



CITY OF MARGATE PLANNING BOARD

MINUTES

Thursday, December 12, 2019

Board Chairman, Richard Patterson calls the meeting to order at 6:30 pm.

1. **Flag Salute**

2. **Roll Call:**

Members Present:

Tom Collins
Clem Wasleski
Richard Patterson
Michael Cristaldi
Jim Galantino
Craig Palmisano
Steven Jasieki
Remy Pelosi
Joseph DiGirolamo
Ron Gruppo
Michael Richmond

Members Absent:

Margaret Guber-Nulty

Staff Present:

Roger D. McLarnon, Zoning Officer
Palma Accardi, Board Administrator
Elias Manos, Board Solicitor

3. **Statement of Compliance:** Chairman Richard Patterson announces that the meeting is being held in accordance with due public notice thereof and pursuant to the NJ State Sunshine Law, which governs all public meetings.
4. **Approval of 2020 Meeting Schedule:** Michael Cristaldi makes a motion to approve the meeting schedule of 2020, which is seconded by Craig Palmisano and unanimously approved.
5. **Approval of Minutes:** Jim Galantino makes a motion to approve the meeting minutes of October 24, 2019, which is seconded by Michael Richmond and unanimously approved.
6. **Approval of Decisions and Resolutions:** Jim Galantino makes a motion to approve the Decisions and Resolutions of #33-2019: Appointment of Board Administrator, #34-2019: Brad and Michelle Beidner, #35-3019: Jason and Amanda Hohenstein, and #36-2019: Luke and Gwenn Bee, which is seconded by Joseph DiGirolamo and unanimously approved.

Roger McLarnon recommends to amend the 2020 meeting schedule to reflect an additional special meeting and reorganization meeting to be held on January 9, 2020.

Tom Collins makes a motion to approve the amended meeting schedule of 2020, which is seconded by Jim Galantino, and unanimously approved.

Elias Manos states that the meeting dates will be published as required.

7. Applications:

- a) **MARK AND PENNY NEISSER: 22 East Colmar Circle, Block 509.05 Lot 110**, located in the S-40 district seeking “c” variance relief for front yard, porch, building setback, and possibly others in order to elevate the structure and construct a new addition.

Tom Collins recuses himself.

Roger McLarnon is sworn in, reviews his report of the application, and suggests that the applicants request a waiver for a submission checklist since one was not submitted.

Mr. McLarnon also asks for clarification regarding the plans submitted.

Mark Neisser, 22 East Colmar Circle, Margate, NJ, is sworn in and explains the need for several variances due to the shape of the lot.

John Obelenus, New Jersey Licensed Architect, 102 S. 8th Street, Vineland, NJ, is sworn in, describes the conditions of the lot and house, and reviews the plans submitted.

Michael Richmond questions the setbacks from the corner to the curb.

Mr. Manos confirms with Chairman Richard Patterson that the Board accepts the credentials of John Obelenus.

Craig Palmisano inquires as to the distance from the corner of the deck to the edge of the sidewalk.

Mr. Obelenus describes the scope of the project to construct a second-floor addition, an addition of a master bedroom, and to elevate the home to meet the flood requirements.

Mr. Richmond asks about a neighborhood front yard calculation.

Mr. McLarnon asks for clarification regarding the plans, which is then addressed by Mr. Obelenus.

Mr. McLarnon also asks about the proposed number of rear steps, which is then addressed by Mr. Obelenus.

Mr. McLarnon questions the date provided for the front yard setback calculations, which Mr. Neisser states is a mistake. Mr. McLarnon requests that the date be corrected.

Mr. Palmisano inquires as to the size of the front deck and expresses concern regarding the distance of the corner of the deck to the sidewalk.

Mr. Richmond mentions the roof over the deck.

Mr. Neisser states that he would agree to shorten the deck.

Mr. Patterson does not see a problem with the distance of the deck to the sidewalk.

Mr. DiGirolamo questions the distance from the property line and agrees with Mr. Patterson.

Mr. Obelenus explains the reason for the size of the front deck and describes the hardship created due to the irregular shape of the lot.

Mr. Galantino comments that elevating the house to the flood zone would be a benefit to the neighborhood.

Mr. Obelenus explains the roof slopes.

Public portion is open.

Public portion is closed.

Mr. Obelenus requests a waiver for the submission of an application checklist.

Mr. Manos reviews the variances requested, the request for a waiver for the submission of an application checklist, as well as the conditions stated during the course of the hearing, and conditions stated in Mr. McLarnon's report.

Jim Galantino makes a motion to grant approval for variance relief, which is seconded by Michael Cristaldi. Ayes: Clem Wasleski, Richard Patterson, Michael Cristaldi, Jim Galantino, Craig Palmisano, Remy Pelosi, Michael Richmond; Nays: None.

The motion is approved with (7) seven votes in favor of the application and (0) zero votes against the application.

- b) ALAN SWIFT: 111 S. Andover Ave., Block 1.01 Lot 6**, located in the S-30 district seeking "c" variance relief for the setback to deck and possibly others in order to extend the second floor deck.

Mr. Collins returns.

Roger McLarnon reviews his report of the application.

Eric Goldstein, attorney on behalf of the applicant, describes the variances being requested regarding the deck expansion.

Don Zacker, New Jersey Licensed Architect, 503 N. Harvard Avenue, Ventnor, NJ, is sworn in and his credentials are accepted by the Board.

Mr. Zacker reviews the plans of the proposed renovations and states that he believes there would not be any detriment to the zone plan and that the benefit would outweigh any negatives that may exist.

Mr. Galantino inquires as to the modifications shown on the plans.

Public portion is open.

David Boath, 110 S. Fredericksburg Ave., Margate, NJ, is sworn in and speaks in favor of the application.

Public portion is closed.

Mr. Manos reviews the variances requested, the representations made during the course of the hearing, and conditions stated in Mr. McLarnon's report.

Tom Collins makes a motion to grant approval for variance relief, which is seconded by Craig Palmisano. Ayes: Tom Collins, Clem Wasleski, Richard Patterson, Michael Cristaldi, Jim Galantino, Craig Palmisano, Michael Richmond; Nays: None.

The motion is approved with (7) seven votes in favor of the application and (0) zero votes against the application.

- c) **STUART AND JENNIFER LEON: 9705 Atlantic Ave, Block 31.02 Lot 19.02**, located in the MF district seeking "c" variance relief for the third floor deck, third floor habitable area, possible interpretation, and possibly others in order to construct a third floor deck.

Roger McLarnon reviews his report of the application.

Eric Goldstein, on behalf of the applicants, describes the design of the proposed house and the variances requested.

Peter Weiss, New Jersey Licensed Architect, 101 N. Washington Avenue, Margate, NJ is sworn in, his credentials are accepted by the Board, and he explains the layout of the lot and proposed home.

Mr. Patterson inquires as to the size of the third floor and the size of the deck.

Mr. Palmisano asks about the purpose of the rear deck.

Mr. Galantino asks about the benefit to parking.

Mr. Collins inquires as to the second and third floor square footage.

Mr. Goldstein confirms that the lot is currently vacant.

Mr. Wasleski asks about the reason for the variance.

Mr. Goldstein states that he believes it is a better planning alternative.

Jennifer Leon, 863 Winter Road, Ryder, PA, is sworn in and explains the importance of the size of the deck.

Mr. Goldstein states that the plan presented would be a better alternative than what could be built by-right, and also explains the density and parking requirements.

Mr. McLarnon comments on the zoning code standards.

Mr. Richmond comments on the landscaping and size of the building.

Public portion is open.

Public portion is closed.

Mr. Manos reviews the variances requested, the representations made during the course of the hearing and conditions stated in Mr. McLarnon's report.

Jim Galantino makes a motion to grant approval for variance relief, which is seconded by Remy Pelosi. Ayes: Tom Collins, Richard Patterson, Michael Cristaldi, Jim Galantino, Craig Palmisano, Michael Richmond; Nays: Clem Wasleski.

The motion is approved with (6) six votes in favor of the application and (1) one vote against the application.

- d) **ORI AND ELISE FEIBUSH: 8807 Fulton Ave., Block 718 Lot 1.01**, located in the S-40 district seeking "c" variance relief for top of plate height and possibly others in order to construct a new single family home.

Roger McLarnon reviews his report.

Mr. Manos mentions that there was a prior application for this property which was denied, however this is a new application.

Eric Goldstein, attorney on behalf of the applicants, reviews the history of the proposed construction and changes made to the application.

Mr. Richmond inquires as to the plate and ceiling height.

Mr. Patterson asks about the ceiling height on the second floor.

Brett Harman, Architect, 1225 7th Street, Philadelphia, PA; Steven Black, Designer, 1225 7th Street, Philadelphia, PA; and Jon Barnhart, Professional Planner and Engineer, 400 N. Dover Avenue, Atlantic City, NJ, are sworn in and their credentials are accepted by the Board.

Mr. Black explains the plate height.

Mr. Goldstein explains why the variance is needed due to the zone and size of the proposed home, and also states that the house is designed to accommodate the owner's chandeliers.

Mr. Black describes the layout of the home.

Mr. DiGirolamo asks about the location of the living room and chandelier.

Mr. Galantino inquires as to the construction of the top plate.

Mr. Wasleski asks for clarification regarding the plans and diagrams submitted.

Mr. Patterson and Mr. Richmond question the roof pitch.

Mr. Goldstein states that they are not seeking a roof pitch variance.

Mr. Wasleski inquires as to the overhangs and gutters.

Mr. Richmond questions the drainage requirements, which Mr. Black states will be compliant.

Mr. McLarnon asks about the roof heights.

Mr. Wasleski questions the type of variance being requested.

Mr. Goldstein explains that a height variance is needed based upon the condition of the plate height not being met.

Mr. Cristaldi asks about the diagram of the roof.

Mr. Galantino questions the glazing and windows.

Mr. Patterson asks about the bay view and the ceiling height.

Ori Feibush, 8807 Fulton Ave., Margate, NJ is sworn in and explains the importance of the proposed ceiling height and chandeliers, and also states that his neighbors support his application.

Mr. Galantino asks about the hardship.

Mr. Barnhart reviews the plans and explains why the design is more beneficial than what could be built by-right.

Mr. Patterson questions what the physical difference would be.

Mr. Richmond inquires as to the pitch of the roof.

Mr. Harman confirms that he does not see any detriments associated with the design of the house as presented and that the benefits would far outweigh any negatives.

Mr. McLarnon addresses comments made by Mr. Feibush regarding the zone height requirements.

Mr. Feibush believes that what could be built by-right would be more imposing than what he is proposing.

Mr. Patterson explains that the board cannot consider the chandeliers as a basis for granting the variance.

Mr. Goldstein states that the reason to grant the variance is because the plan presented is a better plan alternative than would could be built by-right, which Mr. Richmond believes to be valid.

Ms. Pelosi asks if there could be two homes build at the location.

Mr. Patterson and Mr. Collins discuss the intent of the condition of the height ordinance.

Mr. Richmond asks if the ceilings on the second floor are cathedral.

Mr. Cristaldi suggests a building alternative.

Mr. McLarnon states that this is two-foot height variance.

Mr. Wasleski asks if twelve feet is required to hang the chandelier.

Mr. Feibush states that he would be willing make a reduction.

Mr. Goldstein requests a moment to have an internal discussion.

Mr. Patterson agrees to take a five-minute break.

Mr. Goldstein states that the applicant agrees to amend the plans to drop the plate height and increase the roof pitches.

Public portion is open.

Eric Shore, 107 N. Sumner Ave., Margate, NJ, is sworn in and is in favor of the application.

Public portion is closed.

Mr. Richmond notes that no one is there to speak against the application.

Mr. Manos notes the exhibits presented.

Mr. Manos reviews the variances requested, the conditions and representations made during the course of the hearing, and conditions stated in Mr. McLarnon's report.

Jim Galantino makes a motion to grant approval for variance relief, which is seconded by Michael Cristaldi. Ayes: Tom Collins, Clem Wasleski, Richard Patterson, Michael Cristaldi, Jim Galantino, Craig Palmisano, Michael Richmond; Nays: None.

The motion is approved with (7) seven votes in favor of the application and (0) zero votes against the application.

8. Other Business

- a)** Mr. McLarnon discusses the reason for having a special meeting in January regarding the proposed ordinance change of the MF zoning chart requirements.
- b)** Mr. Patterson asks the Board to review the tree ordinance.
- c)** Mr. Manos reviews the JIF liability booklet.

Mr. Patterson questions the immunity of board members.

Mr. Patterson, Mr. Palmisano, and Mr. Wasleski inquire as to the rules of site visits. Mr. Patterson also instructs all board members to obtain an ID badge if they do not already have one.

Mr. Patterson asks for clarification regarding emails.

Michael Cristaldi makes a motion to adjourn the meeting, which is seconded by Tom Collins, and unanimously approved at 9:25 p.m.

The audio recording of this meeting is available on the City of Margate Planning Board webpage.

Submitted By: Palma Accardi
 Board Administrator and Secretary