



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 February 16, 2011 – 6:30 PM

1. Call to Order: 6:30 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.  
Craig Hurless, Polistina & Associates

4. Adoption of Minutes of January 19, 2011 meetings  
Motion: Clyde Yost  
Second: Greg Maiuro  
Approval: All in favor
5. Adoption of the Following Resolutions  
Z-1: Election of Chairperson and Vice-Chairperson  
Lorraine Sallata & Greg Maiuro  
  
Z-2: Election of Solicitor, Secretary, & Stenographer  
John Matthews, James E. Pacanowski II, & Nicole Barbella  
  
Z-3: Adoption of Meeting Dates

Z-4: Appointment of Board Engineer  
Pollistina & Associates

Motion: Greg Maiuro  
Second: Clyde Yost  
Approve: All

6. Applicants:

- a. Anthony & Meghan Faiola  
211 North Derby Ave  
Block 204, Lot 4  
Requesting a "C" Variance for Side and Rear Yard Setbacks

Sworn in: Anthony Faiola & Meghan Faiola

We are asking the Board to approve a Side and Rear Yard setback variance. We renovated the home last year. We have permits from last year for the following:

Extend Walkway alongside to the rear for additional egress

The person doing the work did not get the proper permits and when the inspectors came, we were told to stop work, and request variances. This work was to be done for safety and to extend the walkway to the rear of the house. There was also a pre-existing deck that was extended.

The criteria speaks for itself as the extra space is needed and safety played a large part.

**Board Questions:**

**Lorraine Sallata:** Prior to extending the ramp, the concrete was old and the top of the ramp had what?

There were 3 steps down and then to a shed. The old deck had a solarium on it, and am unsure of the dimensions.

Was the deck as close as it is now?

No, it was not as close. I believe it was 8' back, but do not have the exact dimensions. Look at photo "G", and the deck went out an additional 4' from there. This was done to make better use of the space.

Did you have a functioning backyard before?

Not really – it was only about 5'. There were no steps into the backyard.

Prior to the work, you had to walk up the ramp and then down steps to the house and deck?

It was really dead space that could not be used.

**Steve Rice:** What is the benefit for the Fire and Police?

Now there is a second egress to the house

Is there any way now – how was the yard managed?

It is crushed rock

The contractor took it upon himself to extend the deck and not tell you?

The contractor is not in business anymore. We all thought the deck was existing. When they came out to inspect, they saw new areas and we were told to stop.

**Mike Advena:** The surveyor showed the new deck? We need clear access around the house. The concrete ramp was pre-existing, then you expanded the deck to encroach more; the air conditioner is in the wrong location, so there is a lot wrong.

The air conditioner was already there. We bought home in 1998.

### **Board discusses air conditioner location**

**Mike Advena:** My issue is access around the building. Fire is an issue with the existing access.

We respect the neighbors, and hope this will make things easier for Police and Fire  
Is it possible to move the air conditioner unit to the back of the house?

If this will help the application, then we will do it. We are willing to work with issues  
Are you willing to pull the deck back to its original size?

Board discusses original deck and how it works in the plan.

**Jack Matthews:** Looks like there was renovation to the entire house – do you have a copy of permits?

Believe it was for plumbing, electrical, and structure  
Is everything outside new?

Yes

With the previous deck, what was the side yard setback?

Look at photo “D” – the deck went to the side of the house  
Who discovered that the contractor extended further than planned?  
The code officials discovered it

**Clyde Yost:** Going from the right side of the house, could you access the deck?

No – the Building Dept. gave us good ideas about the side and rear  
Applicant discusses what Building Department and Contractors thought of ideas  
for better utilization of space.  
If there is a fire, there is no way around

**Mike Advena:** I have no issue with the Side Yard setback, and have no issues with the deck but pull the deck back and put steps to the back yard and then move the air conditioner to the rear

**Clyde Yost:** Can you do away with the side ramp?

Mike Advena: no, leave it – there is still the fire issue  
Applicant – where is this going?

**Lorraine Sallata:** Board has concerns with safety – there are many ways to address this – not sure if it is the Boards responsibility to redesign your house

I Am willing to work with the Board – thought we were making things better, but I guess not

**Jack Matthews:** The Board is always concerned with access and safety. A suggestion would be to adjourn the case and come back with new plans. You can come back next month.

Can I ask for a 2 month adjournment as I may be out of town on business?

**Lorraine Sallata:** What does Board think of a 2 month extension?

Public Portion:

**Shelly Trivisonno** – 213 N Derby

The existing deck was a solarium and was torn down  
It was a nightmare when first torn down and then extended  
We contacted Code Enforcement about workers – Shallus & Sons  
Applicant was not there – knocked down solarium and extended deck at that time  
The original was a smaller version of what is there now  
We have privacy issues  
We can see and hear everything  
Have concerns that all work should be done properly and to code

**Jack Matthews**: Was deck same height as now

Yes

**Dan Smith**: How big was the solarium – Estimate

There was no deck; the solarium filled the entire space

**Mike Advena**: When was the solarium torn down?

A couple of years ago; they left the deck

**Dan Vespertino** – 5702 Edgewater

Familiar with the property – very nice  
Previous look was not as good as it is now  
Agree with any conditions, but it should improve the property

Board Questions:

**Craig Hurless**: Do you have an older survey to review?

Gave to Code Enforcement – can get a copy

**Lorraine Sallata**: the Board is asking for a 2 month extension while the standard is 1 month. I believe we should stay with the 1 month but it is the Boards decision

Meeting is March 16, 2011

**Mike Advena**: I am OK with 60 days

**Greg Maiuro**: What will change in the time?

Will go back to the architect and see what we can do

**Lorraine Sallata**: Asks for a hand vote on a 30 day extension

**Applicant requests a 30 day extension. If he is unable to meet that, he will have to re-notice.**

**Board grants extension for 30 days**

- b. Applicant: Mark Jay Krum  
105 South Derby Ave.  
Block 18, Lot 4  
Requesting a "C" Variance for Lot Coverage

Sworn in: Mark J Krum  
Owner, 105 S Derby Ave

Exhibit "B" states what was done and what is requested  
Bought property 2 years ago – had 69.3% impervious coverage at that time  
During the past summer, extensive work was done on the property  
With all the work done, coverage was increased from 69.3% to 70.8%  
Need to request an additional 0.5% to 72.2% for a brick wall addition  
I took a beautiful home and made it more beautiful

The run-off water will now have a place to go with the pool

Note: Every other home in the block exceed impervious coverage and even with all of the improvements, this property has less

Exhibit "B" – 2 years ago, this Board approved a neighbor for 72% coverage, but I believe it is more. This property has more grass than others.

Shows many detailed photos of the work progress

The Engineer's report notes pavers in the rear. I put new pavers in the rear with pervious space. I put the old pavers from the rear in the front in place of a sidewalk.

**Board Questions:**

**Lorraine Sallata:** All cases before the Board are treated as individuals – questions the Swim-mor letter

Should have seen this prior – Jack Matthews gives copy to applicant – Do not think letter is correct

I wonder what this letter is about

I remember Mr. Agnesino showing this to me

Board discusses what occurred – upset above pavers during inspection – went to office to discuss – possibly Swim-Mor misrepresented the figures

Pavers were pulled up with new pavers that take up less space

**Lorraine Sallata:** You are not familiar with this letter?

Familiar only with the discussion at the Building Department

The new pavers are 24"x24"

Applicant reviews photos with the Board

Believe Mr. Agnesino might not have known that old pavers were there and only saw the new ones. I also re-planted trees to save them.

**Greg Maiuro:** In between the 24"x24" Pavers, there will be grass?

Yes

Applicant: you are allowed 60% coverage. I had 69.3% and need 71.2% from pre-June 2010, this work will reduce the water run-off.

**Dan Smith:** Do the calculations take into account the space between the pavers?

The Catalano report shows with pavers and without

Is he looking at pervious vs. impervious pavers?

Yes, it is taken into account

Notes exact product to show pervious nature

**Craig Hurless:** Any storm water concerns have been improved with the work done

**Mike Advena:** With a porch or deck without a roof, the deck is considered pervious?

Craig Hurless: yes, but the ordinance does not cover spacing of deck. It is disconnected between storm water run-offs.

Applicant: Exhibit B-6 discusses coverage

Discusses Swim-Mor letter more about the pavers and not knowing the pavers were already there

**Peter Courter:** What is the proposed wall height?

Designed the wall to fit code requirements – 4' high with a 2' wrought iron top

It is a privacy wall and meets code

Used similar brick to stay within the look of the house

Applicant: was concerned about the fireplace, so I stopped work on it – waiting for approval

**Clyde Yost:** The brick wall is a main wall for privacy?

Yes

**Jack Matthews:** Board is only here for the brick wall – not sure why the fireplace was stopped

**Craig Hurless:** The wall is permitted – it is the pavers that are the issue – but with all taken into account, the applicant is looking at 71.2% coverage.

**Public Portion: None**

Motion: 105 South Derby Ave.

"C" variance for lot coverage of 71.2% with a possible condition that any approvals would be met with permits and code approval

Motion: Greg Maiuro

2<sup>nd</sup>: Clyde Yost

Vote:

**Greg Maiuro**: Yes

Outstanding Job

**Mike Weissen**: Yes

Good Job

**Dan Smith**: Yes

With all the circumstances, the job was well handled. Satisfied with water run-off issues

**Clyde Yost**: Yes

Applicant took into account water run-off

**Steve Rice**: Yes

No negative impact

**Peter Courter**: Yes

Thorough Job and well presented

**Lorraine Sallata**: Yes

Coverage is over, but overall satisfied there is no negative impact

**Motion approved: 7 in favor**

**0 opposed**

7. Other Business
  - a. Cut-off dates
    - i. Information given and reviewed
  - b. Zoning Variance comparison chart
    - i. Reviewed and information given
  - c. CNC application
    - i. Copy given to members and input requested for changes for new one
    - ii.

Motion to adjourn: Mike Weissen

Second: Greg Maiuro

Meeting adjourned at 8:05 PM