Ventnor City Planning Board Minutes August 13, 2008

- 1. Call to order at 6:40 pm
- 2. Flag Salute

3. Roll Call Present Absent Mike Advena **Robert Gross**

Peter Weiss Julie Mealo John Santoro **Burt Sabo** Jay Cooke Mayor Kelly

Comm. Piatt

Chairman Cooke opened meeting with welcoming new members

- 4. Resolutions: None
- 5. Applicant:

320 N. Harvard, Dr Jonathan Fox, Blk 221. Lot 5.01 & 5.02. Jeffrey Light is representing Dr. Fox. They are here requesting an extension of a prior approval of a subdivision.

The prior approval requested the demo on an existing dwelling which is still occupied by the applicants' uncle, Dr Deitch. The approval would have been met with the sale of the property but it has not sold yet. The original plan we to sell the lots which would enable Dr. Deitch to move some where else. They do understand that they should have come in front of the board earlier to ask for this request. Mr. Light is asking for a 12 month extension period with the hopes that the property will be sold and move Dr. Deitch, tear down the existing house and comply with the conditions that were placed upon the applicant prior.

Mr. Cooke asked how long a variance is granted for. Board attorney Bergman generally for a one year period.

Mr. Carter asked if the subdivision has been filed and the bond posted Yes Mr. Light answers. Mr. Carter then asked again why they are here and Mr. Light answers for an extension of the demolition of the building on said property.

Burt Sabo excuses himself from this application due to he is within 200 feet of this application.

Public portion opened at 6:45 pm

Matt Fein stone -408 N Harvard Ave- lives up the street from the applicant and see absolutely no hardship to the neighborhood asked the board to grant the extension to the applicant and get the lots sold. Mr. Fein stone also was concern about the lots that are sold- anyone who developed the lots would have to tear down the existing house.

Mr. Light states that the lots are for sale as individual lots as soon as they are sold, they will tear down the existing home.

Condition was formed as: extend condition #2 of P4 2004 to 12 additional months from today's date. All other conditions will remain in effect of P4-2004. Motion was made by Julie Mealo and seconded by John Santoro. Roll call

Julie Mealo- yes not detriment at this point to the neighborhood Peter W- yes approves the extension of 12 month period.

John Santoro- yes real estate market bad at this time so give him another 12 months.

Comm. Piatt- yes

Mike Advena- yes sees no problem with extending period.

Jay Cooke- yes gives 12 month extension and keeps all other condition in place Mayor Kelly- yes sees no problem with extension- neighborhood is not suffering.

Discussion on housekeeping issues:

29 S Weymouth Ave, Blk 53/ Lot 2.- the zoning line on the map is around this property, there is an irregular line. It fronts Atlantic Ave, close to Frankford & Atl is RR1 goes along Atlantic Ave. RR2 zone is mixed in that. One lot fronts Atlantic Ave- touches RR2 & RR1 only 1 fronting Atlantic Ave. - half the property is one zone and the other side.

6:55 pm off the record- passing around a map for board members to review concerning this issue.

6:59 pm back on the record.

Public portion opens- 1 person in the audience- not wishes to speak. Public Portion closes 7:00 p.m.

There will be a change in the agenda due to scheduling conflict with Mr. Matt Feinstone who is here to talk about the consolidation of both boards into one.

Jay Cooke asked the Mayor for guidance in this discussion and Mayor Kelly answered that she really wanted to get the boards feelings, opinions about the consolidation of both boards into one since the the Commissioners will be discussing it at the Commissioner meeting.

Public input

Matt Feinstone (already sworn in) Chairman of Zoning Board speaks. He stated that a problem both boards have is one board does not know what the other board is dong. His feeling is whatever is best for the city. He did also state that many months the Zoning board has a full agenda with application had the planning board might only have one each month so it would be long nights for the boards members. Sometimes the zoning board has problems with having a quorum.

Julie Mealo suggested that one person sit on both boards like it was in the previous years. She also stated that she can see massive long meeting.

Peter Weiss stated that if there is such a full agenda why not merge the two boards- go to 2 meeting as month if necessary that would eliminate an extra attorney, extra secretary ,etc, 3 other communities have done it. Mr. Weiss also stated he heard "rumors" that when things are not approved at zoning boards, the applicant will then go in front of planning for some aspect of what they were in front of zoning for and now they get that area approved. This was everybody is in the same room hearing the same facts.

Jay Cooke stated that planning board active in the master plan, redone ordinances in the last 2 years. Mr. Cooke also stated that with the volunteers on the planning board does a lot of the leg work when it comes to making proposals to the boards for changes in ordinances. Then these volunteers might not want to give more time if the meetings are 2 x a month so then the city would have to hire professionals to do the work and that would be a big cost to the city. Jay Cooke estimated that the Planning Board has saved the City about ¼ of a million dollars doing the work themselves and not having a professional going out and doing it.

Mr. Cooke also stated that he did not want to burn out the volunteers. To immediately change this might be a mistake because we would be spending more money hiring professionals to do the work that volunteers did. Also stated that the board did the master plan in house, it saved a lot on money to the city. The board also does 2 reexamination reports in-house.

Mr. Feinstone stated that if there is a merge of both boards then all board members would need to retrain. Also if the boards do merge, some board members will be asked to resign, the only problem is the board members that have been on both boards have a history and experience.

Mr. Cooke stated his biggest fear is that the city would be jumping into the merge too fast. He stated is not opposed to the merger and is open minded. Concerns are

that zoning & planning board are driven by different fundamental tasks. Home sales, renovations, code enforcement and new ordinances. Tend to drive the load of zoning. Planning is looking forward into ordinance, changes, and reviews and updates the master plan, minor site plans.

Attorney Bergman stated that if it a cost factor, the Application & Escrow, part of them goes to offset the professional fees.

Jay Cooke stated that our fees are very low compared to other communities, well below the average.

Also mentioned were time limits- you must stop hearing any new cases by 11pm in other words you can continue to hear new applications but at 11pm which ever case you are on, you may continue with that one only and any other behind that application will be held over to the next scheduled meeting. This can cause a problem with attorney, scheduling etc.

John Santoro stated that is up to the City Fathers, it is their decision, we have no vote. It is their decision, but we should digest the information and see what everyone thinks at next month's meeting.

Public Portion opens 7:45p.m. No comments Public portions close 7:45 p.m.

Sub Committee formed to review sidewalks, seating etc. On the committee were Chief Sabo & Julie Mealo. Julie prepared a report about their findings. Chief Sabo stated the reason this committee was formed was because the city was getting a lot of complaints from people who could not get through the sidewalk, or a mom couldn't push her baby's stroller down the sidewalk where a restaurant had tables and chairs outside of them. The code says 44 inches off the wall. So Jim Agnesino and Chief Sabo went to all the restaurants and measured their sidewalks. Mr. Agnesino like the guidelines of 7 feet, 6 feet if a restaurant has trees there, 3 ft from the tree to the table. Mr. Agnesino stated that enforcement is a problem without a clear understanding of the code.

Julie Mealo states each owner needs to submit liability insurance of \$500,000.00 to the City Clerk. Tables and chairs as the code reads now are only allowed on Ventnor, Atlantic and Dorset Avenues. Julie mentioned that also a seating plan should be posted to show where each table and chair go so that enforcement is clear where they have been approved for and where they are not approved to have a table & chairs just because a large party just showed up and they want to sit outside. Also the code should state that all tables and chairs should be put away each night.

Chief Sabo stated they should be bistro or café style tables (small) and then they are required to stick to their seating chart. Discussion continued to limited use or not use of side streets for tables- current ordinance – indicates use only on

Ventnor, Atlantic and Dorset Aves.- Discussion occurred regarding limiting the use on side streets—discussion conclude no tables on side streets, on frontage street as currently listed in ordinance.

John Santoro stated that Monmouth Avenue is not included in the ordinance? That is correct Julie Mealo states

Jay Cooke stated also there should be a "season", months for when this seating outside can occur.

Jay Cooke stated that the original intent of ordinance was for the idea of tables outside came about for ice cream parlors only not restaurants.

Burt Sabo stated that restaurant owners are pushing to see what the city will do to them.

Mayor Kelly stated that there are really only 3 restaurants that are not following the rules. All other places are doing a great job and the city is thrilled to have them here operating and thieving. The city has bent over backwards to try and help. We have had several meetings with them, even allowed one restaurant take out a tree that would provide him more room to have a table there and they still continue to do what they want.

Jay Cooke stated 2 paths we can go

1. Have an amendment to the existing ordinance, or take the ordinance and redo it with the new changes in, combine and or remove the new changes and then have 1 ordinance. Thinks it is easier to add some changes to the existing ordinance.

Commissioner Piatt asked if it was possible to issue a permit for tables-permits that can be revoked if they don't comply. Dick Carter states yes it can be revoked.

Stan Bergman will make up a new (revised) ordinance and bring to next months meeting for discussion and approval.

Everyone is in agreement to have this ready for September. Yes in printed form. Yes it is agreed. John Santoro asked if to vote on it know. Stan Bergman stated no that he would like it on the agenda in case anyone challenges it.

A draft will be sent to the members on the subcommittee for review and then it will on next month's agenda for a vote. A motion was made to address this issue as above by Jay Cooke and seconded by Burt Sabo--- all were in favor// 0 opposed.

Discussion of 29 S Weymouth Ave—they would like to recommend to the governing body to change noting at this time--- the planning board would like a

small report provided for present board members and new board members. Dick Carter stated that this would be made available for next month's meeting.

8:32 p.m.planning board went into an executive close door session

8:39:55p.m. meeting back on the record.

Jay Cooke suggested that a copy of the master plan be sent to all new board members to given to them and the whole board. Also phone numbers for all new members to be given to each other. Suggestion was made to educate and discuss possibly at each meeting for the new members & the whole board give them about and discuss for ½ hour during each meeting to discuss such items as master plan with them so they have an idea what happened in the past which leads us into the future projects.

Motion was made to adjourn meeting at 9:00 pm by Burt Sabo and seconded by John Santoro. Meeting adjourned.