

**Margate City Planning Board**  
**Minutes**  
**January 31, 2013**

1. Vice-Chairman Michael Richmond called the meeting to order at 7pm. (Chairman Patterson was present but too ill to conduct the meeting.)

2. **Flag Salute**

3. **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.

4. **Roll Call**

Present

Absent

Tom Collins

Margaret Guber-Nulty

Adeo Santori

Bill Gottschall

Clem Wasleski

Rich Patterson

Jim Galantino

Commissioner Brenda Taube

Craig Palmisano

Mike Cristaldi

Ned Humphreys

Mike Richmond

Jackie Zarillo, Court Reporter

Roger Rubin, Zoning Officer

Johanna Casey, Board Administrator

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

5. **Minutes**

The minutes of 12/27/2012 were received on motion by Commissioner Taube; seconded by Mr. Galantino, and unanimously approved.

6. **Resolutions & Decisions**

The following Resolutions were approved unanimously when received on motion by Mr. Collins, second by Commissioner Taube: #58-2012 Penny Lane Associates; #59-2012 Blumenfeld; #60-2012 Parsons;

7. **Other Business**

The City Commission passed Ordinance 1-2013 at the January 31, 2013 meeting to conform our zoning to the FEMA regulations. The Ordinance requires a committee of Mr. Galantino, Mr. Rubin and a member of the Planning Board to be selected by Chairman Patterson. Mr. Cristaldi is appointed to join the committee.

The case of Cristaldi Builders, LLC is off the agenda.

8. **Elduff – 9612 Monmouth Avenue – Block 330 Lot 33** in the MF (Multi-Family) district for a D variance and a C variance to reconstruct a second freestanding unit which was demolished during renovations. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Solicitor Bergman Swore in Mr. Cristaldi. Mr. Cristaldi voted in the positive to grant a D variance and a C variance.

The motion therefore passed five affirmative and one opposed. Yes; Richmond, Gottshall, Humphreys, Cristaldi, Patterson. No; Wasleski.

9. **Margate Burger, LLC – 9703 Ventnor Ave. – Block 207.03 – Lot 4** in the CBD district for a site plan and variance for a conversion of a vacant bank to a hamburger restaurant. 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.

Chris Baylinson represented Margate Burger, LLC. Mr. Baylinson passes out a handout of the proposed building. John Barnhart, land surveyor, John Torpey, the Architect and Don Pastore, the property owner were sworn in. Mr. Burkhart submitted exhibits A-1, A-2. Mr. Torpey submits exhibit A-3.

Hours of operation will be early morning to 10 PM. There will only be takeout. Second sign variance will be included in the vote. No trash pickup or deliveries from 12 am to 6 am.

The public Portion was opened. Todd Murphy was sworn in.

Public portion was closed.

Mr. Rubin recited the changes to the revised plans. Motion to approve was put forth by Mr. Collins and Mr. Cristaldi seconded. The vote was 9-0 in favor as follows: Yes; Collins, Santori, Gottschall, Wasleski, Patterson, Galantino, Taube, Cristaldi, and Richmond. No: none.

10. **16 Michigan Ave Corp DBA Heritage Surf & Sport & 9219 Ventnor Ave. LLC – 9219 Ventnor Ave – Block 226 Lot 83** in the CBD district to grant Site Plan and Parking Variance to reconfigure existing store into enlarge a space. 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 Chris Baylinson represents Heritage Surf & Sport. The approval would convert about 1300 square feet of second floor apartments into part of the store.

The public Portion was opened. The public portion was then closed.

A motion to approve the Site Plan and variance was made by Commissioner Taube and was seconded by Mr. Wasleski. The vote was 9-0 in favor. The vote was as follows: Yes; Collins, Santori, Gottschall, Wasleski, Patterson, Galantino, Taube, Humphreys and Richmond. No: None.

**11. Barrels Joint Venture – 9 S Granville Ave. – Block 108.02 Lot 19** in the CBD district to grant a D variance, C variances and subdivision to demolish Barrel's restaurant and build two new single family homes. Taxes and water/sewer are current and proof of advertising and notification is satisfied.

Commissioner Taube, Jim Galantino and Tom Collins recused themselves.

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

Attorney Brian Callaghan appears representing the applicant. He introduced John Barnhart, land surveyor, John Toddy, Rose Gualtieri property owner, Peter Weiss architect, and all of whom were sworn in. Peter Weiss introduced exhibit A-1, architectural drawing, and A-2, aerial view. Mr. Barnhart introduced exhibit A-3 Site Plan and A-4 Justification Chart, A-5 Zoning map, and A-6 Tax Map.

The public Portion was opened. Joe Tozzi was sworn in. Joseph Abonik was sworn in. Robert Hammerschleg was sworn in. The public portion was then closed.

Rose Gualtieri spoke.

A motion to approve was made by Mr. Humphreys, and was seconded by Mr. Patterson. The vote was 0-7 opposed as follows: Yes; none. No: Santori, Gottschall, Wasleski, Patterson, Cristaldi, Humphreys, and Richmond.

Attorney Callaghan stated that the C variance vote was not necessary.

**12. Designer's Choice Custom Homes, LLC – 7405 Atlantic Ave. -Block 101.01 Lot 12** in the S-25 district to grand a C variance for a pool fence setback for a new single family home on vacant land. 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 appears representing the applicant. He introduces Terri Cummings, Licensed Architect, and she was sworn in. Terri introduces A-1 Architectural plans.

Public portion was opened. Ben Zeltner, Attorney representing the Previti's, Karen Herlech, and Terri Lamberg made comments. Public portion was closed.

Motion to approve with conditions was put forth by Mr. Galantino, and was seconded by Mr. Collins. The vote was 9-0 in favor as follows: Yes; Collins, Santori, Gottschall, Wasleski, Galantino, Taube, Cristaldi, Humphreys, and Richmond. No: none.

### **13. Public Participation - none**

There being no further business, the motion to adjourn was made by Mr. Collins and seconded by Mr. Gottshall at 9:45 PM.

Full meeting is available on tape.  
Respectfully submitted

Johanna Casey  
Planning Board Secretary/  
Administrator