



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 January 20, 2010 – 6:30 PM

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

Present

Absent

Jim Reynolds
Lorraine Sallata
Greg Maiuro
Dan Smith
Mike Weissen
Clyde Yoste
Stephen Rice

Professionals:

John Matthews, Esq.

4. Adoption of Minutes of December 16, 2009 meeting
Motion: Lorraine Sallata
Second: Greg Maiuro
Approval: All in favor
5. Adoption of the Following Resolutions
Z-32: Ian & Sharon Modelevsky
5 South Cambridge Ave.
Block 64, Lot 8
Interpretation for Carriage House remodel

Z-33: Christopher Brown
15 South Somerset Ave.
Block 58 Lot 6
“C” Variance for Lot Coverage

Motion to Approve All: Greg Maiuro
2nd: Lorraine Sallata
All in Favor

6. 2010 Reorganization: Appointment of Board Positions and Meeting Dates
 - a. Chairman: Motion to appoint Jim Reynolds
 - i. Motion: Greg Maiuro
 - ii. 2nd: Clyde Yost
 - iii. All in Favor
 - b. Vice-Chairperson: Motion to appoint Lorraine Sallata
 - i. Motion: Mike Weissen
 - ii. 2nd: Greg Maiuro
 - iii. All in favor
 - c. Board Attorney: Motion to appoint Jack Matthews
 - i. Motion: Jim Reynolds
 - ii. 2nd: Greg Maiuro
 - iii. All in favor
 - d. Board Secretary: Motion to Appoint James Pacanowski II
 - i. Motion: Greg Maiuro
 - ii. 2nd: Mike Weissen
 - iii. All in favor
 - e. Board Transcriber: Motion to appoint Nicole Barbella
 - i. Motion: Jim Reynolds
 - ii. 2nd: Dan Smith
 - iii. All in Favor
 - f. Sunshine Notice of Meeting Dates: Motion to approve dates as noticed
 - i. Motion: Mike Weissen
 - ii. 2nd: Lorraine Sallata
 - iii. All in Favor
 - g. Board Engineer: Table until next meeting as no engineer in place
 - i. Discussion
 1. Greg Maiuro brings up discussion as to Engineer status
 2. Board Secretary states that discussion with Mayor was to table until the next meeting as the City has yet to appoint a Municipal Engineer and thus none to appoint to the Board
 3. Jack Matthews notes that the Municipal Land Use Statute states that the Board can appoint who it wants, but historically in Ventnor it is the City Appointed Engineer. He is not sure how the monies are distributed for this position. Legally, the Board can appoint who it wants, but payments are the issue.

4. Lorraine notes that fees are an issue without having an engineer on board. The Board tries to be careful with its decisions, but not having an Engineer is an issue without gaining its input.
5. Jim Reynolds notes that the Mayor is working on the situation
6. Jack Matthews notes that there is no one here now, so we should wait.
7. Lorraine notes that the problem still exists as the Board may be looking at a Use Variance.
8. Jack Matthews reminds the Board that they do not have to vote on a case, and if they are not comfortable, they can table it until next month.
9. Mike Weissen notes that is has been a pleasure working with Dick Carter and the Board will miss him. He always gave the utmost courtesy and the City will be hard pressed to find someone who works as hard. He would like an explanation from the Administration as to why Dick Carter is no longer the engineer.
10. Jim Pacanowski states that he will discuss it with the Mayor for an explanation.
11. Nomination tabled until next meeting

7. Applicants:

Orlando & Rosario Santiago

4 S. Nashville Ave.

Block 51, Lot 14

Represented by Brian Callaghan

Requesting a "C" variance for Front Setback and "D" variance for Expansion of a Non-Conforming use

Brian Callaghan sworn in

All Jurisdictional items have been met. Requesting a "C" variance for a front yard setback from 12' to 7' and a "D" variance for an expansion of a Non-Conforming Use. Received a CNC in 1998. There was fire damage to the property, and when renovations were being done, decided to expand the Living Room over the garage. It is located in an R7 district which is zoned as Single family.

Was told by J. Agnesino and H. Lazar that area had been re-zoned but the map had not been re-done. Nashville Avenue is an R-7 zone, and this being a duplex with an existing CNC, need a variance for use expansion.

Submits photos pre-fire. There will be no expansion of the footprint, just expanding the living space. Tax Map shown that area across street was re-zoned to allow for hi-rise.

Arthur Ponzio- Architect sworn in

Submits 5 exhibits; A1-Variance plan, A2- Aerial Photo, A3- Tax & Zoning Map, A4- 6 current photos, A5- Tax Map made by Jimmie Agnesino.

Will be continuing to have 2 units in house; most houses in area are similar being multi-family. Fire occurred and now extensively re-doing the house. One side of house has always been enclosed, and now wants to enclose the other side of the house where open porch now exists over garage. Planning on making it a closed porch. It is now a vertical change to the setback with the lower wall already existing, but adding the upper wall. Thus the need for a "C" variance.

Discusses negative impact. Building next door is built to property line, and this is 7' back. The other side of the street and most of the block has a same or similar setback. There is no detriment to the Zone plan as most of the block has similar setbacks, and the neighborhood is mostly multi-family.

Discusses positive criteria: to bring back the old charm with good esthetics. Believe this is a minor request with no negative impact.

Board discusses various issues:

Clyde Yost: Was a permit to enclose porch pulled

There were multiple permits pulled but not one specific to that. Owner did not see a problem. When Jimmie Agnesino did framing inspection, owner was told to stop because home was not in duplex zone and needed board approval.

Greg Maiuro: Was house blocking porch

Porch was usable

Lorraine Sallata: Could a deck be put on top

A deck is legal, but could not put a roof on it. The property currently has 3 existing non-conformities: Parking, Lot Coverage, and Use.

Clyde: the Bay window on the side of the house was new or existing

It is a new window but replaces an existing same type

Mike Weissen: Questions the bedrooms on the third floor, and what is the ceiling height

They are attics space with a bathroom. Height is about 7'

Orlando Santiago sworn in

The fourth floor of the house shows attic space and a bathroom. This was there prior to the fire. In the entire house, my family and 3 children live in upper floors.

Dan Smith: was there heat in the attic prior to the fire

No not in the attic area. Put in after fire when put in two new heating units for both the lower and upper floors.

Lorraine: What are plans for the attic area?

Son will live in one room and the other to be used as a possible gym area

Clyde: Was there permits for all the work including the attic

Yes, all work has permits

Greg: Now the house has a total of 7 bedrooms

Jack Matthews: Previously, the upstairs unit had 3 bedrooms, now it would have 4, but would not increase any parking needs.

Lorraine: Most houses on block have open porches, this would have a closed porch, therefore not in plan with the rest of the neighborhood.

The vet clinic has an impact on the house

Steve Rice: is the reason to enclose the porch because of the Vet Clinic

In summer, dirt gets onto the porch, and in winter, snow. Snow and water get into garage causing damage. Walking of dogs cause problems and want to protect family.

Mike: is the case that there is no issue with the attic, no issue with the side, and we are only voting on the porch side?

Jack Matthews: The question is whether it fits with the neighborhood. You can take the entire picture into account and its impact on the case.

Brian Callaghan: In conclusion, the owner is asking for a "C" variance for setback and a "D" variance for the enclosure of the porch. It has been and still will be a multi-family home. The owner is looking to make it more compatible for his family. The porch enclosure will not block any sight. It is across from a 24 unit and a 9 unit home. This area is in need of any type of redevelopment.

Public Discussion:

Jessica Grant: Owner of the Vet Clinic

Not opposed as long as not changing the use of the building. Would have an issue if they were making any changes to the side of the house. No conflicts as far as concerned.

Alba Borland: 5112 Ventnor Ave

No problem with the work. Have known owner for years

End Public Discussion

Board Questions:

Lorraine: with no Engineer, should we table this to insure we get it right

Steve: Do we want the owner to have to wait another month to finish his work

Mike: would like an engineer but would not change thoughts

Dan: Can we make conditions, such as no more than 4 bedrooms

Jack Matthews: Yes

Mike: Shows photo taken of property to Board Members

Lorraine: More comfortable with an engineer in place

Dan and Mike are Ok with the application

Lorraine, Clyde, Greg, and Jim Reynolds want to hold off until an engineer in place

Brian Callaghan: Concerned as to when a report will be issued and would he have sufficient time to review and act upon. Unsure if will have time without knowing when and if an engineer would be hired.

Jack Matthews: Board has 120 days or until April before a default approval would be issued, and will have engineer in place by then

Motion to hold over until February 17, 2010 meeting with no need to re-notice and can supply any testimony needed:

Second: Dan Smith

All in favor

8. Other Business:

None

Motion to adjourn: Mike Weissen

Second: Dan Smith

Meeting adjourned at 8:05 PM