

**Margate City Planning Board
Minutes
September 26, 2013**

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

2. Flag Salute

3. Roll Call

Present

Tom Collins

Clem Wasleski

Michael Richmond

Jim Galantino

Margaret Guber-Nulty

Craig Palmisano

David Carter

Remy Pelosi

Despina Hess

Rich Patterson

Absent

Bill Gottschall

Michael Cristaldi

Jackie Zarrillo, Court Reporter

Roger Rubin, Zoning Officer

Johanna Casey, Board Administrator

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

4. Procedure

5. 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.

6. STEVEN & HEIDI GOLDBERG – 114 S RUMSON AVE. - BLOCK 19 – LOT 17 in the S-40 District to grant a C VARIANCE for pool setback, dormer pitch and 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.

Chris Baylinson, the attorney for the applicant presents his case

Mark Asher, Licensed Professional Architect and Jon Barnhart, Professional Planner are sworn in.

Mr. Asher describes the nature of the variances.

Mr. Barnhart informs the Board that the NJ DEP has already approved the pool.

Open to Board.

Clem Wasleski inquires as to the elevation of the sand to the pool.

Public portion is opened.

Public portion is closed.

Mr. Collins requests two foot clear glass on the bulkhead.

Solicitor Stanley Bergman reads the variances, which require revised plans.

Motion to approve the variances with conditions was put forth by Mr. Galantino and Mr. Collins seconded. The motion was approved, nine affirmative and zero in the negative. Ayes; Collins, Wasleski, Richmond Galantino, Taube, Guber-Nulty, Palmisano, Carter, Patterson. Nays – None.

- 7. THOMAS & JANET DUGAN – 362 N RUMSON AVE. – BLOCK 619 – LOT 5** in the S-40 District to grant a C Variance for lot width, lot area, side yard setback, building height, third floor deck, possible landscape area, and possibly other. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Commissioner Taube recuses herself.

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

Chris Baylinson is the attorney for the applicant.

Jon Barnhart, Professional Planner, John Obelenus, Architect, and Thomas J Dugan, property owner, are sworn in.

Mr. Obelenus informs the Board of the water problem with the existing property. Two off street parking under the house will be elevating parking problem. The front third floor deck is just a “Romeo and Juliet” deck of sixteen inches.

Jon Barnhart explains the existing property is nonconforming and lot area cannot change. NJ DEP has approved the plans.

Open to the Board.

Ms Guber-Nulty speaks.

Mr. Collins speaks.

Mr. Dugan speaks about family history of the property. There have been seven flood claims since 1980.

Public portion is opened.

Dawn Magid, 8800 Fulton Ave, speaks in favor of the application.

Public closed.

Solicitor Stanley Bergman reads the variances, which require revised plans.

Motion to approve the variance was put forth by Mr. Galantino and Mr. Collins seconded. The vote was nine in the affirmative and zero in the negative. The vote is as follows: Ayes; Collins, Wasleski, Richmond, Galantino, Guber-Nulty, Plamisano, Carter, Hess and Patterson. Nay: none.

- 8. JOHN R DE PHILLIPO, SR – 100 S THURLOW AVE. – BLOCK 21 – LOT 5** in the S-40 district to grant C VARRIANCES for side yard setback, building coverage and possibly others. Taxes are current and proof of advertising and notification is satisfied.

Mr. Carter and Ms. Guber-Nulty recuse themselves.

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

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

Peter Weiss, architect for the applicant, and Tiffany CuvIELLO, Licensed Professional Planner, are sworn in.

Board portion is opened to questions.

Public portion is opened.

Public portion is closed.

Solicitor Stanley Bergman reads the variances, which require revised plans and lot subdivision must be recorded.

Motion to approve the variance was put forth by Mr. Galantino and Mr. Wasleski seconded. The vote was nine in the affirmative and zero in the negative. The vote is as follows: Ayes; Collins, Wasleski, Richmond, Galantino, Taube, Palmisano, Hess, Pelosi and Patterson. Nay: none.

- 9. KEVIN & MICHELLE ENTRESS – 505 N CLERMONT AVE. – BLOCK 804.01 – LOT 3.01** in the S-40 district to grant C variance for garage location and possibly others. Taxes are current and proof of advertising and notification is satisfied.

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

Chris Baylinson, attorney for the applicant introduces the application.

Kevin Entress, the property owner, is sworn in.

Open to the Board.

Mr. Galantino inquires about the runoff from the garage.

The public Portion was opened.

Public portion was closed.

Solicitor Stanley Bergman reads the variances.

Motion to approve was put forth by Mr. Collins and Commissioner Taube seconded. The vote was nine in the affirmative and zero in the negative. The vote is as follows: Ayes; Collins, Wasleski, Richmond, Galantino, Taube, Guber-Nulty, Palmisano, Carter and Patterson. Nay: none

- 10. HARVEY & MARSHA TESSLER – 8307 SALEM ROAD – BLOCK 10.02 LOT- 13** in the S-40 District to grant C Variances for rear setback, side setback and possibly others. Taxes are current and proof of advertising and notifying is satisfied.

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

Keith Davis, attorney for the applicant introduces the application.

Terri Cummings, architect, is sworn in and describes the plan.

Harvey Tessler, property owner is sworn in and explains the need.

Open to the Board.

Open to the public.

Public portion was closed.

Solicitor Stanley Bergman reads the variances.

Motion to approve was put forth by Mr. Collins and Commissioner Taube seconded. The vote was nine in the affirmative and zero in the negative. The vote is as follows: Ayes; Collins, Wasleski, Richmond, Galantino, Taube, Guber-Nulty, Palmisano, Carter, and Patterson. Nay: none

11. ROBERTO de O MARQUES – 17 S WASHINGTON AVE. – BLOCK 126 LOT- 109 In the S-25/CBD Districts to grant a Minor Subdivision, C Variance for lot width and possibly others, D variance for first floor residential in CBD zone. Taxes are current and proof of advertising and notifying is satisfied.

Mr. Collins, Mr. Galantino, Commissioner Taube, and Ms. Guber-Nulty are recused.

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

Eric Goldstein, attorney for the applicant introduces the application.

Jon Barnhart, Licensed Planner and Peter Weiss, Architect, are sworn in.

Jon Barnhart speaks on the need for the variances

Peter Weiss speaks on the design.

Open to Board.

Open to Public.

Robert Gilberg, 23 S Washington Ave. Unit 3A Margate, spoke in favor, and asked about the height.

Kathleen Heintzmann, 15 S Washington Ave. Margate, asked about the fire hydrant.

Patricia Grazer, 8 S. Decatur Ave. Margate, spoke in favor.

Public portion is closed.

Solicitor Stanley Bergman reads the variances, which require revised plans and lot subdivision must be recorded.

Motion to approve was put forth by Mrs. Pelosi and Mrs. Hess seconded. The vote was seven in the affirmative and zero in the negative. The vote is as follows: Ayes; Wasleski, Richmond, Palmisano, Carter, Hess, Pelosi and Patterson. Nay: none

12. Public Participation - none

There being no further business, the motion to adjourn was made by Mr. Wasleski and seconded by Mrs. Pelosi and unanimously approved.

Full meeting is available on tape.
Respectfully submitted

Johanna Casey
Planning Board Secretary/Administrator