

MARGATE CITY PLANNING BOARD MINUTES

**Thursday February 28, 2019
6:30 PM**

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

FLAG SALUTE:

ROLL CALL:

<u>Present</u>	<u>Absent</u>
Tom Collins	Remy Pelosi
Clem Wasleski	Joe DiGirolamo
Rich Patterson	
Michael Cristaldi	
Margaret Guber-Nulty	
Jim Galantino	
Craig Palmisano	
Despina Hess	
Ron Gruppo	
Michael Richmond	

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 January 31, 2019 was received on the motion of Mr. Collins, seconded by Mr. Galantino, and unanimously approved.

RESOLUTION & DECISION: APPROVAL OF DECISIONS AND RESOLUTIONS:

The following Resolution was approved unanimously when received on motion by Mr. Galantino, seconded by Mr. Cristaldi: #05-2019: MBNN1, LLC, #06-2019: Election of Chairperson and Vice Chairperson, #07-2019: Appointment of Staff and Solicitor #08-2019: Talib Christopher Holloway, #09-2019: Raymond O'Connor.

PMG REAL ESTATE DEVELOPERS, LLC – 117 N. GLADSTONE AVE. - BLOCK 307.02 LOT 43 in the S-25 district to grant Subdivision variances lot width and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED. Carried from January 31, 2019

Mr. Manos states all members which were present at the last meeting are the only persons able to vote unless a certification that the recording from the last meeting was listened to is signed.

Ms. Guber-Nulty recuses herself.

Mr. McLarnon is sworn in and states his review from January 31st meeting stands.

Mr. Collins request the case moves forward if new plans are not being submitted.

Open to Public.

Michael Fekete, attorney for Lauren Kane, introduces Lauren Kane as a witness.

Lauren Kane, 115 N Gladstone Avenue, is sworn in and gives testimony against the application.

Robin Schwartz, 114 N Gladstone Avenue is sworn in and speaks against the application.

Josh Schwartz, 114 N Gladstone Avenue is sworn in and speaks against the application.

Public portion is closed.

Mr. Goldstein cross examines Mr. Schwartz and Ms. Kane.

Mr. McLarnon states there is no parking variance being requested. Parking is to be provided on the site according to the ordinance.

Mr. Goldstein states drainage isn't increases due to new construction. The application is oversized by square footage of the lot area, undersized by front footage.

Mr. Palmisano inquires as to the number of bedrooms.

Ms. Hess inquires as to there being no variances for the new construction and a deed restriction will be filed stating that no variances will ever be applied for.

Mr. Manos reviews the subdivision application with a deed restriction. Revised plans are not required.

Motion to grant the approval for C variance relief was put forth by Mr. Cristaldi and Mr. Collins seconded. The motion was denied, two in the affirmative, seven in the negative. Ayes; Galantino and Gruppo. Nays – Collins, Wasleski, Patterson, Cristaldi, Palmisano, Hess and Richmond.

Mr. Manos states Andrew Ozer, 36 West Drive, Block 201.04 Lot 69 is being adjourned until March 28th. Renotice and advertising will not be necessary.

CHRISTOPHER AND DORIS PISANI – 438 N. VENDOME AVE. – BLOCK 623 LOT 18 in the S-40 district to grant C variance relief for front yard setback, rear yard setback, side yard setback, combined side yard setback, height and possible others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. McLarnon reads into the record his review.

Mr. Patterson Inquires as to the level of grading the property will be elevated to. Chris Baylinson, attorney for the applicant, reviews the variances.

Mr. Patterson inquires as to the grading being higher than the neighbors.

Arthur Chew, licensed professional planner, presents his credentials which are accepted. Mr. Chew reviews current zoning.

Mr. Collins inquires as to the grad at the curb.

Mr. Baylinson reviews the history of the previous property.

Ms. Hess inquires as to the house being pulled back for the neighbors to have a better view.

Mr. Galantino inquires as to the DEP permit being submitted.

Mr. Richmond inquires as to the rear yard setback.

Mr. Wasleski inquires as to the need for a zero rear setback.

Mr. McLarnon States the fireplace is on a wall extending from the structure which causes it to become part of the principal structure.

Mr. Patterson request clarification of the wall.

Mr. Collins inquires as to the need for side yard setbacks.

Mr. Richmond inquires as to the fireplace.

Christopher Pisani, 403 Appian Way, Doylestown, PA, property owner is sworn in and gives testimony as to the decks.

Mr. Richmond inquires as to the side yard setback.

Ms. Guber-Nulty inquires as to the fireplace being relocated.

Mr. Palmisano states the side yard setback effects the light air and space.

Mr. Collins request the side yard setback be ten feet on both sides.

Public portion is open.

Marc Jacobson, 419 N. Vendome Avenue is sworn in and compliments the work of the planning board. Mr. Jacobson speaks against the mass of the house.

Joel Chaiken, 434 N. Vendome Avenue, is sworn in and Speaks against the side yard setbacks.

Public portion is closed.

Mr. Patterson Speaks in favor of the elevation of the house.

Mr. Collins speaks in favor of the elevation.

Mr. Baylinson requests two votes, one vote for the side yard setback the other vote with combined side yard setback of twenty feet.

Mr. Manos review the variance relief requested for side yard setbacks of eight feet.

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

Mr. Manos reviews the C variance relief with the combined setback height, rear yard, rear yard to the first and second floor decks and elevation and building height. Waivers for number 3,7,8,9,10,11,12 are accepted. Revised plans are required.

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

CHRISTOPHER AND MARYANN BECK – 21 N, IROQUOIS AVE. – BLOCK 210.02 LOT 5 in the S-25 district to grant a C variance for relief for accessory building area and accessory building height and possibly others. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. McLarnon reads into the record his review.

Joel Fleishman, attorney for the applicant reviews the application.

Peter Weiss, 101 N. Washington Ave., architect for the applicant reviews the design.

Mr. Palmisano inquires as to there being a roll down on the garage window and the size of the pergola.

Mr. Collins inquires as to the size of the pergola.

Despina inquires as to the effect of the sound to the neighbors.

Mr. Patterson request the variance relief include the pergola.

Mr. Wasleski request clarification on what is located on the property line. He inquires as to the amount of wall being removed from the existing garage.

Mr. Palmisano inquires as to the type of materials the garage is made of.

Mr. Fleishman request an amendment to the number of shrubs being required.

Public portion is open.

Lyn Sorenson, 24 N. Iroquois Ave. speaks in favor of the application.

Lilly Marchiani, 22 N. Iroquois Ave. speaks in favor of the application.

Public portion is closed.

Mr. McLarnon reads into the record the pergola regulation.

Mr. Manos reviews the request for C variance relief for building height of an accessory structure and height of a pergola. A waiver for eighteen shrubs is requested. Revised plans are 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.

AJ&J ASSOCIATES I LLC – 107 S. OSBORNE AVE. – BLOCK 15 LOT 3 in the S-40 district to grant a D variance for relief for an accessory structure without a principal structure. TAXES AND WATER ARE CURRENT AND PROOF OF ADVERTISING AND NOTIFYING IS SATISFIED.

Mr. Collins and Mr. Galantino recuse themselves.

Mr. McLarnon read his review into the record.

Jack Plackter, attorney for the applicant, reviews the application.

Mr. Richmond inquires as to a pool being considered an accessory structure.

Steven Fenwick, Linwood, N.J., licensed architect, was sworn in, hands out revised plans and gives testimony as to the design.

Mr. Patterson inquires as to the driveway remaining on the lot with the home.

Ms. Hess inquires as to the pool property belonging to a LLC and are the members of the LLC agreeing to the pool.

Mr. Patterson inquires as to the height of the fence.

Mr. Palmisano inquires as to the garage remaining on the lot with the pool.

Jeffery Herkowitz, property owner, is sworn in and gives testimony as to the driveway.

Ms. Guber-Nulty inquires as to access to the pool.

Mr. McLarnon states the driveway on lot 2 must remain.

Ms. Hess inquires as to the fence height.

Mr. Plackter states the fence will comply with the City's Ordinance.

Mr. Manos state the two lots cannot be treated as one.

Ms. Hess inquires as to the conditions being set for the approval.

Public portion is open.

Public Portion is closed

Mr. Manos reviews the variances, conditions, waivers and states for the record requesting a use variance, it must receive five votes of the seven to pass.

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

PUBLIC PARTICIPATION:

OTHER BUSINESS:

Mr. McLarnon requests information from the Board on coverage.

Mr. Cristaldi discusses fireplace projection.

Mr. Patterson states projection adds dimension and character.

Mr. Collins discusses closed walls.

Mr. McLarnon inquiries about detached garage size being changed.

Mr. Patterson request 11 foot width garage requirement.

Public portion is open.

Peter Weiss, 101 N. Washington Avenue, requests a ten foot interior for garages.

Public portion is closed.

Mr. Richmond states the garage size should be ten by twenty.

There being no further business, the motion to adjourn was made by Mr. Collins and seconded by Mr. Palmisano and unanimously approved. 9:50 pm.

Full meeting is available on tape.

Respectfully submitted

Johanna Casey
Planning Board Secretary/Administrator