**ZONING BOARD OF ADJUSTMENT JULY 11, 2016**

**MINUTES**

Meeting advertised in accordance with the NJ Sunshine Law.

Roll call: attending: Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber, Mr. Ribiat,

 Mr. Gonzalez, Mr. Halberstam

 Absent: Mr. Lankry

 Arrived late: Mr. Gelley

Also attending: Jerry Dasti, attorney

 Terry Vogt, engineer/planner

 Jackie Wahler, Court Stenographer

 Fran Siegel, Secretary

Salute to the Flag.

Motion to approve minutes of June 20, 2016 – Mr. Naftali

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Halvorsen, Mr. Naftali, Mr. Ingber, Mr. Ribiat,

 Mr. Gonzalez, Mr. Halberstam

**Correspondence**

Request from Mr. Liston to carry **Appeal #3969, Yeshivas Ohr Yissochor
Academy** to the next available zoning board meeting.

Frederick Robinson asked for re-notice

Board agreed to have a special meeting on July 25, 2016

Motion to carry to the July 25th Special meeting with renotice – Mr. Ingber

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber, Mr. Ribiat,

 Mr. Gonzalez, Mr. Halberstam

Request from Andrew Green, **Appeal # 3972** to carry to next available meeting.

Motion to carry with re-notice - Mr. Halvorsen

Second – Mr. Mund

Roll call vote: affirmative: Mr.Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

Request from Brian Flannery to carry **Appeal # 3976, Robert Klein**, to the July 25th meeting

No further notice and agreed to waive time.

Motion to carry Mr. Mund

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftli, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

**Appeal # 3917 – Primeland Holdings**, James Street, Block 366 Lot 1, M-1 zone. Use variance

 to allow duplexes and an existing commercial warehouse to remain on site.

Sam Brown, attorney for applicant

Brian Flannery, sworn. Here only for use of duplexes in the M-1 zone.

Ron Gasiorowski – represented objector Clayton Block. They are changing an approved site plan.

O-1 grading and drainage plan

O-2 Aerial map –

O-3 Smart Growth plan – Page 18

Mr. Flannery – site is predominately wooded

Andrew Thomas, sworn. He reviewed the Master Plan

O-4

Mr. Thomas – residential uses should not be in the Industrial park.

Alexander Litwornia, planner and traffic expert. Loading docks are along the property line. Loading dock are approximately100 feet to the property line. This is not a good buffer because they cannot

Open to Public.

Noreen Gill, Coventry Drive. Objected to residential in the M-1 zone.

Closed to Public.

Mr. Flannery – this property is between a school and a warehouse. This is on a County Road.

Chairman – concerned about the future warehouse.

Mr. Brown – the intent is to keep it as a warehouse.

Mr. Gonzalez – not in favor of this application.

Mr. Ribiat – this property is not appropriate for housing.

Motion to deny – Mr. Ribiat

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Halvorsen, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

 Nayes: Mr. Gelley, Mr. Naftali, Mr. Ingber

**Appeal # 3947 – Elad Gebus,** Oakland Street & Cherry Street, Block 189 Lots 128, 180 & 181

 R-10 zone. 4 duplexes

Adam Pfeffer represented applicant.

Brian Flannery, sworn.

Open to Public. Closed to public.

Motion to approve – Mr. Gonzalez

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Naftali, Mr. Ingber, Mr. Ribiat,

 Mr. Gonzalez, Mr. Halberstam

Request to carry **Appeal # 3973, Evelyn Vago,** to the July 25th meeting.

Motion to carry – Mr. Gelley

Second – Mr. Mund

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

No further notice.

Request to carry **Appeal # 3966, Newport Estate, LLC**

Motion to carry – Mr. Gelley

Second –Mr. Mund

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

Correspondence

Ms. Weinstein requested to amend resolution **# 3890** to remove conditions.

Motion to Mr. Gonzalez

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

**Appeal # 3958 – Success Homes Capital**, Pine Street, Block 855.01 Lots 21, 34.03, 36 & 37,

 M-2 & R-20 zone. Use variance to construct 8 single family homes.

Secretary read report.

**From: Terry Vogt, Engineer/Planner – May 3, 2016**

As illustrated on the Variance Plan 10 buildings are proposed on 8 lots. Two lots, lots A & G, would front on Pine Street. Five, lots B-F would front a new cul-de-sac with access from Pine Street. One lot, Lot H would have access off of East Spruce Street.

Miriam Weinstein represented applicant.

Brian Flannery, sworn

Open to Public.

Chaim Klein, 1421 E. Spruce Street, affirmed. Asked for fence a buffer.

Closed to Public.

Motion to approve 7 homes – Mr. Halvorsen

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

**Appeal # 3959 – Moshe Lankry –** 409 1st Street, Block 73 Lot 6, R-OP Zone. Use variance for

 4 family house.

Secretary read reports

**From: Terry Vogt, Engineer/Planner – March 21, 2016**

The applicant is seeking use and bulk variance relief to construct a 4 family residence with 2,200 square feet per floor. Two 12 x 20 decks are proposed in the property frontage (towards
First Street, and one 12 x 20 deck is proposed at the rear of the building. Multi-family dwellings are permitted in accordance with the design regulations in Section 902.H.4.b. Per the application, use variance relief, “D” variance is sought for this application.

Moshe Lankry, 120 Case Road, affirmed.

Brian Flannery, sworn.

Mr. Lankry – there will be 8 parking spaces for the 4 units.

Open to Public. Closed to Public.

Motion to approve Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Mund, Mr. Naftali, Mr. Ingber,

 Mr. Gonzalez, Mr. Halberstam

**Appeal # 3961 – Tower Builders**, 415 E. 5th Street, Block 236 Lot 19, R-7.5 zone. Proposed

 duplex on an undersized lot – required 10,000 square feet – proposed 9,888.

Secretary read report.

Mr. Halberstam had a conflict with this application and left the dais.

**From: Terry Vogt, Engineer/Planner – April 21, 2016**

The applicant seeks a zero lot line subdivision approval and bulk variance relief to subdivide an existing rectangular 9,888 square foot property into 2 new duplex unit lots to accommodate on two-story duplex structure.

Motion to approve – Mr. Lankry

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Mund, Mr. Naftali,

 Mr. Ingber, Mr. Gonzalez

**Appeal # 3964** – **Madison Holdings, LLC,** Block 236 Lots 23 & 24, R-7.5 Use variance for

 triplex.

Secretary read report.

**From: Terry Vogt, Engineer/Planner – April 20, 2016**

A triplex (3 unit townhouse) is proposed to be construct on proposed lots 23.01, 23.01 and 23.03 on the subdivision plan. Paved off street parking area for each dwelling unit are proposed. Townhouses are not a permitted or conditional use in the R-7.5 zone.

Miriam Weinstein represented applicant.

Brian Flannery, sworn. This is a 16,000 square foot lot. They are proposing a 3 unit townhouse.

A-1 Plan submitted

A-2 tax map of area

Mr. Flannery – basements are proposed

Open to Public.

Zvi Schachner, 423 E. 5th Street, affirmed. In favor of this application.

David Donner, 28 Dena Court, affirmed. In favor of this application.

Zev Schwartz, 406 E. 5th Street, affirmed. In favor of this application.

**Appeal # 3965 – D & L Management,** East County Line Road, Block 104.02 Lot 9, OT Zone.

 Use variance to construct stacked townhomes.

**From: Terry Vogt, Engineer/Planner – April 20, 2016**

The applicant is seeking use variance for a “proposed 6 story, 145 unit apartment building, with 2 level parking (218 spaces proposed). While architectural design information has not been provided, the zoning requirements table refers to the proposed use as “stacked townhomes”. The currently proposed unit mix is 16 one bedroom units, 64 two-bedroom units and 65 three-bedroom units.

Abraham Penzer represented applicant.

Sinkevich represented Coventry Square condo association.

Brian Flannery -

Motion to continue on July 25th –

Second –

Roll call vote:

**Resolutions**

**Appeal # 3949 – Moshe Blech**, 54 Forest Drive, Block 12.01 Lot 8. Resolution to approve the construction of a single family home with side yard setback of 10 feet each side.

Motion to approve – Mr. Halvorsen

Second – Mr. Naftali

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

**Appeal # 3950 – Yechezkal Eider,** Forest Drive, Block 12.01 Lot 24. Resolution to construct a single family home with variance for side yard setback approved for 10 feet on each side.

Motion to approve – Mr. Halvorsen

Second – Mr. Gonzalez

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

**Appeal # 3955 – Obed Gonzalez,** Florence St. & Evergreen Blvd. Block 1093 Lot 10, B-5 zone.

Resolution to approve a use variance to construct a duplex.

Motion to approve – Mr. Halvorsen

Second – Mr. Naftali

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

**Appeal # 3952 – Lakewood Investment, LLC**, James Street, Block 344 Lots 1.01 & 1.02. Resolution to approve a use variance for duplex housing.

Motion to approve – Mr. Gonzalez

Second – Mr. Gelley

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

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 11:15 P.M.

Respectfully submitted,

Fran Siegel, Secretary