

MARGATE CITY PLANNING BOARD MINUTES

**Thursday September 26, 2019
6:30 PM**

Chairman Richard Patterson called the meeting to order at 6:30pm.

FLAG SALUTE:

ROLL CALL:

Present

Clem Wasleski
Rich Patterson
Michael Cristaldi
Joe DiGirolamo
Michael Richmond
Ron Gruppo
Steven Jasiiecki

Absent

Tom Collins
Jim Galantino
Margaret Guber-Nulty
Craig Palmisano
Remy Pelosi

Roger McLarnon, Zoning Officer
Johanna Casey, Board Administrator
Leo Manos, Esq., Solicitor

PROCEDURE

Chairman Patterson announced that the meeting is being held in accordance with due public notice thereof and pursuant to the N.J. State "Sunshine" Law, which governs all public meetings.

MINUTES

The minutes August 29, 2019 was received on the motion of Mr. Richmond, seconded by Mr. Cristaldi, and unanimously approved.

APPROVAL OF DECISIONS AND RESOLUTIONS: The following Resolutions were approved unanimously when received on motion by Mr. DiGirolamo, seconded by Mr. Cristaldi: #27-2019: Scott Paymer, #28-2019: Dennis and Kimberly Forte, #29-2019 Andrew Perry, #30-2019 Ronald and Debbie Miller.

SAMARA T. V. DICKER – 408 NORTH EXETER AVENUE – BLOCK 607.02 LOT 33.05 in the S-40 district to grant "C" variance relief for fence less than five feet from front yard property line, face of garage further than twenty six feet from front property line and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Richmond recuses himself.

Mr. McLarnon is sworn in and reads his review into the record.

Mr. Baylinson, attorney for the applicant, reviews the application and variances requested.

Mr. McLarnon states there will be landscaping on both sides of the fence.

Mr. Patterson inquires as to a need for parking and the purpose for the concrete pad.

Mr. McLarnon states the face of the garage is 39 feet from the rear property line.

Jon Barnhart, 400 N. Dover Avenue, Licensed Professional Planner, is sworn in and credentials are accepted. Reviews the location of the fence. Stating it is eight feet from the sidewalk even though the variance is for five feet from the property line.

Mr. Baylinson addresses the sight triangle in reference to backing out of the garage.

Mr. McLarnon request four street trees.

Public portion is open.

Ellen Lichtenstein, 411 N Exeter Avenue, is sworn in and speaks against the application.

Greg Lichtenstein, 411 Exeter Avenue, is sworn in and speaks against the application. He states the application doesn't fit the neighborhood. Mr. Lichtenstein inquires as to the garage having plumbing and electricity for a pool house or living space.

Mr. Baylinson states the plumbing is a French drain.

Public portion is closed.

Mr. Gruppo inquires as to the contractor of the fence.

Dan Dickers, 408 N Exeter Avenue, property owner, is sworn in and gives testimony as to the contractor.

Mr. McLarnon clarifies the fence is temporary for the protection of the public by instruction of Jim Galantino, Building Inspector.

Mr. Manos reviews the C variances with the conditions set forth in Mr. McLarnon's report.

Motion to grant the approval variances was put forth by Mr. Patterson and Mr. Cristaldi seconded. The motion was denied, one in the affirmative, five in the negative. Ayes: Patterson. Nays: Wasleski, Cristaldi, Gruppo and Jasiecki.

Mr. Cristaldi requests approval from the chair to have a separate vote. The fence being one vote.

Mr. Patterson request clarification on Mr. Cristaldi's request.

Mr. Baylinson request a separate vote on the fence.

Mr. Manos states it is at the discretion of the Board.

Mr. McLarnon states the fence can be moved, the garage can't.

Mr. Manos states more discussion is allowed. Mr. Patterson states the pool is located as far back as possible. There is a true hardship with the property not having the all land upland.

Mr. Patterson inquires as to the distance from the fence to the house line.

Mr. DiGirolamo inquires as to the rear fence to the pool.

Mr. Patterson inquires as to the distance to the pool if the fence is moved back three feet.

Mr. Patterson inquires as to how far can the fence be moved if it is allowing six feet around the pool.

Mr. McLarnon states if the fence is seven feet in front of the house, that allows for nine feet walk area, which would also be safer for the driveway.

Mr. Cristaldi requests a five foot high open baluster fence.

Mr. Baylinson states it's a safety issue.

Mr. Patterson disagrees.

Mr. Manos states it is the discretion of the board to have a second vote. The alternate is for the applicant to reapply renotify and advertise. This would be a waste of time and money.

Mr. Manos reviews the C variances for change in the location of the fence, the garage location and curb cut.

Motion to grant the approval variances was put forth by Mr. DiGirolamo and Mr. Patterson seconded. The motion was approved, five in the affirmative, one in the negative. Ayes: Patterson, Wasleski, Cristaldi and Gruppo. Nays: Jasiecki.

BRAD AND MICHELLE BEIDNER – 113 SOUTH ESSEX AVENUE – BLOCK 5.01 LOT 7 in the S-30 district to grant "C" variance relief for rear yard setback to deck, dormer roof pitch and front yard landscaping and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED. **TABLED**

Mr. Goldstein request the application be postponed until next month, October 24, 2019, and renotification not be necessary. New plans will be submitted.

Mr. Manos agrees.

ORI & ELSIE FEIBUSH – 8807 FULTON AVENUE – BLOCK 718 LOT 1.01 in the S-40 district to grant "C" relief for deck height on the bulkhead over the open bay, height to the top of the plate, landscaping and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Goldstein hands out new plans.

Mr. McLarnon reads his review into the record. Mr. McLarnon request clarity on the pool and the pool equipment. Mr. McLarnon request six street trees.

Mr. Goldstein, attorney for the applicant, states that the applicant is no longer requesting ten variances, instead there are four.

Jon Barnhart, professional planner and licensed architect, is sworn in.

Mr. Patterson requests Mr. Goldstein review page 3 of Mr. McLarnon's review on which variances were deleted and which are requested.

Mr. Goldstein responds: #1 – Deleted, #2 – Deleted, #3, 4, 5 – Requested, #6 – Deleted, #7 – Deleted, #8 – Deleted, #9 – Deleted and #10 - Requested.

Steve Blatt, 1225 7th Street, Philadelphia, PA, designed the plan, is sworn in and reviews the desire for approval of the application.

Mr. Goldstein states a non-conversion clause of the ground floor area is agreed to.

Mr. Patterson inquires as to the cut out for the pool.

Mr. Goldstein state the application is for a two story house and there is over thirty square feet of parking.

Mr. Richmond inquires as to roof height to the top of the ridge.

Mr. Patterson inquires as to the roof pitch.

Mr. Richmond inquires as to the height of the sill plate.

Mr. Richmond states it is an ordinance requiring three feet walkway around a pool. He inquires as to the size of the pool and the pool being against the house.

Mr. Richmond inquires as to shortage of landscaping.

Mr. Patterson inquires as to the amount of area needed for the landscape to comply and what percentage of the land is upland.

Mr. Blatt reviews the deck height and need.

Mr. DiGirolamo inquires as to the coverage allowed for building and the front yard landscape coverage allowed and purposed.

Mr. Harman states there will be vegetation under the deck.

Mr. Patterson states the intention of Margate's land use laws is to have more grass for the environment, it is an environmental issue.

Mr. Barnhart reviews the landscape coverage, pool and height of deck interfaced with the first finished floor.

Mr. Patterson states the intent is as to green living vegetation.

Mr. Barnhart state there isn't a third floor in order to allow for greater ceiling height.

Mr. Barnhart states the pool is more than a pool, it is a water feature.

Mr. Patterson inquires as to the second floor deck being over the pool, the Board has required decks be removed over the pool.

Mr. Richmond inquires as to a variance for the pool.

Mr. McLarnon states the three foot clearance for the pool to any vertical structure.

Brett Harman, 1225 7th Street, Philadelphia, PA, Licensed Architect in the State of New Jersey, signed and sealed the plan, is sworn in and credentials are accepted.

Mr. Harman reviews the design intent being a modern home centering around outside use for family and friends on the deck with the hot tub and pool.

Mr. Richmond states it is a giant deck, couldn't there be more landscaping.

Mr. Richmond request the right side of the deck being removed and inquires if landscape coverage would be achieved.

Mr. Patterson inquires as to the total living space.

Mr. Goldstein request public portion.

Public portion is open.

Joseph Clerkin, 8805 Fulton Avenue, agrees with Mr. McLarnon's report.

James Robertson, 8805 Fulton Avenue, speaks in favor of the application.

Ori Feibush, 8807 Fulton Avenue, property owner, is sworn in and speaks on the design and the deck in relationship to the house.

Mr. Goldstein reads into the record a letter a letter from a neighbor, which is hearsay.

Mr. Richmond request changes to the pool to include three feet walk around to comply with zoning.

Mr. Feibush agrees to the three feet walk around.

Mr. Gruppo inquires as to Mr. Feibush agreeing to 200 feet more in landscaping.

Mr. Cristaldi reviews an alternative way to lower the ceiling height to comply with height. There will be less steps for the handicap family members.

Public portion is closed.

Mr. McLarnon inquires as to the depth of the pool.

Mr. Patterson inquires as to the pool being level with the deck.

There is a five minute recess.

Mr. Goldstein states revised plans will include a one foot plate height variance and cut out the right side of the deck to increase landscaping 200 square feet.

Mr. Manos inquires as to three feet area around the pool.

Mr. McLarnon states the application is much closer to reaching the minimum landscape coverage.

Mr. Manos reviews the C variances. Revised plans are required.

Motion to grant the approval for C variance relief was put forth by Mr. DiGirolamo and Mr. Cristaldi seconded. The motion was denied, one in the affirmative, six in the negative. Ayes; Gruppo. Nays – Wasleski, Patterson, Cristaldi, DiGirolamo, Jasiecki and Richmond.

PUBLIC PARTICIPATION:

OTHER BUSINESS:

Mr. Patterson reads into the record Ms. Casey's letter of resignation as of September 30th.

Mr. Patterson thanks Ms. Casey for her years of service.

There being no further business, the motion to adjourn was made by Mr. Richmond and seconded by Mr. Cristaldi and unanimously approved. 8:55 pm.

Full meeting is available on tape.

Respectfully submitted

Johanna Casey
Planning Board Secretary/Administrator