

**Margate City Planning Board**  
**Minutes**  
**April 25, 2013**

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

**Flag Salute**

**Procedure**

The Chairman 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.

**Roll Call**

Present

Tom Collins

Bill Gottschall

Clem Wasleski

Rich Patterson

Margaret Guber-Nulty

Craig Palmisano

Mike Cristaldi

Mike Richmond

Jim Galantino (arrived late)

Absent

Commissioner Brenda Taube

Adeo Santori

Jackie Zarillo, Court Reporter

Roger Rubin, Zoning Officer

Johanna Casey, Board Administrator

Stanley L. Bergman, Jr., Esq., Solicitor

**Minutes**

The minutes of March 21, 2013 were received, on the motion by Mr. Collins; and second by Mr. Wasleski, and unanimously approved.

**Resolutions & Decisions**

The following Resolutions were approved unanimously when received on motion by Mr. Wasleski, second by Mr. Collins: #11-2013: Richard and Judy Patterson; #12-2013: C Square, LLC; #13-2013: Bill and Lori Merget; #14-2013: Venture Capital; #15-2013: Hal Augustine; # 16-2013: Richard and Robin Goldberg.

**Other Business**

A moment of silence for Ned Humphreys.

**SEAN GORMLEY – 2 S. PEMBROKE AVE. BLOCK 117 - LOT 9** in the S-60 district to grant a C VARIANCE for fence height and location. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Mr. Rubin, Zoning Officer, is sworn in and reads his review, which is attached. Christopher Baylinson, the attorney for the applicant, gives his summary.

Todd Miller, Architect and Sean Gormley, property owner, are sworn in.

Todd Miller gives description of the 10 foot, board on board fence.

Sean Gormley describes the need for the fence for noise reduction for the side yard.

Board questions the request for ten feet.

Public portion is open.

Public portion is closed.

Motion to approve the variance was put forth by Mr. Collins and Ms. Guber-Nulty seconded. The motion was denied in the negative, two affirmative and five Nays. Ayes; Gottschall, Guber-Nulty. Nays – Wasleski, Richmond, Palmisano, Cristaldi, Patterson, Abstention: Collins.

Christopher Baylinson amended the application to propose an eight-foot fence.

Motion to approve the eight-foot fence was put forth by Mr. Collins and Mr. Cristaldi seconded. The vote was 8 in the affirmative and 0 in the negative. The vote is as follows: Ayes; Collins, Gottschall, Wasleski, Richmond, Palmisano, Guber-Nulty, Cristaldi, and Patterson. Nay: none.

JAY AND SHANNON SNOWDEN – 617 N HUNTINGTON AVE. – BLOCK 709.02 – LOT 17 in the S-50 district to grant a C VARIANCE for pool setback. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

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

Christopher Baylinson, the attorney for the applicant, gives his summary of the application.

Arthur Ponzio, licensed professional planner in the state of New Jersey, is sworn in and credentials are accepted.

Mr. Ponzio describes the three levels of buffering and safety.

Public portion is opened.

Norm Imber, 2 Harbor Lane, spoke backing the pool.

Public closed.

Motion to approve the pool setback variance was put forth by Mr. Collins and Mr. Cristaldi second. The vote was 8 in the affirmative and 0 in the negative. The vote is as follows: Ayes; Collins, Gottschall, Wasleski, Richmond, Palmisano, Guber-Nulty, Cristaldi, and Patterson. Nay: none.

STEPHEN M. ZEMAITATIS, JR. – 403 N. LANCASTER AVE. – BLOCK 613.02 – LOT 11 in the S-40 district to grant a C VARIANCE for pool location, pool equipment location, possible landscaping, possibly others. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

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

Mr. Thomas Scangarel, Licensed Professional Planner in the state of New Jersey, is sworn in and accepted as an expert. He explains that Hurricane Sandy destroyed the original pool and yard and the way they wish to rebuild it.

Stephen Michael Zemaitatis is sworn in and speaks of privacy.

Public portion is opened.

Public portion is closed.

Motion to approve the pool setback and pergola variance was put forth by Mr. Gottschall and Mr. Palmisano second. The vote was 8 in the affirmative and 0 in the negative. The vote is as follows: Ayes; Collins, Gottschall, Wasleski, Richmond, Guber-Nulty, Cristaldi, Palmisano, and Patterson. Nay: none.

Eight sets of revised plans are needed, regarding necessary changes to the plan which were a part of the motion, as reflected in the Administrative Follow Up memo.

PETER ROMANO – 106 N. WASHINGTON AVE. – BLOCK 327 – LOTS 402 in the C-1 district to grant C VARIANCES for width, setbacks, distance to adjacent structure, and possible other variances. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Roger Rubin, Zoning Officer, was sworn and read his review, which is attached.

Attorney Christopher Baylinson represents Mr. Romano. Mr. Baylinson summarizes the application.

Peter Ramano, property owner, is sworn in.

John Obelenus, Licensed Architect in the state of New Jersey is sworn in. He describes the changes in the plans from the February application.

The public Portion was opened.

James A Rocco, III, A New Jersey Attorney, is sworn in. He was representing his parents, the neighbors to the property at 108 N Washington Ave.

Mr. James A Rocco JR., of 108 N Washington Avenue is sworn in.

Peter Spitzer of 102A N Washington Avenue is sworn in.

Wendy Spitzer, of 102A N Washington Avenue is sworn in.

Public portion was closed.

Mr. Bergman, solicitor speaks of each variance.

Motion to approve was put forth by Mr. Richmond and Mr. Galantino seconded. The vote was 9 in the affirmative and 0 in the negative. The vote is as follows: Ayes; Collins, Gottschall. Wasleski, Richmond, Galantino, Guber-Nulty, Cristaldi, Palmisano and Patterson. Nay: none.

JOSEPH J. RICCHINI – 15 N. COOLIDGE AVE. - BLOCK 231 – LOT 311 in the MF district to grant a C VARIANCE for lot size, front and side setbacks, landscaping, and possibly others. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Roger Rubin, Zoning Officer, was sworn and read his review, which is attached.

Attorney Brian Callaghan represents Mr. Ricchini.

Public portion is open.

The public portion was then closed.

Motion to approve was put forth by Mr. Collins and Mr. Galantino seconded. The vote was 9 in the affirmative and 0 in the negative. The vote was as follows: Ayes; Collins, Gottschall. Wasleski, Richmond, Galantino, Guber-Nulty, Cristaldi, Palmisano and Patterson. Nays: None.

FCF ASSOCIATES, A NJ GENERAL PARTNERSHIP – 7 S. ESSEX AVE. – BLOCK 105 – LOT 7 in the CBD district to grant a C VARIANCE for parking, signage, tree removal, possibly others. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Roger Rubin is sworn in and reads his review.

Mr. Collins and Mr. Wasleski recuse themselves. Mr. Galantino was in attendance, having arrived late.

Attorney Brian Callaghan represents the applicant.

Arthur Ponzio, Licensed Professional Planner in the state of New Jersey, is sworn in and accepted as an expert.

Tom Collins, a partner in the business, is sworn in.

Public portion is opened.

Public portion is closed.

Motion to approve was put forth by Mr. Galantino and Mr. Cristaldi seconded. The vote was 7 in the affirmative and 0 in the negative. The vote was as follows: Ayes; Gottschall, Richmond, Galantino, Guber-Nulty, Cristaldi, Palmisano, Patterson. Nays: None. There were conditions as set forth in the Administrative Follow-Up Memo, requiring revised plans.

**Public Participation - none**

**Other Business** – Jim Galantino started a discussion of demolition and the fact that Ordinance creates a moratorium from June 15 to September 15. The ordinance in question also gives him, as Construction Official, the discretion to waive the moratorium in urgent cases. Jim said there will be many such cases this year due to Sandy, and the Board, as urged by Chairman Patterson, expressed its consensus that Jim Galantino should exercise this discretion as much as needed this year for compassionate assistance to Sandy victims.

There being no further business, the motion to adjourn was made by Mr. Richmond and seconded by Mr. Cristaldi at 10:15 PM.

Full meeting is available on tape.

Respectfully submitted

Johanna Casey  
Planning Board Secretary/Administrator