



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 September 16, 2015 – 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
Bert Sabo

Tim Kriebel

Leonard Mordell – Alt #1
Marie McQueen – Alt # 2

Professionals:

Craig Hurless, Polistina & Associates
John Rosenberger, Esq.

4. Adoption of Minutes of August 19, 2015 meetings
Motion: ___ Dan Smith _____
Second: ___ Mike Weissen _____
Approval: All in favor
5. Adoption of the Following Resolutions
 - a. **Z-26 of 2015: Ilysa Lapidis**
6806 Winchester Ave. /29 N Newark Ave, Blk. 127, Lot 10
Requested "C" variances -Approved
 - b. **Z-27 of 2015: Mary Buckley**
305 N Oxford, Blk. 213, Lot 2
Requested "C" variances - Approved
 - a. **Z-28 of 2015: Lance Landgraf**
9 S Harvard Ave, Blk. 66, Lot 4
Requested "C" variances- Approved
Motion: ___ Mike Weissen _____

2nd: _____ Bert Sabo _____
Approval: All by roll call vote

6. Applicant

a. **Sait & Fetije Emrulai**

109 N Wissahickon Ave, Blk. 178, Lot 5

Requesting "C" & "D" variances

Represented by Brian Callaghan

Carried over from last month

Sworn in: *Brian Callaghan*

Exhibits:

- A1 – Minor subdivision with variances
- A2 – 2 family dwelling plan
- A3 – aerial with setbacks
- A4 – Architectural plans
- A5 – Certificate of land use – Legal Duplex – CNC 1995 – 2005 2 units

Chris Vicente – for owners behind

Public notice – Block 178, Lot 5

No notice for Lot 4

Plans note lot 6

Concerned with jurisdictional issues

Brian Callaghan – Lot 5 is a consolidated lot

Tax last shows lot 5

2 structures on lot 5

John Rosenberger – All OK

Existing duplex demolished

Plan to build 2 single family attached house

A conditional use – if all OK would be at Planning Board

Do not comply with Rear Yard setback

Variances

 Curb Cut – 16' vs 10'

 Stairs – interpret

Conditional Use – 10.5' rear vs 12' required

A2 – 2 family dwelling option

 If demolish existing duplex – build a duplex or a 2 family

Current ordinance –

 Discuss ordinance vs proposed

Discusses sub-division vs lot line

Asking

 Use variance

 Rear yard

 Other variances

Sworn in: *Jon Barnhardt*

 Discusses plans & Proposals

 Known as Lot 5 – a consolidated lot

 R7 district – allows single family attached as a conditional use

2 units side by side with sub-division line down middle

 Reviews proposed setbacks

Looked at alternate options

 With setback options

Single family attached vs 2 single family with a lot line

Use variance justification

 General welfare – land use permits

 Propose larger rear yard setbacks

 Air, light, & open space – more of this

 Parking – 6 on lot parking planned

 Desirable visual design

Negatives

 Detriment to the public – removed existing duplex – intensity does not change

Greater setbacks

It is a permitted use in the zone

“C” variances

Lot width

Stairs – variance

Discusses governor’s order vs ordinance

About 1’ clear of property line

Curb cut – 16’ curb cut on each parking – have 3 per home

Better to go with attached single family then the allowed side by side 2 family – less intensive

Sworn in: *Peter Weiss* Architect

Reviews proposed design – 4 BR, 3.5 bath – modest design

Siding – vinyl

Parking – 3/unit

Height – ok

Consistent with neighborhood

BOARD QUESTIONS:

Lorraine Sallata – Tax records – replace 5 BR with 8 BR – it increases density

Correct

It is a huge increase for a building not that big

Craig Hurless – Review of 7/25/15

Reviews proposal

Variances – comparison 2 separate standards

Most R7 Districts

Use variance – permitted conditional use – Rear Yard

10.5’ in rear vs 12’ required – not meeting all

Lot Size – 1875’ vs 2000’

Lot Width – 30’ vs 32’

Front – Projection into front yard – 0.1’ vs 7’ to steps

Curb cut – 16’ vs 10’ per lot

Satisfied with that

General comments – clean up issues

Agree with all

All conditions of plat submission

Street trees – propose 1

Lorraine Sallata – if build as a duplex – would increase in BR be allowed

Craig Hurless – plan allowing – could build other number of BR – not limited by ordinance

Marie McQueen – Was it destroyed in Sandy

Ground floor flooded – RREM money using

Dan Smith – Did you calculate coverage for alternate plan

60% for alternate, 49% for proposed

Rear yard on alternate?

6'

Mike Weissen – Under RREM – legal duplex at time of flood

Reviews land use certificate

Under RREM – new 2 separate units

Still owned by applicant

How does RREM handle financing?

No issues with it

Brian Callaghan – believe better option is Conditional Use

Mike Weissen – RREM stringent on this type of project

Sworn in: *Sait Emrulai*

State has approved plans

Seems like State is more strict

John Rosenberger – not relevant of proceeds gotten

Dan Smith – impacted by Sandy – Stairs not an issue

Craig Hurless – believe stairs is required – believe Governor's rules is for rebuilds not new construction

PUBLIC:

Chris Vicente – Ask questions

2 family structure – residence for children?

Applicant & Daughter – other son keeping Margate home

Authorizing demolishing

Jon Barnhardt – property demolished

Lot 5 – compliant development

Need 2000'

Proposed 2 separate lots – neither comply with lot area – 2 non-conforming lots
Could there be single family on lot
Yes
Can you show any same size lots as proposed?
Look at Tax map
Is there any structure same size as proposed
Look at aerial & Tax Map
Along Wissahickon – any buildings same
No
Along Buffalo
No
A1 & A2 – Bedroom count on each
Same on both
A2 – projection variance still needed
As drawn – not by right
Parking – A2 – would need 3 per
Don't agree
Don't know any similar exact square footage
No – just visual review – A3 & Tax map

Brian Callaghan – 2000' for single family – what is for 2 family
R7 – minimum combined lot – 50'
Lot area 3125' have 3750' for 2 family – ok with lot width & area
Torn down – opinion to build same

Chris Vicente –
John Barnhardt – not proposing option A2 – 2 undersized lots
General rule of destruction of use – removes use

Sworn in – *Mrs. Willy Dillon* – Planner
Review application & neighborhood
Opinion – do not believe granted
Concur with stair issues – existing
Too much for size – cherry picking the ordinance
Oversized lot – old was a simpler building
Quite an increase in size
Alternate – BR same – only show 2 parking
Disagree with compliance
Not consistent with development in area
Reviews all issues
Have a detrimental impact

Exhibits – Diamond 1 – list of dwelling size by Blk/Lot area
#2 – Tax map
#3 – Tax map
#4 – part of County map
Reviews what shown in exhibits
Good to divide 1 conforming lot into 2 non-conforming – NO
Established very small neighborhood
Not met burden of proof

Mr. Scott Diamond – 104 N Buffalo – behind property

Could build single family same size

No issue

Existing duplex – post impact

To *Miss Willy Dillon*

Inspected neighborhood

Slow drive around

Aware of duplex's & triplexes

Yes

On 30' lot

Yes

Not pristine neighborhood

Yes

Parking – discusses

Other than stairs – plan 2 meets

Without elevation – not sure

New house meets FEMA

Yes

Do others meet

Not sure

Mike Weissen – look at proposal & option – looks smaller

Issue with parking – 102.115

Alternate does not show 3 enclosed

Lorraine Sallata – in order to build alternate – have to come back for variance?

Yes

John Rosenberger – discusses destroyed building – Ventnor has ordinance

Permitted to be demolished & rebuilt – yes under ordinance

Brian Callaghan – parking is rounded down – gives example

Craig Hurless – Ventnor ordinance is same as State – rounded down

Mr. Vicente – to Mrs. WillyDilly

Redirects on demolish-abandon use
Yes

Albie Battaglia

Someone willing to invest & improve area – better
Ratable is a plus for Ventnor

John Mahon – 108 N Buffalo

Documentation in regards to demolish
City Offices
Pulled – Neighbors not told
Could height & noise for AC be negative?
Some impact no matter where
Bulk variances – criteria
C1 & C2 – C2 flexible
Why is rear other than to increase dwelling
Deviation – no

Allen Erlick – 122 N Buffalo

Concerns of traffic now
Parts & other issues
Will look like a sore thumb
Doesn't look proper
Will lose street parking
Decrease values of homes in neighborhood
Brian Callaghan redirects about parking & rental

Brian Callaghan –

Jon Barnhardt – re-discusses lot size & width
Looked back at standards detached & duplex
Single family attached dwelling – reviews all requirements
Meet all conditions of use but one
Meet standards

Mr. Vicente objects to public portion close

Craig Hurless – Mr. Barnhardt correct in that sizes for permitted use but it is not a permitted use

John Rosenberger discusses size issues & how to calculate
Opinion variance for lot size & lot width

Leonard Mordell – if building duplex – build with no variances?
Craig Hurlless – because demolished – believe can build duplex or 2 family
Reviews regulations

Mr. Vicente –
Position – poor planning – 2 undersized lots –
All conditions of conditional use not met
Said can do worse with bye-right
What was there was a duplex – not building same
Double structure almost

John Rosenberger – despite all relief – conditional use – one item not in compliance
– discusses use variances – limited focus – use as proposed functions properly

3 votes –
Motion – conditional use – approval & rear yard 10.5' vs 12'
If fails – done – if pass – then next that could fail
Motion – Marie McQueen
2nd – Dan Smith

VOTE:

Dan Smith – Yes
Passion of neighbors – weighing all – design – existing neighborhood – good
plan

Mike Weissen – Yes

Greg Maiuro – Yes

Leonard Mordell – Yes

Bert Sabo – Yes

Marie McQueen – Yes

Lorraine Sallata – Yes

Motion Passes 7 in favor, 0 Opposed

Motion: ___Sub-Division & Variances

Lot Area

Lot Width – 30’ vs 32’

Front – Stairs

Curb Cut – 16’ vs 10’

Technical Comments

Motion: ___Leonard Mordell_____

2nd: _____Greg Maiuro_____

VOTE:

Dan Smith: Yes

Mike Weissen: Yes

Commend both sides – understand opposition

Greg Maiuro - Yes

Leonard Mordell: Yes

Better

Bert Sabo: Yes

All Same

Marie McQueen – Yes

Lorraine Sallata: Yes

Lot of testimony – can be complicated – given info – right thing to do

Application approved 7 in favor, 0 opposed

7. Applicant

a. **Dan Cahill**

210 N Cambridge Ave., Blk. _162_, Lot _10_

Requesting “C” variances

Represented by Chris Baylinson

Sworn in: *Chris Baylinson*

Lorraine Sallata & Bert Sabo recuse themselves

2 setbacks & coverage

Stairs for mechanical lift

No further encroachments

Side – 3' vs 4'

Rear – 1.1' vs 12'

Has to be size for lift

Sworn in: Dan Cahill

Reviews background

Discusses plans

In March – State grant for lift

Originally got permits

Needed 5' for landing

When went for CO, saw issues with steps and landing

Only stairs & Edge deck encroaches

Coverage went up 20% due to landing size

Craig Hurless – review of 7/22/15

R7 district

Side yard – 3.15' vs 4'

Rear yard – stairs – 1.1' vs 12'

Coverage – 65% vs 62% vs 55%

PUBLIC

NONE

Motion – 3 variances as noted

Technical comments

Waive of street trees

Motion: ___ Greg Maiuro _____

2nd – ___ Marie McQueen _____

VOTE:

Mike Weissen: Yes

Hardship

Greg Maiuro: Yes

True Hardship

Leonard Mordell: Yes

Needed

Marie McQueen: Yes

Dan Smith: Yes

Needed

Application approved – 5 in favor, 0 opposed

1. Applicant

a. Lance Landgraf

9 S Harvard Ave., Blk. _66_, Lot _4_

Requesting “C” variances

Represented by Self

Sworn in: *Lance Landgraf*

Improve outdoor living space

Have a small roof deck – 10’x20’

Part obstructed by roof

Add a 17.5’x10’-8” deck – extend over driveway – 2 tier deck

To maintain access – keep as wide as garage – to keep access to the garage

Variance

Side yard – 3.03’ vs 4’

Built in 1925 – setback in 1929 was 3’

In 1949 went to 4’

Can’t build deck without decreasing parking

Craig Hurless – review of 7/29/15

R4 district

Waiver – sealed survey – did give statements

Street trees

Variances –

Side Yard – 4’ vs 3.03’

Lot coverage – 75% vs 76% vs 78%

BOARD QUESTIONS:

Lorraine Sallata – Would like street trees

Will do one

PUBLIC:

NONE

Motion: “C” Variances – Side yard – 3.03’ vs 4’

Lot Coverage: 78% vs 75%

Waiver for 1 street tree

Motion: Bert Sabo

2nd: Dan Smith

VOTE:

Dan Smith – Yes

Understand situation – no negative

Mike Weissen – Yes

Enhance outdoor living

Greg Maiuro – Yes

No harm

Leonard Mordell – Yes

Not obstructing

Bert Sabo – Yes

No detriment – keep parking

Marie McQueen – Yes

No interference

Lorraine Sallata – Yes

No Negatives

Application approved 7 in favor, 0 opposed

1. Applicant

a. **Richard Jones**

505 N Oxford Ave., Blk. _284___, Lot _3___

Requesting “C” variances

Represented by Self

Sworn in: *Richard Jones*

Plan to raise house – 3’ over flood

Remove accessory building

John Rosenberger asks

Curb cut – 14’ for 2 cars

Front porch – 2’10” in front yard

Sworn in: George Thomas – Architect

Elevate building

Remove sheds

Rear yard & front yard

Add deck

14’ wide garage door

2'10" deck front – 20' vs 17'2"
8'11" rear vs 15'
14' curb cut

Craig Hurless – review of 8/19/15

R2 district
Raise to FEMA
Variances –
 Front Yard – 20' vs 17.2' deck
 Steps – 15' vs 7.9'
 Rear – 15' vs 4.1'
 Curb cut – 10' vs 14'
Technical comments
Height & BFE
Trees OK & Landscaping OK

BOARD QUESTIONS:

Lorraine Sallata – solid concrete wall – can do anything about it
 Will bring siding down

PUBLIC:

NONE

Motion: "C" Variances – Steps – 7.9' vs 15'
 Rear – 4.1' vs 15'
 2nd deck – 17.2' vs 20'
 Curb cut – 14' vs 10'
 Comply technical comments

Motion: Greg Maiuro
 2nd: Marie McQueen

VOTE:

Dan Smith – Yes

 No impact – benefit removing shed a plus

Mike Weissen – Yes

 Same

Greg Maiuro – Yes

 No impact – an asset

Leonard Mordell – Yes

 FEMA compliant

Bert Sabo – Yes

 Remove shed and siding fix a plus

Marie McQueen – Yes

 Great to see

Lorraine Sallata – Yes

 Forced to do a lot of drastic changes

Application approved 7 in favor, 0 opposed

1. Applicant

a. Denis Sagota

107 S Baltimore Ave., Blk. _40___, Lot _3__

Requesting "C" variances

Represented by Brian Callaghan

Sworn in: *Brian Callaghan*

Single Family home – upgraded & modified

Reviews variances –

2nd floor decks already existing – no expansion

Exhibits –

A1 – elevation – color rendering

A2 – elevation

A3 – photo collage

Sworn in:

Denis Sagota

Christina Buendicio – Architect

Christina Buendicho – reviews plans

3 houses from boardwalk

Want 3rd floor deck front & rear

Other decks – no change

Just enhancing

Overhang – 2.4' vs 7'

Propose – reviews 3rd floor deck plans

No extending further than now

Impact – much better – less volume – no roof area – all glass

Reviews houses along block – all porches line up about the same

Craig Hurless – review of 8/19/15

2nd floor decks – just enhancements – do not require variances

R3 district

Completeness

Waiver street trees

Variances

Front – entrance overhang – 7' vs 2.4'

3rd floor deck – 7' vs 3.43'

Side – 3rd floor – 3.85' vs 5'

Technical comments – clean up

Brian Callaghan – agree all – along beach

BOARD QUESTIONS:

Leonard Mordell – why work being done before the Board meeting

All work done complies – just asking rest – rest of house ok

PUBLIC:

Barbara Schweitzer – 109 S Baltimore

Clarification – 3rd floor deck

All privacy issues – a 10' deck

Use of 3rd floor is Rec. room – view to beach

Previous home didn't have 3rd floor deck

Back yard patio – drainage – water run-off

Discusses pavers – not changing

Brian Callaghan – nice new addition – no impact of 2nd floor decks – 3rd floor better with clear deck – no roof issues

Dan Smith – Landscaping plan

Submitted

Motion: "C" Variances – Front overhang – 2.4' vs 7'

Front 3rd floor deck – 3.4' vs 7'

Side 3rd floor deck – 3.85' vs 5'

Waiver of street trees

Motion: Bert Sabo

2nd: Greg Maiuro

VOTE:

Dan Smith – Yes

No impact – replacement as same – like design

Mike Weissen – Yes

Fresh new look

Greg Maiuro – Yes

Freshens up neighborhood

Leonard Mordell – Yes

Old was dated – new look

Bert Sabo – Yes

Very pleasant structure – waiver of trees ok

Marie McQueen – Yes

Beautiful design

Lorraine Sallata – Yes

Pleasant to invest in Ventnor

Application approved 7 in favor, 0 opposed

1. Applicant

a. **Larissa Bioanelli**

311 N Burghley Ave., Blk. 217, Lot 3

Requesting “C” variances

Represented by Self

Sworn in: *Larissa Bioanelli*

Lifting house – extra storage

Variances –

Front – 8.3’ vs 20’

Existing foundation

Side – 5.9’ vs 8’

1st floor deck – 13.2’ vs 15’

Stairs half in & Half out

Curb cut – 18’ vs 10’

Existing – just moving

Parking – eliminate driveway – grass

All park under

Reviews comments – on new drawing

Shed – will remove after building

Envelope will not change

Coverage will decrease by 2%

Siding will be lower down

Windows as well

Craig Hurless – review of 8/21/15

R2 district

Raise to FEMA

New 1st story deck

Variances –

Front Yard – 8.3’ vs 20’
1st deck – 13.7’ vs 15’
Side – 5.9’ vs 8’
Curb cut – 18’ vs 10’
Just move old & fix
Ground floor plans

BOARD QUESTIONS:

Greg Maiuro – clarify curb cut 18’

Yes, just moving the old one to new location

Bert Sabo – Bringing down siding

Yes, doing that

Lorraine Sallata – Parking pad – removing all

Yes, all out

PUBLIC:

Joseph Ionello

Be great for parking under house – in favor

Motion: “C” Variances – Front – 8.3’ vs 20’

Front – deck – 13.2’ vs 15’

Side – curb cut – 18’ vs 10’

Technical comments

Motion: Marie McQueen

2nd: Leonard Mordell

VOTE:

Dan Smith – Yes

Nice presentation – an enhancement

Mike Weissen – Yes

Same

Greg Maiuro – Yes

Good plan

Leonard Mordell – Yes

Agree

Bert Sabo – Yes

Good presentation – removing shed a plus

Marie McQueen – Yes

Great to stay

Lorraine Sallata – Yes

Good plan

Application approved 7 in favor, 0 opposed

Other Business

- John Rosenberger – little issue with noticing of Landgraf application
 - Resolution done tonight
 - Z-28 of 2015 - adopted tonight
 - Motion –Dan Smith
 - 2nd – Leonard Mordell
 - Approve – All
- John Rosenberger – not asking for re-appointment next year – personal changes
 - Board has a good heart & Compassion

Motion to adjourn: ___Leonard Mordell_____

Second: _____Greg Maiuro_____

Meeting adjourned at __10:00__ PM