution is leave as it is or move them.

**Mike Advena**: When was the deck between the garage and the house built?

It is not really a deck; more of a platform

**Steve Rice**: The landing looks recently new. When was the AC installed?

The AC was put in about 7 years ago. The stairs and landing were put in about 8 years ago.

Is there any utility access for the power lines?

Only the driveway

**Lorraine Sallata**: there are no issues with the inside work. The issue is with the stairs outside.

The concerns are for safety and emergency personnel.

The only option is to leave them where they are

Any thought of turning to the right instead of left

It makes more sense to just leave them

**Clyde Yost**: are there any thoughts of renting?

No

**Mike Advena**: There is an existing plot plan but no proposed plan

All discuss setbacks

What is the existing height of the garage?

12' to the ridge. The proposed height is 10' to the deck and 13' to the railing

**Wes Becker**: the code states 12' maximum height but a railing doesn't count

Does this create a privacy issue?

Wes Becker: Still considered a secondary structure

All discuss Jimmie Agnesino's review

**Wes Becker**: is a front yard setback needed?

Don't believe so, but Jimmie Agnesino thought I might

On the rear yard setback, how far is the garage from the line?

Shows 4.47' to existing wall; 3' wide stairs would make it 1.47'

**Clyde Yost**: what is the width of the garage?

12'-8"

**Steve Rice**: what is the reason for the deck over the garage?

The stairs are for the shower and the deck is for a functional area. We didn't like the roof on the garage and wanted additional seating.

Public Portion:

**Steven Ritter**: 106 S. Somerset

The landing in the back is 25'. With the space in the back, the deck would encroach on our privacy. When a transformer blew on Labor Day, they could not get through to fix it. The additional steps would cause an issue.

**Richard Lavine**: 108 S Somerset Ave.

There have been no major issues in the past. We like the family. They are very friendly. Privacy is the issue here and the deck is the issue. It will change the quality of life. Please consider the permanence of a decision if they sell the property.

**Stephen Samost**:

The plans had been given to the St. Leonard's Tract Committee. No one came forward. We will withdraw the plans for the deck and will delete the plans for the deck.

**Patrick Gallagher**: St. Leonard's tract Association

We met with Mr. Samost and the Committee. We did not receive the letter until 5 days ago. We support the plans for the inside of the house, but the proposed deck will impact privacy and should be considered.

**Steve Rice**: What is the lot coverage?

Have about 93% with 60% need

**Jack Matthews**: There is no change in Lot Coverage

**Lorraine Sallata**: Discusses waiver for Street trees.

The only area that makes sense is the planters

We want more grass

Others have less

We would like more green

The property next door has none

Would like to see grass, but no trees is all right

Doesn't think it is a good idea but will do trees

No grass and no trees agreed upon

**Jack Matthews**: Still do not believe a front yard variance is needed

Wes Becker agrees

Motion:

Side yard setback of 3.9' for a C2 variance

Amended to remove the rear yard setback and deck

Will provide new plans

Waiver for street trees

Motion: Mike Weissen

2<sup>nd</sup>: Mike Advena

Vote:

**Dan Smith:** Yes

With concessions for neighbors – good for St. Leonard’s Tract

**Mike Weissen:** Yes

By dropping the deck, ok with the rest

**Clyde Yost:** Yes

With amendments and conditions – will enhance the area

**Mike Advena:** Yes

Listened to the neighbors – the deck was the only issue

**Steve Rice:** Yes

A positive impact

**Peter Courter:** Yes

Will be good with work done

**Lorraine Sallata:** yes

Like the project – the integrity of the house will not change. Wish there had been earlier discussions.

**7 in favor, 0 opposed**

Motion approved

Other Business:

1. Happy Holidays
2. Thank Wes Becker for a job well done.
  - a. The Board wishes him the best
3. New sound system will be installed next month

Motion to adjourn: Mike Advena

Second: Clyde Yost

Meeting adjourned at 9:22 PM