



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 June 15, 2011 – 6:30 PM

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

Present

Lorraine Sallata
Greg Maiuro
Dan Smith
Mike Weissen

Stephen Rice
Peter Courter
Mike Advena

Professionals:

John Matthews, Esq.
Craig Hurless, Polistina & Associates

4. Adoption of Minutes of May 18, 2011 meetings
Motion: Mike Weissen
Second: Greg Maiuro
Approval: All in favor

5. Adoption of the Following Resolutions

Z-10: Chris & Christine Shoup
16 N Wissahickon Ave.
Block 127, Lot 15
"C" Variance for Front & Side Yard setbacks - Approved

Z-11: Maxine Stonehill
5901 Winchester Ave.
Block 115, Lot 1
Requested "C" Variance for Front Yard – Approved

Absent

Clyde Yost

Motion: Greg Maiuro
Second: Mike Weissen
Approve: All

6. Applicants:

- a. Dr. Ronald Plotka
108 S Victoria Ave.
Block 12, Lot 8
Requesting multiple "C" and an Interpretation

Sworn in: Brian Callaghan
Coming before the Board with revised plans
Asking for an interpretation and then variances

Exhibits:

- A1 – Aerial Photo
- A2 – Existing conditions map
- A3 – Site Plan
- A4 – Block & Lot Plan
- A5 – Tax Map
- A6 – Original Ground floor parking
- A7 – Architectural rendering
- A8 – Zoning Map
- A9 – 3 page package from Jimmie Agnesino & Helen Lazar showing 4 units
- A10 – Copy of R9 ordinance and exceptions
- A11 – Amended site plan
- A12 – Amended Ground floor parking
- A13 – Architectural Front Elevations

Proceed with the interpretation issue
Believe it is a permitted use and permitted height based on ordinance

Arthur Ponzio sworn in

Discusses the ordinance and the issues
102.118 shows the exceptions
Section H – Lawful uses
If you have an existing multi-dwelling, you can have it again
Jimmie Agnesino & Helen Lazar provided information from the 1990's showing it
to be a multi-dwelling unit.
Based on City records, it is a multi-dwelling unit

Parking – take "adequate" out of the mix
The new plans for 2 parking spaces per unit, which meets requirements
The Board can allow for up to 20' additional height to make room for parking

Back in 2006-2007, the City looked at the height ordinance
An applicant came before the Board with multi-height issues
The City changed the ordinance to accommodate

Jack Matthews: Was the zoning for the old Alsensor site an R-9
No, but changes were made to accommodate it

The intent was there to accommodate parking but conditions were put in to allow for this

We went with the new plan to allow for the ordinance requirements of 2 spaces per unit so there would not have to be any interpretation

Clearly these changes were a hope for a mandate of change

Jack Matthews to engineer: did your re-review fulfill all parking requirements?
Yes

We ask for an interpretation vote

Board Questions:

Mike Weissen: What is the zone for tonight's application?
R-9

The old plan from another applicant was what zone?
A different zone

Craig Hurless: The section of the ordinance – the section of exceptions is for all zones

Mike Advena: From the original application, the number has changed based on the requirements or the sizes?
Both the Engineer and the applicant agree on the change due to the Zoning requirements. The map is wrong but the ordinance is correct.

Jack Matthews: The Board can hear and decide on the interpretation
Applicant is asking for documents related to Article 10, section 102-72, 73, 74 and 102-118.2 – 1, 2, and 3
To then go forward without seeking Height or Use Variances
If yes, then the applicant would not need a height or use variance

Granting the Interpretation would allow all sections to apply

Greg Maiuro: if we grant this, does it apply to this applicant or all applicants?
Each applicant would have to apply within their zone

Dan Smith: Explain where the 47' came from
Existing building is 27' high and with the 20' waiver, it would allow for 47'
The old plan showed a 51' height, so 4' had to be cut

Public Portion:

Paul McLean:

Zoning review by the Engineer dated March 2011 – notes issues
Cites 102.11 – Review is in error and discusses it
The existing use does not fulfill the requirement for an apartment or townhouse

Craig Hurless: review cited was from March 2011 – a new one was generated June 14, 2011
You are citing issues that do not apply to the new application

Not convinced it is an apartment house and the applicant should provide proof of that
It would be a non-conforming dwelling in an R-9 zone

Article 63 – clause 102.117

If it is an apartment, proof should be provided

Not convinced that an apartment would be 5 stories high – it is too intense for the area
The application should be denied without hearing the motion

Charles Hyman: I can see where the 47' ends but then there is another 3'-6" and then a 3'-4"
fence and then a shaft with no dimensions – would like an explanation

Mike Weissen – this question does not pertain to this part

Lorraine Sallata: How does the City have the property classified?

It is listed as a 4 unit apartment

Jack Matthews: Applicant has documentation from Community Affairs designating it as a 4 unit
apartment – documents from the City state the same

Mike Weissen: What is the difference between an Apartment House and Apartment Dwelling?

Craig Hurless reads the Ordinance and the definitions

Mike Advena: If we approve the interpretation to exceed the 20' for parking, will this apply to
only the R-9 zone?

Craig Hurless: No, it will apply to the whole City assuming the criteria is met

Concern is the present zone has a height of 35', but the unit across the street is 40'; now they
can go to 60'

Craig Hurless: Applicant would have to meet specific requirements

What are we doing to overall heights?

Jack Matthews: nothing global but the Board will look at each application. This only
affects this property.

My only concern is the global affect

Lorraine Sallata: We are only deciding if the ordinance applies

Jack Matthews: This is complicated, but the decision is to decide if the articles apply

Mr. McLean: Board is swapping definitions. The existing use is an apartment house but proposed use is a high rise apartment.

Motion: **Mike Weissen: To approve an interpretation pursuant to 70B of the Land Use Act – motion to grant at 108 S Victoria Ave, Blk. 12, Lot 8 in an R-9 Zone – pursuant to 102.72,73,74, 102.118.2 Section H that the applicant does not require a variance for Height and Use.**

2nd: Greg Maiuro

Vote:

Mike Weissen: Yes

Dan Smith: Yes – Based on proposal

Greg Maiuro: Yes

Steve Rice: Yes

Mike Advena: Yes

Peter Courter: Yes

Lorraine Sallata: Yes

Motion Carries 7 in Favor, 0 Opposed

Brian Callaghan: Proceed with Variance Plan

Neighbors were concerned with the 5' setback in the front and not having a full 12' setback, as well as the 3' back and 4' side setbacks. The new design should not have this impact

Arthur Ponzio:

Discusses all exhibits.

A1: Aerial View

Heard all of the neighbors and the Board comments. The new plan tries to meet them

A11: New Site Plan

Moved building back for a view corridor

Will need a side yard setback as 5' is requirement and asking for 4'

Could move the house 1' to either side to eliminate 1 setback need

To push back, would need a rear yard setback of 3'

Need building coverage of +15% of requirement

Lot coverage is still needed since we are currently at 90% coverage, but will be

reducing it to 80%; a 10% reduction but still over

A12: Ground floor plan is completely different

4 parking spaces in front and 4 underneath. They are also proper size

Parking will not infringe on the City.

Each unit will have storage as well

There will be 2 means of egress in addition to the elevator

Landscape varies due to buffering; will now have buffering to the North & South
Ordinance requires 8'; can do any kind of landscaping

Require a waiver for street trees as there are really no other trees around
They could block views, but can put in if needed

Benefits – Positive Criteria

- Significant esthetic improvement – a lot of detail
- Reduction in Lot Coverage
- Increase & compliance in parking
- Safety – complete conformity to code

Negatives:

- Mix-used neighborhood
- Now giving neighbor proper view corridor
- Detriment to Zone Plan
 - Designed plan to meet criteria of ordinance

Height goes to the coving of the flat roof at 47' – there is 3'-6" of fencing
Height does not include mechanicals
Stairs to the roof should follow this rule – stair area is approx. 8'

Steve Rice: How did you come up with the height elevation on the 1st application?

Showed 12'

Craig Hurless: South of Atlantic Ave. is 13' and north is 12'

Sworn in: *Christina Buendichio* – Architect

Reviews plans of building

1st Floor – Parking, Showers, Storage

Each additional floor is identical with 2 bedrooms, 2 baths, and a deck

Elevator goes to each floor except for the roof

2 means of egress

Very traditional residential look

Board Questions:

Mike Weissen: What is a roof garden?

Highly landscaped area – no water run off

Are the trusses on the roof stronger?

Yes

Lorraine Sallata: Concerned with the green areas on the ground

Can do various greenery around the building

You are requesting a variance for landscaping?

Buffering is required

Mike Advena: How does the Board feel about moving the building 1'?

Lorraine Sallata: Good for the neighbor

Steve Rice: What is the material for the walkway and driveway?

Pavers set in sand – semi permeable

Jack Matthews poles Board on the 1' move of building

Dan Smith: What is Engineer's thought on the 1' move
Craig Hurless: in this plan, it can promote safety

Lorraine Sallata poles Board for 1' move of Building towards Ocean Side – Approved

Brian Callaghan: This is one of the 1st major plans in the City in a long time – owner plans to build and live there. There is intent to do this project.

Public Portion:

Mr. McLean: Speak on intensity – Lot coverage and Building coverage
Stairway access to roof – discusses height issue with roof access
Jack Matthews: discusses roof gardens from other towns
The roof garden is another area that gets used
Thought I noticed a balcony projection – could block view corridor
Are allowed balcony to 8' from front and we are at 8.5'
Cites ordinances
Rear Yard setback – there is power poles and it could affect the area

Lorraine Sallata: Fire Chief provides a report and did not report any issues – the only issue was a sprinkler system

Jim Vernile: What are balconies like – Fencing Height?
Project 3'-6"
Would like to see a single family home, but do not know all the issues

Mike Weissen: Asks Mr. McLean what his opinion is of the new plans
Mr. McLean: Structure looks good – worried about the intensity of use. On a 50' lot, this is intense use. Torn about thought.

Brian Callaghan: Gives conclusion; get rid of old 4 unit for a new 4 unit
Conforms to parking – hopefully a stimulus to the City. Beautiful new design

Lorraine Sallata: Appreciate the interest and concern of the public with this application

Jack Matthews: Should move building 1' to South? – Yes

Lorraine Sallata: There is grass around building but no other landscaping?
Craig Hurless: There are options for low growing trees or others
Can do along south side along the building

There is an issue when construction starts
Believe no demos can be done in the summer
Agree to October 1 – based on existing tenants

Motion:

For 108 S Victoria – Variances to amended south side by 1’

Side Yard of 3’, Rear Yard, Building and Lot coverage, and landscaping buffers
Conditions to include comments 2-5 on Engineers report, final plan will move building 1’
to the South, Shrubs will go along south side of building, and no demo be October 1,
2011

Motion: Greg Maiuro

2nd: Dan Smith

Vote:

Greg Maiuro: Yes

With conditions stated – think this is a start of things to going forward

Dan Smith: Yes

Applicant worked hard – went above and beyond – Positive for the City.

Mike Weissen: Yes

Listened to all of the neighbors – parking was an issue – fixed this

Many pluses on the new plans – lots of concessions to accommodate neighbors

Thought of issues over and over

Steve Rice: Yes

No negative impact – appreciate new plans

Mike Advena: Yes

2 concerns were the front and parking and both were addressed. Height was worked
out. This will be the beginning of some new things in the City.

Peter Courter: Yes

Did a great job – appreciate the concerns addressed – nice enhancements

Lorraine Sallata: Yes

Commend the whole team for addressing all concerns. This will be a wonderful addition
to the City.

Application approved 7 in favor and 0 opposed

7. Other Business

i. None

Motion to adjourn: Greg Maiuro

Second: Dan Smith

Meeting adjourned at 8:45 PM