

*City of Northfield*  
*Planning & Zoning Board*  
*1600 Shore Road*  
*Northfield, New Jersey 08225*  
(609) 641-2832 Ext. 127 or 157  
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Minutes: July 21, 2005

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting has been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, July 21, 2005 in Council Chambers, City Hall, Northfield, was called to order by Vice Chairman of the Board Clem Scharff at 7:31 p.m. with the following members present:

Mayor Frank Perri  
Mr. Mike Turon, Councilman  
Mr. Rich Stevens, Construction Official  
Ms. Alice Chambers  
Mr. Art Barrera  
Mr. Lou Milone-absent  
Mr. Nick Droboniku  
Mr. Ronald Roegiers  
Mr. David Notaro-absent  
Mr. Clem Scharff  
Chairman Richard Levitt-absent

Solicitor-Tom Subranni, Esq.  
Engineer-Matt Doran, PC

The first application on tonight's agenda is Baywatch Builders, LLC (Victoria Park), Bernadette & Steve Goldstein, Michael & Dawn McGee and Robert & Evelyn Teresi, Block 116, Lots 9.06, 9.07, 9.09, 9.13, 9.15, 9.17 for a "C" variance side yard relief for a deck/porch to be built on the above mentioned six lots. The property is located in the R-3 zone. Seth Grossman, Esq. is representing the applicants. Bonnie McCabe and Robert Goldstein and the other applicants were sworn in by Mr. Schaarf. Mr. Grossman and Mike Ciccia provided photographs that were labeled A-1 through A-9 as evidence. Robert Goldstein described the project to build a 5 ft.by 20 ft.deck with no roof where the sliding glass doors are already in place. He stressed the importance of the sliding glass doors to be used as an important access route from the homes and would also aesthetically enhance the properties. Ray Adams, Mike Morris and Mike Ciccia spoke during the public session in favor of the decks for access reasons and stated that the gates protecting the sliding glass doors look unattractive.

Fred Scerni, Esq. asked to question the applicants. He questioned the need for the decks and feels that steps would serve the same purpose for an access route. William Sherburne was sworn in and questioned by Mr. Scerni. He testified that his privacy would be affected by the decks. Mr. Scerni concluded by stating that this is a self-imposed hardship. Robert Goldstein reported the height of the finished decks would be a little more than three feet. Clem Schaarf pointed out that the homes are already two-story and that you can already see the neighbors from that level. Mayor Perri stated that there should be no additional structures or ornaments, nothing hanging and nothing above the deck railing. Mike Turon and Nick Droboniku commented that the decks are too imposing and suggested that a landing might be more well-suited.

Mayor Perri made a motion to vote on the application and Rich Stevens seconded. There were 6 "Yes" votes and 2 "No" votes from Mr. Turon and Mr. Droboniku. The application received the required 5 votes for approval.

The second application is presented by Darren & Brett Matik of 17 E. Ridgewood Court, Block 158, Lots 17.17, 24 & 25. They are seeking a "C" Variance (Hardship) and a "D" Variance (Use) in order to enlarge the existing home with a covered porch, deck and additions and to construct a cabana pool house, putting green, pool, pond with waterfall and patio. They are represented by Nicholas F. Talvacchia of Atlantic City and the Developers are QMA Architects & Planners of Linwood. The Matik's property is located in the R-1 zone. The "C" variance is needed because the accessory building height of 16'6" exceeds the 12' maximum allowed and the square footage of 1,620 s.f. exceeds the 500 s.f. allowed. The total square footage for the three lots combined is 29,409 total square feet and the Matik's are proposing 26% coverage. The permitted percentage of coverage is 40%.

Mr. Talvacchia gave an overview of the project and stressed his clients intentions that the cabana would not be rented out and would not be used by the public. Exhibits were submitted for the record:

A-1 Notice (already on file)

A-2 Application (already on file)

A-3 Photo Exhibit (Jon Barnhardt presented photos of the home and neighborhood)

A-4 Neighborhood plan

A-5 Zoning justifications

Todd Allan Miller, the Architect, described the plans to extend the front porch and the desire to link the 3 lots and create an indoor/outdoor living environment for entertainment. He preceded to describe the cabana as a single story building to provide a living space for visiting family. Tom Subranni noted that due to the deed restrictions placed on the vacant lots, sleeping in the cabana would not describe a recreational purpose. Mr. Talvacchia noted that the Board cannot interpret the meaning of the deed only the grantor can do that. He does not believe they are in violation of the restrictions. Mr. Barnhardt described special reasons for granting the variances and stated that the tax base would be increased without putting more children in the school system, a future single family home would not be built in the future if the cabana is in place, the cabana meets setbacks, open space and area requirements and will be aesthetically beautiful. The negatives would be noise, glare and traffic in the immediate vicinity. Mr. Subranni questioned the length of stay for any guests and was answered by Mr. Talvacchia that they would accept 2 weeks maximum. Mr. Schaarf noted that the Fire Dept. requests the installation of a fire hydrant and a fire suppression system. Mr. Turon discussed the paper street (Unknown Street) and sees the need for a fence. Mr. Stevens said all the surrounding properties have 6-foot fences. He also noted that the project has "duplex tendencies" and that it should be deed restricted. Mr. Turon suggested that the cabana be listed as a rental property *only* so that it may be subject to City inspection every

two years. He also pointed out that the 16 ft. height variance is not really correct. The height is 21.8 ft. to the ridge and Mr. Stevens substantiated this.

Matt Doran read the Engineer's report which is on file.

Mr. Schaarf opened the public session at 9:18 p.m. Mrs. Carol Goloff, an attorney and resident, was sworn in and spoke as the previous owner of Lots 24 & 25. She spoke at length about the history of the lots and the purchase by the Matik's. She believes the project is too large for the site and the neighborhood and feels the Restrictive Covenant in the deed is not being adhered to. She thinks the project should be scaled down so that the cabana would not become a single-family home at some future time. She stated that she did not believe the building to be an accessory use or that it will be a buffer. The neighbors most affected by this project are not happy with the proposed plans and she also noted that vacating the unknown street by the city is crucial to a garage being built on Lot 26 since there is no other available parking. Mr. Schaarf noted that the Board has no authority to affect vacating a street.

At this point, Enid Hyberg, an attorney with Youngblood Corcoran, was sworn in. She represents Daniel & Kathleen Jackson who reside at 2410 Shore Road. She questioned Mr. Barnhardt's view of an accessory building. He replied that they are seeking the variance to allow for the cabana to be separated from the house. If the cabana were to be added directly to the main house, a use variance would not be needed. She feels that the inclusion of a kitchen constitutes a duplex situation at the property.

The Jackson's, who own Lot 27, oppose the application. They originally bought their lot in 1999 and were told the Lots behind them would never be built upon. They believe the cabana to be a second house and have concerns about what would happen if the Matik's were to sell their property.

Heather Clark, a local Dentist who resides at 19 Ridgewood Court, is not opposed to the project and believes the neighborhood would be enhanced.

Paul Jeffries of 34 E. Rosedale believes the project to be a separate house since they will need separate power and water to supply the cabana.

Lisa Albarusso, a local realtor, supports the project.

Mr. Schaarf closed the public session seeing that no one else wished to be heard.

Mr. Talvacchia gave his summation and the Board asked final questions. Mr. Schaarf noted that there were not any landscaping proposals and Todd Miller noted that they were not complete yet and will agree to this being a condition of approval. Mr. Barrera stated that the plan is excessive and feels for the adjacent property owners. Mr. Turon noted that he cannot vote for the use variance but is troubled by the bedroom in an accessory building. Mayor Perri noted that the modest community of Northfield is not used to this type of project and noted that only one neighboring property owner is opposed and present at this meeting. He feel the project is an interesting one and believes restrictions will improve the project. Mr. Stevens has a problem with the bedroom and accessibility issues. Nick Talvacchia asked for a 2 minute recess to confer with his clients. He returned and offered a reduction to 1500 sq. feet, they will eliminate the bedroom and instead of two full baths, they would have one full bath and a powder room. They asked to enlarge the great room. Enid Hyberg noted that people could still sleep in the great room.

Tom Subranni summarized the conditions:

No Duplex or rental

No occupancy for more that 2 weeks

No further re-subdivision of the Lots

Consolidate Lots after approval  
Register as rental for inspection purposes only  
Strict use for transient guests who are friends or family only  
Fire suppression system as requested by Assistant Chief Lees  
1500 sq. ft. maximum

The Use or “D” variance was voted on first with a motion made by Mr. Stevens and seconded by Mr. Roegiers. Mayor Perri and Mr. Turon abstained from voting since they are elected officials. There were 5 ‘yes’ votes and 1 ‘no’ vote from Mr. Barrera. The Use variance was approved. Next the “C” variance was voted on with a motion again from Mr. Stevens and seconded by Mr. Roegiers. All members of the Board voted yes.

There are no Resolutions to memorialize at this session.

The meeting was adjourned at 10:54 p.m. with a motion made by Ms. Chambers and seconded by Mayor Perri.

Respectfully submitted,

Robin Atlas-Clinton  
Planning Board Secretary