

**ZONING BOARD OF ADJUSTMENT
MINUTES**

APRIL 8, 2019

Meeting was advertised in accordance with the NJ Sunshine Law.

Roll call: attending: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gross
Mr. Gonzalez, Mr. Halberstam

Absent: Mr. Ribiat,
Arrived late: Mr. Naftali
Attorney: Jerry Dasti
Engineer: Terry Vogt
Secretary: Fran Siegel

Salute to the Flag.

Motion to approve minutes of March 4, 2019 – Mr. Halvorsen

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

Appeal # 3935A – Ketan Metah, 1367 Route 70, Block 1160.01 Lots 256.01 and 256.02, B-5
Zone. Court remand for stipulation of settlement dated August 23, 2018

Secretary read report

From: Terry Vogt, Engineer/Planner – March 25, 2019

The applicant obtained use and bulk variance relief and minor subdivision approval via Appeal # 3935 to subdivide an existing 160,000 square foot (3.67 acre) property known as Lot 256 in Block 1160.01 into two (2) new commercial lots, designated as Lots 256.01 and 256.02 on the subdivision plan. Subsequent to this minor subdivision approval the applicant obtained Planning Board approval to construct a hotel on lot 256.02. Use variance approval for the intensification of the pre-existing car wash use.

Adam Pfeffer, attorney for applicant. Car washes are not a permitted use so it needed zoning board approval. This board has to acknowledge that there would be a shared driveway access and it intensifies the use of the car wash. Since a hotel is a permitted use it was granted Planning Board approval.

Ian Borden, Engineer/Planner

A-1 copy of subdivision map

A-2 copy of site plan

Mr. Borden – The hotel site plan has to be re-submitted to the Planning Board. There are no changes to the existing car wash. The County had no issues with shared driveways.

Chairman – there is County approval and Township approval.

Mr. Borden – the car wash today is on 3.7 acres. Nothing has changed from the original approval. The Hotel is a permitted use and will be heard by the Planning Board.

Ron Gasiorowski, attorney for objector. Is the driveway sufficient size that it can accommodate these 2 uses?

Gordon Gemma, 58 Seneca Place, Oceanport, NJ, planner was sworn. The remand from the court is to look at the intensification of the car wash resulting from the proposed hotel.

Open to Public.

Shloime Klein, 189 Chateau Drive, affirmed. Concerned about sidewalks.

Closed to Public.

Mr. Borden – the driveway into the car wash is 162 feet plus 50 feet.

Mr. Halberstam – they are just here to reaffirm out approval.

Motion to acknowledge that we realize the intensification of the car wash – Mr. Gelley
Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Halversen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez,
Mr. Halberstam

**Appeal # 4100 – New Hampshire Investments, LLC, 752 Cross Street, Block 524 Lot 1. M-1
zone. Use variance for retail development.**

Secretary read report.

From: Terry Vogt, Engineer/Planner – January 28, 2019

Adam Pfeffer, attorney for applicant.

Brian Flannery, engineer/planner, sworn.

A-1 sheet 4 of the land development plan
A-2 aerial photo

Mr. Flannery – proposed use is in the M-1 zone. He read some of the permitted uses. This will provide shopping and employment opportunities to the area. This is a bifurcated application. They are asking for use only. There will be a traffic signal at the corner of Cross Street on the southerly corner of the property. There will be walking distance to residents in the area. Not concerned with traffic flow concerned with traffic congestion. The County Engineer provided an update on the improvements of Cross Street. Cross Street will be widened to a 3 lane with turning lanes. We will come back with details. They will meet the parking requirements.

Mr. Halvorsen - Cross Street cannot handle any more traffic.

Mr. Flannery - They will come back with a traffic report. It will be at least 2 years before the traffic light. The size of the shopping center will not have a negative impact.

Mr. Pfeffer - When they come back they will make sure that it works.

Open To Public.

Shloime Klein, affirmed.

Closed to Public.

Motion to approve with conditions; sidewalks, above the amount of required parking spaces, no supermarket, only neighborhood uses. – Mr. Lankry

Second –Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lankry, Mr. Inger, Mr. Gross, Mr. Gonzalez,
Mr. Halberstam

nays: Mr. Halvorsen

Moshe Ingber and Moshe Lankry recused themselves from this application.

Appeal # 4102 –Brook Burnside –Burnside Avenue, Blocks 199, 200, 201 & 202, R-15 zone.
Use variance to allow single family homes with the R-10 requirements.

From: Terry Vogt, January 16, 2019

The applicant requests bifurcated use variance relief to construct up to 34 single family lots within the R-15 zone in accordance with the R-10 single family residential standards.

Adam Pfeffer, attorney for applicant. Would like to proceed with 6 members but would like to hold the vote for the 7th member to listen to the recording and vote next month.

Susan D’Maria – attorney for objector – notice was not correct

Mr. Ukaly – read the notice and said the notice was acceptable

Mr. Pfeffer request that they will carry to the May 6th meeting and re-notice.

Motion to carry to the May 6th meeting with renote – Mr. Gelley

Second – Mr. Gross

Roll call vote: Mr. Gelley, Mr. Halvorsen, Mr. Naftali, Mr. Gross, Mr. Gonzalez,
Mr. Halberstam

Appeal # 4104 – Mordechi Eichorn – 12 Sylvan Court, Block 411 Lot 15 – R 10A zone. To
construct a single family home with variances requested.

Secretary read report.

From: Terry Vogt, Engineer/Planner – February 11, 2019

The applicant is seeking approval to redevelop an existing single family residential property with a new two-story home with basement. As depicted 2 sheds will remain. The applicant is seeking (new) bulk variance relief for side yard, and aggregate side yard setback to construct the new dwelling. New sidewalk is not proposed along the property frontage.

Mordechai Eichorn, applicant, affirmed.

A-1 map showing single family and duplexes in the area

Mr. Eichorn – area is basically duplexes – the zone allows duplexes. He would like to build a single family house on this 50 x 200 foot lot. The proposed owner wants a 35 foot wide house and he is asking for 7.5 side yard setbacks and also for 35% lot coverage.

Open to Public.

Shloime Klein, affirmed.

Closed to Public.

Motion to approve with the condition that there will be only 1 entrance to the basement and there will be no outside stairs to the attic– Moshe Ingber

Second – Mr. Gross

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Naftali, Mr. Ingber, Mr. Gross,
Mr. Gonzalez, Mr. Halberstam

Appeal # 4106 – Orange Pool Holdings, LLC. Prospect Street, Block 490 Lot 7, M-1 Industrial Zone. Use variance to construct 17,280 sf mixed use retail/office building.

Secretary read report

From: Terry Vogt, Engineer/Planner – February 18, 2019

As illustrated on the variance plan the first floor is identified as retail use and the second floor is identified as office use. Retail uses are not permitted in the zone and therefor use variance relief is necessary.

Adam Pfeffer, attorney for applicant

Brian Flannery, engineer/planner sworn.

A-1 Tax map

A-2 aerial exhibit

A-3 rendered copy of plan

Mr. Flannery – Asking for neighborhood retail. He read some permitted uses in the M-1 zone and described the housing in the area. This is a bifurcated application. Will not ask for a parking variance. They will have sufficient parking. They do not have County approval yet. Asking for use only.

Mr. Halberstam - Has to work and has to flow.

Open to Public.

Shloime Klein, affirmed.

Closed to public.

Motion to approve – Mr. Gross

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Naftali, Mr. Ingber, Mr. Gross,
Mr. Gonzalez, Mr. Halberstam

Resolutions

Appeal # 4103 – Cedarbridge Holdings, LLC. Cedarbridge Ave & Flannery Ave, B-6 zone. Resolution to approve height and bulk variance for site identification sign.

Appeal # 4101 - Temple Beth Am Shalom – 1235 Route 70, Block 1160.04 Lots 47.01 & 47.02, M-1 zone. Resolution to approve minor subdivision

Appeal # 4105 – Avery Weiss –1504 Madison Avenue, Block 58 Lot 2, R-12 zone. Resolution to approve use variance to allow the use of an office.

Appeal # 3971B – KG Investments – 742 Ocean Avenue, Block 548 Lots 66, 281 & 282, OS Zone, Resolution to approve amended use variance.

Appeal # 3998 – David Holtz, James Street, Block 338 Lot 3, R-12 zone. Resolution to approve a use variance for duplexes.

Appeal # 4093 – Esther Tauber, Congress Street, Block 248.02 Lots 39 & 40. R-7.5 zone Resolution to approve duplexes on undersized lots. Required 10,000 square feet – proposed 9,375.00

All resolutions approved.

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor

Meeting adjourned at 10:30 p.m.

Respectfully submitted,

Fran Siegel, Secretary