

**Margate City Planning Board
Minutes
February 25, 2014**

1. Chairman Richard Patterson called the meeting to order at 7pm.

2. Flag Salute

3. Roll Call

Present

Tom Collins
Clem Wasleski
Mike Richmond
James Galantino
Commissioner Taube
Margaret Guber-Nulty
Michael Cristaldi
Craig Palmisano
David Carter
Despina Hess
Remy Pelosi
Rich Patterson

Absent

Joseph DiGirolamo

Jackie Zarrillo, Court Reporter
Roger Rubin, Zoning Officer
Johanna Casey, Board Administrator
Stanley L. Bergman, Jr., Esq., Solicitor

4. Procedure

Chairman Patterson announced that the meeting was being held in accordance with due public notice thereof and pursuant to the N.J. State “Sunshine” Law, which governs all public meetings. He also advised the applicants to sign forms at the end of their approval regarding mercantile licenses and building permits.

5. Swearing In Of Reappointed Members

Solicitor Bergman swears in Jim Galantino and Despina Hess.

Mr. Patterson informs the public the Eber Trust application has been postponed until March 26th.

6. Minutes

The minutes of January 19, 2015 were received, on the motion of Ms. Taube; seconded by Mr. Cristaldi, and unanimously approved.

7. **Resolutions & Decisions:** The following Resolutions were approved unanimously when received on motion by Ms. Taube, seconded by Mr. Galantino: #01-2014: Remington, Vernick and Walberg as Engineer; Stanley Bergman as Solicitor; Jackie Zarillo as Transcriber #02-2015: Richard Patterson as Chairperson; Mike Richmond as Vice Chairperson; Johanna Casey as Secretary/Administrator; #03-2015: 2015 Meeting Dates; #04-2015: Joseph Swift; #05-2015: Peter Mucciarone; #06 -2015 Steven and Lisa Gottschalk.
8. **Margate Investment Group:** 7801 Ventnor Ave – BLOCK 205.02 – LOT 1 in the CBD district for Site plan for a new restaurant and a Cvariance for parking, and possibly others. TAXES ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Cristaldi recuses himself.

Mr. Rubin, Zoning Officer, is sworn in and reads his review, which is attached.

Chris Baylinson, attorney for the applicant presents his case.

Peter Weiss and Art Ponzio are sworn in and credentials are accepted.

Art Ponzio reviews the site plan.

Roger Rubin informs the Board that the seating would not increase from previous approval in 1993 and that restrictions from that approval should be reduced.

Mr. Baylinson requested a six foot fence.

Mr. Weiss reviews the interior layout of the application.

Mr. Wasleski inquires as to the rear wall being perforated as to allow air flow.

Open to the Board.

Mr. Palmisano inquires as to the possibility of a shed.

Public portion is open.

Jack Levin, 1 N. Douglas Ave., is sworn in and inquires as to lattice covering the walk-in freezer.

Public portion is closed.

Motion to approve the Site plan with conditions was put forth by Mr. Galantino and Mr. Wasleski seconded. Revised plans will be required showing all

conformity with conditions set forth in the Administrative Follow-up Memorandum and Resolution. The motion was approved, nine in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Richmond, Galantino, Taube, Guber–Nulty, Palmisano, Carter and Patterson. Nays - none.

9. **Lawrence Reich** – 4 S. Quincy Ave. – BLOCK 118 - LOT 10 in the S-60 district to grant C variances for rear setback for elevating existing rear yard deck to 39 inches above grade and possibly others. TAXES ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Rubin, Zoning Officer, is sworn in and reads his review, which is attached.

Lawrence Reich, property owner is sworn in and gives testimony to the need of the deck being elevated.

Craig Dothe, professional architect, is sworn in and gives testimony.

Open to the Board.

Open to the Public.

Mark Arbeit, 3 S. Rumson Ave., speaks in favor of the application.

Public portion is closed.

Motion to approve the variances with no condition and revised plans are not required was put forth by Mr. Galantino and Mr. Wasleski seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Richmond, Galantino, Taube, Guber-Nulty and Patterson. Nays – none.

10. **David and Cinde Hark** – 342 N. Rumson Ave. BLOCK 619 – LOT 19 in the S-40 district to grant C variance for deck elevation, building height and possibly others. TAXES ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Roger Rubin, Zoning Officer, is sworn in and reads his review.

Chris Baylinson, attorney for the applicant, presents the application.

Paul Kiss, Professional Architect in the State of New Jersey, is sworn in and describes the plans.

Mr. Patterson inquires as to the area under the house being storage.

Mr. Cristaldi inquires as to the roof pitch allowing for living space.

Mr. Collins inquires as to the roof pitch being reduced.

Mr. Kiss informs the board that lowering the deck would cause more steps and less usable space.

Mr. Collins inquires as to FEMA and changes to the canal with the V zone.

Mr. Galantino informs the Board that there is no longer a V zone.

Open to Public.

Public Portion is closed.

Mr. Bergman reviews the C variances, and states that there will be two separate votes taken. The first being the deck with conditions and revised plans are required. The second being the building height.

Motion to approve the C variances for the deck was put forth by Mr. Collins and Mr. Galantino seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Richmond, Galantino, Taube and Guber-Nulty and Patterson. Nays - None.

Motion to approve the C variances for the roof was put forth by Mr. Collins and Mr. Galantino seconded. The motion was not approved, zero in the affirmative and seven in the negative. Ayes; None. Nays - Collins, Wasleski, Richmond, Galantino, Taube and Guber-Nulty and Patterson.

11. **Sea Grape Properties, LLC** – 16-20 S. Douglas Ave. Block 105 Lot 7 in the CBD district to grant Site Plan, D and C variances for rooftop deck and parking, and possibly others and subdivision. TAXES ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Leo Manos, Esq. presides as solicitor due to the conflict of interest for Mr. Bergman. Therefore Mr. Bergman recuses himself.

Mr. Collins recuses himself.

Roger Rubin is sworn in and reads his review

Chris Baylinson, attorney for the applicant presents the application.

Keith Davis is introduced as the attorney for the Varallo family. Tiffany CuvIELLO, professional Planner is also introduced.

Full disclosure is given that Mr. Richmond had rented space from the Varallo family in the past.

Mr. Richmond continues with the application.

Mr. Davis informs the Board that every case should stand on its own merit.

Mr. Wasleski inquires as to two buildings being on two separate lots.

George Ray Thomas, architect for the applicant, is sworn in and credentials are accepted.

Mr. Patterson inquires as to the time frame of construction.

Mr. Richmond inquires as to the height of the deck railing.

Mr. Baylinson informs the board that the third floor deck is actually off the master suite.

Mr. Wasleski inquires as to the roof top deck.

Mr. Thomas informs the Board that the structure is actually a split level construction. The front decks are not in need of a variance. Parking will actually improve over what is required for retail stores.

Mr. Baylinson informs the Board that Colmar Hardware is an anchor for the neighborhood and the parking is only for a short time. No flood protection is needed. It meets elevation.

Mr. Galantino inquires as to the egress from the back yard.

Thomas Collins is sworn in and gives testimony as to an easement for egress thru his Colmar Hardware property.

Mr. Patterson remarks that twenty bedrooms in this small area is an increase in the density.

Mr. Patterson inquires as to the removal of the roof top deck.

Mr. Wasleski inquires as to reducing the number of units to three.

Mr. Davis questions Mr. Collins on the products to be sold in the proposed retail store.

Mr. Davis cross-examines Mr. Thomas.

Tiffany CuvIELLO, interprets the Margate zoning of the CDB district.

Mr. Baylinson cross-examines Ms. CuvIELlo.

Jim Varallo, 22 S. Douglas Ave., is sworn in and gives testimony on his loss of light, air and space.

Joseph Varallo, 22 S. Douglas Ave. is sworn in and gives testimony in agreement with his brother.

Ira Zelden, 5000 Boardwalk, Atlantic City, is sworn in and speaks in favor of the application.

Carl Belchalowski, 7701 Atlantic Ave. is sworn in and speaks against the application.

Public portion is closed.

Mr. Davis gives closing statements.

Mr. Baylinson declines closing statements.

Mr. Manos reads the variances for the first vote.

Mr. Rubin reviews the conditions.

Motion to approve the Site plan was put forth by Mr. Galantino and Mr. Carter seconded. This requires revised plan per conditions set forth by the Board as shown in the Administrative Follow-up Memorandum and Resolution The motion was approved, seven in the affirmative and two in the negative. Ayes; Richmond, Galantino, Guber-Nulty, Cristaldi, Palmisano, Carter and Patterson. Nays – Wasleski and Taube.

Motion to approve the C variances for the third floor deck was put forth by Mr. Collins and Mr. Galantino seconded. The motion was approved, seven in the affirmative and two in the negative. Ayes; Richmond, Galantino, Taube, Guber-Nulty, Cristaldi, Palmisano and Carter. Nays - Wasleski, and Patterson.

12. Public Participation

13. Other Business

There being no further business, the motion to adjourn was made by Mr. Galantino and seconded by Mr. Carter and unanimously approved.

Full meeting is available on tape.

Respectfully submitted

Johanna Casey
Planning Board Secretary/Administrator