

MARGATE CITY PLANNING BOARD MINUTES

Thursday July 26, 2018

6:30 PM

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

FLAG SALUTE:

ROLL CALL:

Present

Tom Collins
Clem Wasleski
Michael Richmond
Jim Galantino
Michael Cristaldi
Margaret Guber-Nulty
Craig Palmisano
Despina Hess
Rich Patterson
Ron Gruppo

Absent

Remy Pelosi
Joe DiGirolamo

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 June 28, 2018 was received on the motion of Mr. Cristaldi, seconded by Mr. Collins, and unanimously approved.

APPROVAL OF DECISIONS AND RESOLUTIONS: The following Resolution was approved unanimously when received on motion by Mr. Collins, seconded by Mr. Wasleski.
#30-2018: Joseph Tozzi, #31-2018: Randy Grossman, #32-2018: Vincent Caputo.

Mr. Manos States that Mr. McLarnon is absent from the meeting due to illness, Mr. Galantino will be reading his reviews, not acting as Zoning Officer.

RICHARD AND LESLIE STEINBERG – 27 HARBOUR LANE – BLOCK 709.02 LOT 32 in the S-50 district to grant C variance relief for front yard setback, side yard setback, front yard coverage and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Galantino reads into the record Mr. McLarnon's review.

Chris Baylinson, attorney for the applicant reviews the application.

Richard Steinberg, applicant, is sworn in and informs the Board the need for the c variance relief.

Mr. Patterson inquires as to the electric pole interfering with the new driveway.

Mr. Wasleski inquires as to the fire hydrant taking the parking place.

Mr. Palmisano inquires as to the Magnolia tree being cut down, how many shrubs will be lost and will there be a new curb cut.

Mr. Gruppo inquires as to there being additional grass.

Mr. Palmisano inquires as to there being an addition to the area with the flat roof.

Public portion open.

Public portion is closed.

Mr. Manos review the C variance relief with the contingency that the concrete in the rear be replaced with grass.

Motion to grant the approval for the C variance was put forth by Mr. Collins and Mr. Cristaldi seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Patterson, Cristaldi, Galantino, Guber-Nulty, and Richmond. Nays – none

MICHAEL AND NORA IEPSON – 8106 MARSCHALL AVE. – BLOCK 609.01 LOT 35 in the S-40 district to grant C variance relief for side yard setback, building coverage and combined side yard and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Collins recuses himself.

Mr. Galantino reads Mr. McLarnon's review into the record.

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

Mr. Iepson, property owner is sworn in and gives testimony as to the need for the variances with the family situation.

Mr. Wasleski inquires as to the ability to shift the addition away from the property line.

Mr. Patterson inquires as to there being a second floor at some time in the future.

Public portion is open.

Mr. Paul Schugsta, 8109 Marshall Avenue, speaks in favor of the application.

Public portion is closed.

Mr. Manos reviews the request for C variance relief also request that a waiver be provided for the 200 foot area map. Revised plans are not required.

Motion to grant the approval for the C variance was put forth by Mr. Cristaldi and Mr. Palmisano seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Wasleski, Patterson, Cristaldi, Galantino, Guber-Nulty, Palmisano and Richmond. Nays – none

RICHARD AND LORI GOLDSTEIN – 23 N DELAVAN AVE. – BLOCK 204.02 LOT 1 in the S-25 District to grant C variance relief for front yard setback and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED. CONTINUANCE.

Mr. Galantino reads into the record Mr. McLarnon's review.

Eric Goldstein, attorney for the applicant, reviews the application.

Richard Goldstein, property owner, is sworn in and gives testimony as to the need for the C variances relief.

Peter Weiss is sworn in and reviews the plans.

Mr. Wasleski inquires as to the use of the space and the height of the ceiling over the garage.

Ms. Hess inquires as to the space being converted to a room.

Mr. Patterson inquires as to the roof pitch over the garage. He inquires as to the space being storage.

Mr. Richmond inquires as to a rear deck and the location of the HVAC.

Public portion is open.

Paul Freedman, 16 N. Delavan speaks in favor of the application.

Public portion is closed.

Mr. Manos reviews the request for C variance relief for front yard for the first and second floor decks, side yard setback and combined side yard setback. And applicant must comply with the request in Mr. McLarnon's review. Revised plans are not required.

Motion to grant the approval for the C variance was put forth by Mr. Collins and Mr. Galantino seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Patterson, Cristaldi, Galantino, Guber-Nulty and Richmond. Nays – none

Mr. Goldstein informs the Board that the Goldstein's wish to move forward with construction before the resolution is memorialized at their own risk.

JAMIE SELLER – 104 S. CLARENDON AVE. – BLOCK 3.02 LOT 9 in the S-30 district to grant a C variance relief for front yard landscaping, third floor deck, height, coverage and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Galantino reads into the record Mr. McLarnon's report.

Mr. Patterson inquires as to the house being elevated.

Mr. Richmond inquires as to there being a height variance.

Mr. Cristaldi speaks on to there being a third floor deck.

Mr. Goldstein, attorney for the applicant, reviews the application.

Terri Cummings, architect for the applicant, reviews the drawings.

Mr. Patterson states that the height is over the allowable height.

Mr. Richmond reviews the new height requirements proposed.

Ms. Guber-Nulty inquires as to the home being designed prior to the change in elevation and height proposal.

Mr. Collins inquires as to the ceiling height in the garage.

Ms. Hess responds that the proposed construction is taking advantage of the new land use regulations.

Mr. Patterson request a five minute break to call Mr. McLarnon for clarification on the proposed height changes.

Mr. Patterson informs the Board of the change.

Mr. Wasleski inquires as to the area of the third floor.

Mr. Cristaldi states that the height is thirty feet from the first floor.

Mr. Patterson states the vaulted ceiling makes a full third floor.

Public Portion is open.

Public portion is closed.

Mr. Manos reviews C variance relief for third floor deck, front yard, landscaping and building height.

Motion to grant the approval for the C variance relief was put forth by Mr. Galantino and Mr. Cristaldi seconded. The motion was approved, six in the affirmative and one in the negative. Ayes; Collins, Patterson, Cristaldi, Galantino, Guber-Nulty and Richmond. Nays – Wasleski

GARY AND ANDREA SCHWARTZ – 8302 ATLANTIC AVE. BLOCK 10.01 LOT 5 in the S-40 district to grant a C variance relief for two (2) side yard setbacks, combined side yard setback, building coverage and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Galantino reads into the record Mr. McLarnon's report.

Mr. Patterson inquires as to the changes being more than fifty percent of the improvement to require the structure to be elevated.

Michael Peacock, Attorney for the applicant, reviews the application.

Peter Weiss, 111 N Washington Ave., Licensed Architect, is sworn in and reviews the plan and need for variance.

Mr. Wasleski inquires as to the parking being of useful size.

Mr. Collins inquires as to the pool clearance and the trees being saved.

Public portion is open.

Andrew Winfelder, 8306 Atlantic Avenue, speaks in favor of the application.

Public portion is closed.

Mr. Manos reviews the request for C variance relief with the provision that the pool will have three foot clearance around it.

Motion to grant the approval for the C variance relief was put forth by Mr. Galantino and Mr. Cristaldi seconded. The motion was approved, seven in the affirmative and zero in the negative. Ayes; Collins, Wasleski, Patterson, Cristaldi, Galantino, Guber-Nulty and Richmond. Nays – none.

DANIEL AND SUSAN DAVIS – 9005 VENTNOR AVE. BLOCK 223 LOT 15 in the S-60 district to grant C variance relief for principal building setbacks, deck height, deck setbacks for side and rear yard and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Galantino reads into the record Mr. McLarnon's review.

Mr. Goldstein, attorney for the applicant, reviews the application and states that there was an error made which wasn't picked up until the deck was constructed.

Mr. Richmond inquires as to the finished floor of the elevation of the house.

Anthony Almeida, contractor for Oasis Contractors, is sworn in and gives testimony on how the error happened.

Daniel Davis, property owner, is sworn in and reads into the record the history of the error and the need for the variance relief.

Mr. Patterson inquires as to the fence height from the elevated deck.

Ms. Hess states her opinion on pool safety not just keeping people out but safety for those in the pool area.

Mr. Goldstein presents A-1 color rendering of the fence.

Mr. Patterson calculates the actual height from grade.

Mr. Richmond inquires as to the deck being a three foot deck.

Mr. Collins states the deck is forty inches and then pavers will be added to top the deck off at forty four inches above grade.

Ms. Hess inquires how safety and privacy are being addressed.

Mr. Patterson remarks on the nine steps in the front and three in the rear.

Mr. Wasleski inquires as to the error stems from the surveyor's mistake.

Mr. Gruppo inquires as to which time the survey was incorrect.

Mr. Patterson states the error is still twenty inches off between 88 and 29 data.

Anthony Almeida, 2564 Industry Lane, Norristown, PA clarifies the steps in the rear yard.

Mr. Patterson states a deck is no more than 15 inches from grade.

Mr. Goldstein addresses drainage.

Ms. Hess inquires as to the lack of testimony from the engineer.

Mr. Cristaldi states the deck is the entire yard.

Mr. Palmisano states three steps to a deck.

Mr. Almeida states the deck changed the pitch of the yard.

Donald Zacker, 101 N Washington Avenue, professional architect, is sworn in and gives as to how the error occurred.

Mr. Cristaldi inquires as to how Mr. Zacker didn't pick up the something was wrong.

Mr. Patterson inquires as to the pool being installed first or the wall first. He request the original plans.

Mr. Goldstein states he has no other witnesses.

Public portion is open.

Jack Scott, 3 N. Wilson Avenue, speaks against the application. He states a forty inch block wall isn't a fence.

Mr. Scott speaks against the light air and distance from his indoor living space. He request the structure follow code.

Bob Hughey, 8603 Ventnor Avenue, Professional Planner, director of the Environmental Commission for the State of New Jersey, is sworn in and gives his credentials which are accepted. Mr. Hughey defines a C variance. He states that there is no positive for the community. Due to the deck being attached to the structure it is then considered an accessory structure. A retaining wall is not a fence. He state that asking for one C variance relief is erroneous. There are more. Mr. Hughey closes by stating that a mistake is not a hardship.

Bill Citron, I N. Wilson Avenue, is sworn in and inquires as to the drainage. He speaks against the application.

Sandy Vespertino, 38 Chelsea Court, speaks in favor of the application.

Public portion is closed.

Ms. Guber-Nulty request a break for the neighbors to attempt to make a compromise.

Mr. Manos reviews the C variance relief and revised plans are not required..

Motion to grant the approval for the C variance relief was put forth by Mr. Colins and Mr. Galantino seconded. The motion was denied, zero in the affirmative and seven in the negative. Ayes; None. Nays – Collins, Wasleski, Patterson, Cristaldi, Galantino, Guber-Nulty, and Richmond.

PUBLIC PARTICIPATION:

OTHER BUSINESS:

Due to Mr. McLarnon's absents due to illness, and there being a need to revisit the land use changes the recommendation for the Commission was not voted on.

The Board agreed to meet to review Chapter 175- Land Use changes at the next meeting.

There being no further business, the motion to adjourn was made by Mr. Collins and seconded by Mr. Galantino and unanimously approved. 10:40 pm

Full meeting is available on tape.

Respectfully submitted

Johanna Casey
Planning Board Secretary/Administrator