



**CITY OF MARGATE CITY
PLANNING BOARD**

ANNUAL REORGANIZATION MEETING MINUTES

Thursday, January 25, 2024

Historic City Hall, 1 S Washington Avenue, Margate, NJ 08402

A. Call to Order; Flag Salute: Chairman Richard Patterson commences the meeting at 6:30 pm.

B. Roll Call:

Members Present:

Tom Collins
Craig Palmisano
Richard Patterson
Michael Cristaldi
Jim Galantino
Stephen Jasiecki
Michael Ruffu
Michael Richmond

Members Absent:

John Pitts
Margaret Guber-Nulty
Andrew Campbell

Staff Present:

Roger D. McLarnon, Zoning Officer
Palma Shiles, Board Administrator
Elias "Leo" Manos, Esq., Board Solicitor

C. Statement of Compliance: Patterson affirms that the meeting adheres to public notice requirements and the NJ State Sunshine Law governing public meetings.

D. Approval of Meeting Schedule of 2024: Tom Collins moves to approve the regular meeting schedule of 2024, seconded by Michael Cristaldi, and unanimously approved.

E. Annual Reorganization:

- **Election of Chairperson:** Michael Richmond is nominated by Craig Palmisano for Planning Board Chairperson, seconded by Michael Cristaldi and unanimously approved.
- **Election of Vice Chairperson:** Margaret Guber-Nulty is nominated by Craig Palmisano for Planning Board Vice Chairperson, seconded by Michael Richmond and unanimously approved.
- **Staff Appointments:** Leo Manos is nominated by Tom Collins as Planning Board Solicitor, Palma Shiles is nominated by Richard Patterson as Planning Board Administrator, and Roger McLarnon is nominated by Richard Patterson as Planning Board Planner and Engineer, seconded by Michael Cristaldi and unanimously approved.
- **By-Right Subdivision Subcommittee:** Michael Cristaldi, Richard Patterson, and Craig Palmisano (Alternate) are nominated by Tom Collins as members of the By-Right Subdivision Subcommittee, seconded by Jim Galantino and unanimously approved.

- **Site Plan Subcommittee:** Michael Cristaldi, Richard Patterson, and Craig Palmisano (Alternate) are nominated by Tom Collins as members of the Site Plan Subcommittee, seconded by Jim Galantino and unanimously approved.
- **Ordinance Review Subcommittee:** Stephen Jasiecki, Jim Galantino, and Michael Ruffu (Alternate) are nominated by Richard Patterson as members of the Ordinance Review Subcommittee, seconded by Michael Cristaldi and unanimously approved.
- **Swearing in Reappointed Members:** Jim Galantino, Michael Cristaldi, Craig Palmisano, and Michael Ruffu are sworn in by Solicitor, Leo Manos.

F. Approval of Minutes: Tom Collins moves to approve the minutes of December 21, 2023, seconded by Jim Galantino, and unanimously approved.

G. Approval of Decisions and Resolutions: Jim Galantino moves to approve Decisions and Resolutions for #01-2024: Yuriy Litvan, #02-2024: Sharon Pomante-Donato and Julia Pomante, and #03-2024: Richard and Jodi Gorodesky, seconded by Tom Collins and unanimously approved.

H. Applications:

ANNOUNCEMENT: Leo Manos announces the postponement of the application of Jack Roche and Tina Sacco of 419 N Clermont Avenue to February 22, 2024, without the need for re-noticing.

1) NEAL AND CAROL COHEN: (Approved with Conditions)

107 N MONROE AVENUE, Block 330 Lot 399: Located in the MF zoning district, seeking c-variance relief for minimum side yard setback and potentially others for the construction of a new single-family home.

Presentation and Applicant Testimony:

Roger McLarnon: Sworn in; presents his report of the application.

Eric Goldstein: Attorney representing the applicants; explains amendments to the application.

Jon Barnhart: Engineer and Planner for the application; sworn in and accepted by the Board. Describes the size and dimensions of the lot, details the variance requests, and explains how the narrowness of the property creates a hardship.

Board Discussion and Response:

Craig Palmisano: Asks about the third floor.

Goldstein: Clarifies the variances requested concerning the two side yards.

Public Comment:

Public portion is open and the following member(s) of the public are sworn in:

- **Anthony Sottili, 103 N Monroe Avenue:** Raises concerns about the third-floor roof and setbacks, with questions about pavers.

Deliberation and Vote:

McLarnon: Seeks clarification regarding drainage.

Leo Manos: Details the specific variances, representations made during the hearing, and conditions outlined in McLarnon's report; calls for a motion. Tom Collins moves to grant "c" variance relief, seconded by Michael Cristaldi.

Vote results: The application for Neal and Carol Cohen is approved with conditions based on the majority vote of the board members.

In Favor: (8) Eight – Collins, Palmisano, Patterson, Cristaldi, Galantino, Jasiecki, Ruffu, and Richmond; Opposed: (0) Zero.

2) RICHARD AND ABIGAIL EDELMAN: (Approved with Conditions)

205 N HARDING AVENUE, Block 424.02 Lot 14: Located in the TF zoning district, seeking c-variance relief for front yard setback, landscaping, and potentially others to construct a new first floor porch and second floor deck.

Presentation and Applicant Testimony:

Roger McLarnon: Presents his report of the application.

Christopher Baylinson: Attorney representing the applicants; discusses the potential improvements for the area with the proposed front porch and deck. Explains the need for Board approval for front yard setbacks due to the property's original construction.

Robert Reynolds: Architect for the application; sworn in and accepted by the Board. Describes the design of a front porch with an uncovered second-floor deck, noting that it replicates many details from the neighbor's deck. Provides setback information and details the variance requests.

Baylinson: Notes that the Edelman's are having a landscaping plan done and will be removing concrete.

Board Discussion and Response:

Tom Collins: Asks for a rough percentage of the proposed landscaping. McLarnon recommends the amount of landscaping to be maintained; Baylinson agrees.

Reynolds: Notes the opportunity for additional landscaping in both side yards and states that the revised plans will include street trees.

Jim Galantino: Raises concerns about the amount of proposed high hats causing excessive light; Reynolds agrees to reduce the number.

Richard Patterson: Discusses the master plan.

Stephen Jasiecki: Requests a change to the location of the proposed street trees; McLarnon agrees for the final decision to be at his discretion upon further review.

Public Comment:

Public portion is open; no speakers come forward, so public portion is closed.

Deliberation and Vote:

McLarnon: Specifies the timeline for landscaping compliance.

Leo Manos: Details the specific variances, representations made during the hearing, and conditions outlined in McLarnon's report; calls for a motion. Jim Galantino moves to grant "c" variance relief, seconded by Craig Palmisano.

Vote results: The application for Richard and Abigail Edelman is approved with conditions based on the majority vote of the board members.

In Favor: (8) Eight – Collins, Palmisano, Patterson, Cristaldi, Galantino, Jasiecki, Ruffu, and Richmond; Opposed: (0) Zero.

3) SUNRISE WINE AND TEQUILA, LLC: (Approved with Conditions)

9700 VENTNOR AVENUE, Block 131 Lot 21: Located in the CBD zoning district, seeking site plan approval and c-variance relief for parking and potentially others for the renovation of an existing wine and tequila bar by adding an upstairs "open air" lounge area above the existing store.

Presentation and Applicant Testimony:

Roger McLarnon: Presents his report of the application; notes engineering requirements.

Eric Goldstein: Attorney representing the applicants; details the proposal, parking variances, existing nonconformities, and minor site plan requests. Discusses Margate's Master Plan, noise ordinances, alcohol regulations, and police enforcement. Acknowledges parking challenges.

Arthur Chew: Planner and Engineer for the application; sworn in and accepted by the Board. Describes the proposed changes, design details, and variances for deck and parking; notes ADA and flood compliance.

Board Discussion and Response:

Richard Patterson: Inquires about the impact of providing additional parking spots.

Chew: Notes Margate's adoption of FEMA's code and flood-proofing requirements; sees no negatives with the project.

Patterson: Asks about sound reduction methods; Goldstein agrees for it to be a condition of approval.

Michael Cristaldi: Requests glass installation confirmation; Chew notes a change to the design.

Craig Palmisano: Asks about noise and lighting restrictions.

Jim Galantino: Inquires about the wall facing the ocean and the proposed roof type.

Stephen Jasiecki: Asks about the occupancy, food service, and number of additional employees.

Brian Hiltner: Owner of the property; sworn in. Discusses site plan elements, waiver requests, and acknowledges previous issues with trash pickup. Describes the proposed trash storage location and pickup, hours of operation, signage compliance, and exterior lighting.

Goldstein and Chew: Discuss ADA ramp compliance and explain each variance request.

Public Comment:

Public portion is open and the following member(s) of the public are sworn in:

- **Jeffrey Barnes, Esq. & Louis A Scheiet:** On behalf of several property owners opposing the application. Scheiet, engineering and planning expert, discusses deck issues and seeks clarification on variance type. Raises concerns about noise, setbacks, parking, occupancy, and noise accumulation. Reads from the master plan.
- **Steve Blum, Royal Palms Condominium, 9711 Ventnor Avenue:** Fears a potential nightclub atmosphere and questions crowd control and trash management; Goldstein notes the owners' proposal regarding security.
- **Janet McCarron, 8801 Amherst Avenue:** Views the building as an asset to Margate and believes it will bring people to town.
- **Pam Girgenti, 9600 Atlantic Avenue:** A new resident, expresses love for Margate and walkability; mentions the professionalism of the business.
- **Eli Pearlman, 10 S Monroe Avenue:** Expresses concerns about noise, police involvement, parking, trash, and the impact on property values.
- **Benson Goldberger, 9612 Ventnor Avenue, Unit C:** Expresses concerns about noise, trash, and traffic issues.
- **Marissa Keddiss, 2B S Coolidge Avenue:** Raises concerns about parking, noise, and safety.
- **Stephen Baglivo, 8005 Atlantic Avenue:** Admires the design of the proposed project.
- **Ed Berger, Margate Business Association, 9402 Amherst Avenue:** Supports the project, emphasizing the importance of a healthy business community.
- **Maryanne Murphy, 9711 Ventnor Avenue:** Raises concerns about fitting the scale of the neighborhood, infrastructure maintenance, and overflowing recycling bins.

- **Jeff Hoffner, 5 S Monroe Avenue:** Appreciates the building's beauty but expresses concerns about trash and parking; inquires about the fate of the bus stop and loading zone.
- **Joel Goodman, 9612B Ventnor Avenue:** Raises concerns about parking.
- **Greg Lorenz, 5 N Monroe Avenue:** Expresses concerns about parking, traffic safety, and noise from the building's speakers.

Public portion is closed.

Deliberation and Vote:

Leo Manos: Details the specific variances, representations made during the hearing, and conditions outlined in McLarnon's report; calls for a motion. Tom Collins moves to grant site plan approval and "c" variance relief, seconded by Michael Cristaldi.

Vote results: The application for Sunrise Wine and Tequila, LLC is approved with conditions based on the majority vote of the board members.

In Favor: (7) Seven – Collins, Palmisano, Patterson, Cristaldi, Galantino, Ruffu, and Richmond;
Opposed: (1) One – Jasiocki.

4) ROTUS, LLC: (Approved with Conditions)

7807 ATLANTIC AVE, 19 S ESSEX AVE, 17 S ESSEX AVE, Block 105 Lots 5, 6 and 8: Located in the CBD zoning district, seeking site plan approval with c-variance relief for parking and potentially others to maintain the outdoor restaurant/bar.

Leo Manos: Announces the recusal of Tom Collins due to being on the 200-foot list, and Michael Cristaldi excused for health reasons. Reads a letter regarding a request for adjournment from attorney Erica Edwards; explains that it is the board's discretion in handling such requests.

Presentation and Applicant Testimony:

Christopher Baylinson: Attorney representing the applicant; provides background on discussions with Erica Edwards, noting her previous request for postponement.

The board decides to proceed with the application.

Baylinson: Describes the property, use, and proposed outdoor dining improvements and features. Discusses compliance with city noise requirements. Mentions three years of successful outdoor dining operation.

Witnesses Sworn In: Robert Sutor (Operator), Peter Weiss (Architect), and Jon Barnhart (Engineer and Planner).

Weiss: Describes proposed improvements, including a permanent roof, bathrooms, seating area, and band space. Notes rear storage area and elevation requirements for condensers. Details design of proposed sliding gate, roof, signage, and lighting.

Barnhart: Explains the site, site plans, consolidation of properties, and variances for parking and setbacks. Mentions that the site has been operating in this manner.

Sutor: Discusses the frequency of patrons using Uber and bikes to reach the bar.

Board Discussion and Response:

Jim Galantino: Asks about the proposed structure, requesting hardy board instead of vinyl siding.

Roger McLarnon: Requests fence details.

Sutor: States the frequency of trash pickup and details trash storage location; McLarnon requests for trash storage details to be included on the plan.

Barnhart: Lists requested waivers, e.g., contours, grading plan.

Galantino: Notes the potential need for Board of Health/County approval.

Public Comment:

Public portion is open and the following member(s) of the public are sworn in:

- **Michael Lemashov, 7811 Atlantic Avenue:** Expresses concerns about chalk graffiti, bike storage, smoking, and noise; Sutor mentions plans for a bike rack and cleaning crew.
- **Jim Varallo, 22 S Douglas Avenue:** Questions application requirements; raises issues with parking.
- **Greg Elliott, Ells Property Management, 7801 Atlantic Avenue, Unit D:** Supports Robert's, citing positive experiences with them as neighbors.
- **Fred Tursi, 7811 Atlantic Avenue:** Questions the site plan, wall height, and music time limits.
- **Fill Stern, Sandbox Apartments, 15A S Essex Avenue:** Notes receiving no complaints from tenants; supports Robert's as a great neighbor.
- **Ed Berger, Margate Business Association, 9402 Amherst Avenue:** Supports Robert's and emphasizes the importance of outdoor dining for local establishments.
- **Doug Cakert, 7811 Atlantic Avenue:** Expresses support, citing no issues as neighbors.

Public portion is closed.

Deliberation and Vote:

Manos: Details the specific variances, representations made during the hearing, and conditions outlined in McLarnon's report; calls for a motion. Jim Galantino moves to grant site plan approval and "c" variance relief, seconded by Richard Patterson.

Vote results: The application for ROTUS, LLC is approved with conditions based on the majority vote of the board members.

In Favor: (6) Six – Palmisano, Patterson, Galantino, Jasiecki, Ruffu, and Richmond; Opposed: (0) Zero.

I. Public Participation: No public speakers during this portion.

J. Other Business: No further business is discussed.

Adjournment: The meeting concludes at approximately 12:30 a.m.

The audio recording of this meeting is available on the City of Margate website.

Submitted By: Palma Shiles
Planning Board Administrator and Secretary
City of Margate