

Ventnor City Planning Board
Minutes
October 13, 2010

1. Call to order by Chairman Cooke at 6:34 p.m.
2. Flag Salute
3. Roll call

Present

Comm. Piatt
Pete Weiss
John Santoro
Mike Advena
Emily Christian
Chief Sabo
Jay Cooke
Mayor Kelly

Absent

Julie Mealo- recluses herself)

Professionals:

Chris Brown sitting in for Stan Bergman (application was a conflict for Mr. Bergman)
Wes Becker- Engineer

4. Adoption of September 2010 Minutes

Motion was made by Chief Sabo and seconded by John Santoro. All were in favor – motion carried.

5. Applicant:

Joseph and Melanie Bancheri- 5903 Ventnor Ave, Block 114, Lot 2. REQUESTING A MINOR SUBDIVISION. Represented by Brian Callaghan, Esq. of Callaghan, Thompson & Thompson, 2428 Atlantic Ave, Atlantic City, NJ 08401.

Chairman Cooke states to the public that if they have a spokes person representing them then that person will speak first and the if they wish to speak individually at the end they may do so. Everyone must stay on point and please do not be repetitive.

Mr. Callaghan submitted an exhibit list from A1-A15 to the board giving a smaller version to the board members while having larger pictures for the public to see on easels. Witnesses for the applicant were:

Mr. Arthur Ponzio, a licensed planner and Mr. Jon Barnhart, NJ Licensed planner and engineer
Mr. Ponzio did a history of the particular property dating back from the 1900's to the present time and how it came into existence as it is today.

Mr. Ponzio went on to explain the changes this property had had to it and then, this is a single family home .He stated that he believes that this property has a hardship variance as well. Since the city merged pieces of land to make up this lot, years ago it was not the property owner's wishes, so now this lot does have a hardship variance attached to it.

Public portion opens 7:58:20

Frank Ferry, Esq. represents St. Leonard's Tract Assoc. Mr. Ferry submitted at exhibit 01 a resolution from the VC Zoning Board dated Sept 5, 1979. Mr. Ferry asked Mr. Ponzio several questions about the past resolutions for this property when it was sub divided in 1989. Mr. Ferry also asked Mr. Ponzio about the "hardship" relief they are seeking at tonight's meeting. Again he stated that because the city merged this property to the size lot it is now, the owner did not do this, now it is a hardship on the current home owner.

Mr. Raymond Went, Esq. is here tonight representing some of the residents who live in the St. Leonard's Tract area. They are

M/M Woloshin – 5908 Winchester Ave

M/M Stephen Frankel- 3 N Derby

Joel Ashley- & Donald Andrew- 5904 Ventnor

M/M Ciancia- 1 N Derby

Mitchell Lynd- 5906 Winchester

Mr. Went stated that the hardship being mentioned by Mr. Ponzio is created by the applicant and the property owner. He knew when bought the property of the situation. Mr. Went again stated it is a personal hardship, self created.

Mr. Went asked a few questions of Mr. Bancheri, he was sworn in. He stated that they do not come down as often when first bought the home, kids in college, etc. now it is too big for his family and would like to down size.

Mr. Went submitted two letters to Mr. Brown, exhibit 02 and 03 both dated October 13, 2010.

Mr. Barnhart was questioned by Mr. Went. Mr. Went asked if a traffic pattern was submitted. No he stated.

8:42:17 Board takes a ten minutes recess.

9:00:35 back on the record

Pat Gallagher- 107 S Dudley. New chairman of their enforcement committee for St. Leonard's Tract. They want to protect and cherish the area and contribute to the elegance and reputation of Ventnor City.

Bernard Zapp- 11 N Derby – his big concerns were traffic .bad intersection and having 2 driveways back on to Ventnor Ave is dangerous. Also drainage is a problem and this would add to the problem.

Louis Selgrath- 6001 Ventnor- didn't appreciate what Mr. Bancheri stated , he said one thing tonight and his application gave a different reason for being here tonight. This would create an immediate parking problem

Constance Ciancia- 1 N Derby- she lives next store and stated there are too many variances and hopes the board does not pass it.

Michael Woloshin- 5908 Winchester Ave. They are delightful people but also do not want this application passed.

Michael Savini- 6104 Ventnor- history is eloquent but the history of ST Leonard's Tract needs to be maintained. It is on the NJ State Registry.

Paul Rossi- 5705 Atlantic Ave- prestige area needs to keep it this way.

Frank Payne- 6001 Ventnor Ave- it took a life time for me to move here and doesn't want to see application approved.

Linda Zapp- 11 N Derby-, we are unique and want to keep it that way. Drainage a problem and if another house it will become worse. Asks that the board denies application

Mr. Went submitted exhibit 04 tax map of the neighbors and where they live as to the property in question.

Also 2 people (his clients) will call in about this application.

Mr. Callaghan on the record stated that he objected to incoming phone calls, those voices can't be verified he stated they are who they say they are.

Mr. Joel Ashley speaks first- 5904 Ventnor Ave. lives across the street from applicant. Very dangerous and requests the application be denied.

Mr. Callaghan asked Mr. Ashley, do you back onto Ventnor Ave; he states yes and has lived there for 23 years. Mr. Callaghan asks how many accidents have you seen there, Mr. Ashley states about 1 dozen. How many almost accidents have you seen, Mr. Ashley states many.

Also on the same phone call with Mr. Ashley is Mr. Donald Andres- 5904 Ventnor Ave. He stated he objects to the variance in total. Many reasons this application should be denied. Parking already a problem, the integrity of the tract should stay intact and then this will make a trend for the future applications.

Public portion closes at 9:32:36pm

Board members begin to ask questions. Mr. Advena mentioned about the buffer between driveway and adjoining property where is it on drawings on A3? Mr. Callaghan states that it's not now it is A12. Mr. Brown asked how Mr. Callaghan submits something tonight to the Board w/o them being able to review prior to neither the meeting nor the public. It's the first time everyone is seeing these renderings. He also stated he is not sure how Mr. Callaghan can legally get around the notice requirements. Mr. Callaghan stated that the variances are still the same and the measurements are the same.

Mr. Brown stated that the footprint, k-turn and buffers are not changing but they were not submitted prior to tonight's meeting. Mr. Brown asked board engineer, Mr. Becker if he was ok with this and he stated yes

Mr. Callaghan asked that all exhibits A1-A17 be moved into evidence. No objection from Board

Board member Advena stated that he had a problem with the K turn- Mr. Ponzio stated that they felt it would be better for the property. What would prohibit the car from parking in the k turn area? Mr. Ponzio stated then that would have to be a condition placed on the property and it would have to be controlled by a parking officer.

Chairman Cooke opened the public portion back up at 10:06 pm

Bernard Zapp- this would have a terrible impact on the neighborhood and it would be dangerous pulling out of the driveway.

Contance Ciancia- stated that she is concern still about parking right up to her property line.

Public portion closes again 10:09 pm

Mr. Bancheri speaks – lived there and knows all about the traffic. The traffic light at Dorset is your buffer to get out of your driveways.

Mr. Callaghan states on the record that the buffer area for lot A will remain with 14 ft total wall to property line. He states that this is a good venture- new ratable and it fills out the developmental pattern in this area.

A motion was made to approve application Chief Sabo and seconded by Commissioner Piatt, a vote was taken.

Comm. Piatt- no history of St. Leonard's tract. Very sensitive matter realizes it is the last lot like this one but does not feel it is a hardship; it is a self inflicted hardship.

Peter Weiss- no- does not feel it is a hardship to the applicant. Traffic is always a problem.

John Santoro- no has a problem with the subdivision. Listen to the neighbors. Takes up to much light and air.

Mike Advena- no- zoning did not change; it was in effect when the applicant bought the property. Neighbors made a big impact on the decision made here. Parking a problem

Emily Christian- no. hardship does not really exist, owner brought it upon himself. She is very concern about the new plans submitted tonight and not enough time to digest the plan, concerned about the way that happened.

Chief Sabo- no. St. Leonard's Tract is special area. This would increase the density in the area. Parking is a problem already and wasn't happy that stated was that the police would have to police the k turn parking area in the front park of his home. Police are busy enough without having to now police a problem that can be prevented at tonight's meeting by not allowing it.

Jay Cooke- no. Ventnor must go forward and preserve its land. The hardship is self inflicted they knew the size of the lot when he bought it and knew the zoning. Not happy hearing that the police department would have to police the k turn on the property to keep Mr. Bancheri family members and guests from parking in the front area of the k turn.

Mayor Kelly- no. Traffic a problem in that area all the time; I have residents in my office a lot complaining about the traffic on Ventnor Ave. and also have had some Atlantic County Gov employees in the office with their concerns for traffic and parking.

Application is denied vote is No-8/ Yes- 0

Meeting is adjourned at 11pm