

**LAKWOOD ZONING BOARD OF ADJUSTMENT
MINUTES
FEBRUARY 6, 2006**

Meeting was called to order at 7:35 P.M.

Meeting properly advertised according to the Sunshine Law.

Roll call: Attending: Mr. Gelley, Mr. Gonzalez, Mrs. Goralski, Mr. Naftali, Mr. Zaks,
Mr. LeCompte, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti
Absent: Mr. Zaks, Mr. LeCompte

Also present: Glenn Harrison, Attorney
Jim Priolo, Engineer/Planner
Steve McCrystal, Court Stenographer
Fran Siegel, Secretary

Arrived late: Mr. Naftali, Mr. Halberstam

Salute to the Flag.

Motion to approve minutes of January 9, 2006 – Mr. Gonzalez

Second – Mr. Lieberman

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski,
Mr. Lieberman, Mr. Sernotti

Request to carry Appeal # 3601, Mr. Sussman, to the April 3rd meeting.

Motion to carry – Mr. Gonzalez

Second – Mr. Lieberman

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Lieberman,
Mr. Halberstam, Mr. Sernotti

Waiver of time and no further notice.

Jim Priolo, Engineer/Planner, sworn.

Appeal #3607 – Somerset, 678 Park Avenue, Block 233 Lot 3.02, B-4 zone. Addition, deck and ramp on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - January 20, 2006

1. The subject property is located on Park Avenue and is within the B-4 (Wholesale Business) Zone. The applicant proposes to construct a 1-story rear addition to the existing 2-story single-family dwelling.
2. In accordance with Section 903 D. of the Ordinance, bulk variances will be required

for the construction of the proposed single-family addition as follows:

	Required	Existing	Proposed
Minimum Lot Area	7,500 s.f.	5,000 s.f.	5,000 s.f.
Minimum Rear Setback	15 feet	15 feet	11.97 feet
Maximum Lot Coverage	30%	31.5%	43.2%

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. Any approval should include a condition that all curb and sidewalk shall be replaced as directed by the Township Engineer.

From: Ed Mack, Zoning Officer

I have no objections to this application.

Steve Pfeffer, attorney for applicant.

Adel Sonenzon, 614 9th Street, affirmed. Nachman Sonenzon, her brother. He has a brain injury and needs to be in his own surroundings.

Avraham Zwieback, 17 4th Street, affirmed. Working with Somerset on this application. The existing deck will be slid over and the addition will be the remainder of the house. Inside the addition will be a handicap bathroom and bedroom. The walls need to be made sound proof. The addition will be for him and the aid.

Open to Public.

Avraham Brandwein, 680 Park Avenue, affirmed. Next door neighbor. No objections to the application and will help in any way he can.

Abraham Luria, 676 Park Avenue, affirmed – no objections.

Closed to Public.

Mr. Sernotti – because of necessity in favor of the application.

Motion to approve – Mr. Halberstam

Second – Mr. Lieberman

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3560 – Ormont Developers, 173 & 175 East 4th Street, Block 241 Lots 13 & 21, B-2 zone. To subdivide the existing property into two non-conforming lots and construct one 2 family home on each lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - October 25, 2005

1. The property in question is located on East Fourth Street and is within the B-2 (Central Business) Zone. The existing site contains two single-family dwellings. The applicant is proposing to subdivide the existing lots into two (2) new lots and construct a two-family dwelling on each lot.
2. The proposed lots do not conform to the current zone requirements. In accordance with Section 903.B.4. of the ordinance, bulk variances are required for the proposed subdivision and two-family dwellings as follows:

	Required	Existing Lot 21	Provided Lot 13.01	Existing Lot 13	Provided Lot 13.02
Minimum Lot Area	10,000 s.f.	6,910 s.f.	6,880 s.f.	6,873 s.f.	6,907 s.f.
Minimum Lot Width	50 ft.	-	-	42.4 ft.	46.8 ft.
Minimum Side Setback (Both)	15 ft.	3 ft.	5.6 ft.	24.2 ft.	14.2 ft.
Minimum Rear Setback	15 ft.	16.3 ft.	10 ft.	-	-

The schedule of bulk requirements should be revised to reflect the new Ordinance. The applicant must demonstrate to the Board that the requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The architectural plans indicate a basement level in the dwellings, but no windows are shown for this level on the elevation views.
4. Details for proposed concrete curb, sidewalk and driveway aprons should be shown.
5. Any approval should include a condition that all curb and sidewalk shall be replaced as directed by the Township Engineer.
6. The following comments should be addressed with regards to the Minor Subdivision and Map Filing Law:
 - a. A monument must be indicated at the intersection of the proposed lot line and the existing right-of-way line.
 - b. The correct setback lines per the revised Ordinance should be shown on the plan.
 - c. The Certification for the Record Holder should indicate the printed name beneath the signature line.
 - d. The Schedule of Bulk Requirements should be revised to reflect the new Ordinance.
 - e. The required setbacks should be revised.
 - f. The right-of-way dedication should provide a 25-foot half-width.

From: Ed Mack, Zoning Officer

Although I would like to see these sub-standard houses improved, I would hate to see the density increased especially with the extra rear house on the adjoining lots. I think that

replacing the 3 old units with 3 new units with acceptable setbacks would be a better plan.

Abe Penzer represented applicant. Use was approved almost a year ago. Re-drew the application in accordance with the suggestions of the Board.

Brian Flannery, sworn. Asked for 3 townhouses and the board was not in favor. The Board suggested that two 2 family homes be constructed. This application is for 2-2 family homes. The second family will be in the basement. Providing 5 parking spaces on each lot. The building to the east is a two family dwelling and to the west is a single family dwelling. They are replacing the two family with a new two family dwelling and the single family dwelling with a new two family dwelling with sufficient parking for each unit. There are 3 dwelling units existing on the property. Mr. Flannery reviewed Mr. Priolo's report. Required lot area is 10,000 and they are requesting 6,880 and 6,907 on the other.

A-1 old plan

A-2 old pictures of existing conditions

A-3 current plan.

Mr. Flannery – the board can grant this without any detriment to the zone plan or zoning ordinance. Providing a road widening easement along the front of the property. This is an improvement over the existing condition.

Mr. Priolo – have no problem with the easement.

Open to Public. Closed to Public.

Mr. Lieberman – this is a much improvement to the area.

Mr. Priolo – in this zone a two-family is permitted if they have 10,000 square feet. Multi-family would need 12,500 square feet. A two-family is like a duplex and multi-family would be like two or more on top of each other.

Mr. Gonzalez – looking closer to the Unified Development Ordinance and trying to stick to it.

Motion to approve – Mr. Lieberman

Second – Mr. Naftali

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3600 – Aaron Rottenberg, 230 Carey Street, Block 111 Lot 3, R-10 zone, Single family home on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 16, 2005

1. The subject property is located on Carey Street, between Clifton Avenue and Lexington Avenue, and is within the R-10 (Single-Family Residential) Zone. The applicant proposes to demolish the existing dwelling and garage and construct a new larger 2 story single-family dwelling on this undersized lot.
2. The existing lot and proposed dwelling do not conform to the current zone requirements. In accordance with Section 901 F. of the ordinance, bulk variances will be required for the construction of the proposed single-family dwelling as follows:

	Required	Existing	Proposed
Minimum Lot Area	10,000 s.f.	7,500 s.f.	7,500 s.f.
Minimum Lot Width	75 ft.	50 ft.	50 ft.
Minimum Side Yard Setback (one)	10 ft.	9.1 ft.	7.5 ft.
Minimum Side Yard (combined)	25 ft.	28.2 ft.	15 ft.

The applicant must demonstrate to the Board that the requested bulk variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The applicant should discuss the intended use of the basement. The architectural show an exterior access door on the side.
4. The maximum elevation difference between finished floor and outside grade should be 30 inches.
5. Any approval should include a condition that new curb and sidewalk shall be constructed as directed by the Township Engineer.

From: Ed Mack, Zoning Officer

Although I recognize the difficulty in designing a house on a narrow lot, this house at 35 feet is too wide.

Abraham Penzer, attorney for applicant. There is no more land to be bought. The lot is undersized but there is no land that could be bought.

Aharon Rottenberg, affirmed, 207 Carey Street. Asked the neighbors on both side before he bought the lot.

Mr. Sernotti - the house should be designed to fit the lot. A 35 foot wide house is too wide for this lot.

Mr. Gonzalez - The house is too big for this lot.

Mr. Rottenberg - The narrowest nice house that he has is 32 feet.

Mr. Gonzalez - Design a new house at 25 feet wide.

Mr. Rottenberg – a townhouse is wider than 25 feet.

Open to Public. Closed to Public.

Mr. Penzer – applicant agreed to 30 inch elevation and a 30 foot wide house. The basement will be used for storage.

Mr. Gonzalez – we should not set precedence. Would not vote on the 30 foot house.

Motion for a 30 foot wide house – Mr. Gelley

Second – Mr. Naftali

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Naftali, Mr. Lieberman, Mr. Halberstam
Nayes: Mr. Gonzalez, Ms. Goralski, Mr. Sernotti

Appeal #3596 – Miriam Krieger, 522 Private Way, Block 48 Lot 30, R-12 zone, addition on undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 13, 2005

1. The subject property is located on the corner of Sixth Street and Private Way and is within the R-12 (Single-Family Residential) Zone. The applicant proposes to construct a two-story addition to the existing two-story dwelling with an entrance on Private Way. This addition would provide a third entrance to the dwelling.
2. In accordance with Section 902E of the Ordinance, bulk variances will be required for the construction of the proposed two-story addition as follows:

	Required	Existing	Proposed
Minimum Lot Area	12,000 s.f.	4,434 s.f.	4,434 s.f.
Minimum Lot Width	90 feet	64.30 feet	64.30 feet
Minimum Front Setback	30 feet	20 feet	20 feet
Minimum Side Setback	10 feet	16.2 feet	3.17 feet
Maximum Lot Coverage	25%	16.5%	25.3%

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impact which the addition will have on the surrounding properties.

3. Any approval should include a condition that all curb and sidewalk shall be replaced as directed by the Township Engineer.

4. A proposed driveway should be shown on the plans sized for a minimum of two vehicles.

From: Ed Mack, Zoning Officer

With the extremely small setbacks that the applicant is proposing they should consider making this addition as small as possible and at a minimum the additional outside exit should be eliminated.

Abe Penzer represented applicant. They have a large family and they need bedrooms for the children. They will agree to a longer driveway.

A-1 drawing showing the expansion of the driveway.

Mr. Penzer - the hardship is that this is the smallest that they can do. They are adding 13 feet.

Mr. Priolo – The addition is 13.10 x 28 feet.

Miriam Krieger, 212 6th Street, affirmed. The house is very small - the children cannot fit around the table for a meal.

Open To Public.

Shimson Bandman, 515 Private Way, affirmed. In favor of application – have no problem with the 3 1/2 foot setback. Understand their situation and agree to have them that close.

Closed to Public.

Mr. Halberstam – concerned with the 3.17 feet.

Motion to approve – Mr. Lieberman

Second – Mr. Gelley

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Recess.

Request for Appeal # 3605 – Congregation Bais Yisroel, 325 7th Street to be carried to the April 3rd meeting. There needs to be engineering changes and there are objectors.

Motion to carry - Mr. Gonzalez

Second – Ms. Goralski

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

No further notice and a waiver of time.

Appeal #3599 – Barbara Flannery, Edgecomb Avenue & Vine Avenue, Block 1025 Lot 2, R-12 zone. Use variance to construct a duplex.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 6, 2005

1. The subject property is vacant and wooded. The location of the lot is on the corner of Edgecomb Avenue (a paper street) and Vine Avenue (extension) and is within the R-12 (Single-Family Residential) Zone. The applicant proposes to construct a two-story duplex.
2. Special Reasons Variances are required because the applicant is:
 - a. Requesting approval of a non-permitted use. In accordance with Section 902 E.1 of the Ordinance, duplexes are not a permitted use in the R-12 Zone. Therefore, a use variance is required to construct a duplex within this zone.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit a use in a district restricted against such use (duplex use). In order to achieve this, the applicant should explain why the duplex use is a better planning and zoning alternative than the traditional single-family residential concept.

3. The applicant has conceptually proposed a 2-lot subdivision and is seeking dimensional relief for lot area and side yard setback. In accordance with Section 902 E.4 of the Ordinance, bulk variances for the requested dimensional relief are required as follows:

	Required	Existing	Provided Lot 2	Provided Lot 2.01
Minimum Lot Area	12,000 s.f.	20,000 s.f.	10,000 s.f.	10,000 s.f.
Side Yard Setback (One)	10 ft.	25 ft.	0 ft.	0 ft.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

4. The building size, shape and proposed decks should be deferred to the subdivision/site plan phase of this application.
5. In accordance with Section 803E., a 30 foot buffer will be required during the subdivision/site plan phase between the proposed duplex and the surrounding single-family zoned properties. Any Resolution of Approval should state that the future subdivision/site plan application is subject to the buffer requirements of the ordinance.
6. Concrete curb and sidewalk will be required along Vine Avenue during the subdivision/site plan phase.
7. The applicant should discuss the utilities available to this property.
8. Approval of this application is subject to Preliminary and Final Subdivision/Site Plan approval.

From: Ed Mack, Zoning Officer

I would wonder why the board would consider granting a variance in a relatively undeveloped area.

Abraham Penzer represented applicant.

A-1 rendered version of the variance map

A-2 proposed dwelling - architectural

A-3 tax map

A-4 what could be developed on the property.

Brian Flannery – application to construct a duplex on a 20,000 square foot lot. Lot located in a wooded area. Athletic fields are south along Vine Avenue. Showed lots with area designated for affordable housing. This is a 20,000 square foot lot which is almost double than what is required for the zone. Proposing a 30 foot conservation easement along Vine Avenue. Will comply with 30 inches from finished floor to outside grade. This looks like a single family home. There is a sewer main located north on Vine avenue and this will be connected to public sewer and public water.

Mr. Flannery reviewed Mr. Priolo's report.

Mr. Flannery – this is the appropriate density and the appropriate location. Will come back for minor subdivision approval. For a duplex a site plan is not required.

Mr. Penzer - This is use variance only.

Mr. Priolo – each unit will be owned separately according to the lot line.

Mr. Flannery - The proposal is to have fee simple ownership and a lot line. There will be one building with a lot line going down the middle.

Mr. Gelley – if you're subdividing the lot why can't you make two separate houses.

Mr. Sernotti - What is the benefit to building one unit together rather than two separate houses?

Mr. Flannery - Spreads the open space areas out to the middle of the properties and looks like one house. The houses will face Edgecomb. From this property to the athletic fields is all trees. The attached homes have a larger play area. This is like two townhouses.

Open to Public.

Shi Benstein, 800 Vine Street, affirmed. They moved to Vine because it wasn't congested – they were under the assumption that it would be all single family homes. Appreciate Mr. Gonzalez comments about not wanting to set precedence. There is so much building. Will Oak Street become a main cut through? The area is zoned for single family homes and that is the way it should stay.

Closed to Public.

Mr. Flannery - Asking for use only – will come back with subdivision plan.

Mr. Sernotti- this is a unique application but like the idea of more trees. In favor of the application. Not a typical duplex townhouse.

Mr. Lieberman – agree. More open area and more trees than if it was 2 single family.

Motion to approve – Mr. Lieberman

Second – Mr. Halberstam

ROLL CALL VOTE: Affirmative: Mr. Gonzalez, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Nayes: Mr. Gelley, Ms. Goralski

Application approved.

Appeal #3595 – Rivka Danziger, 764 Lakeview Drive, Block 12.07 Lot 18, R-12 zone. Single family home on a non-conforming lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 13, 2005

- 1. The subject property is located on Lakeview Drive and is within the R-12 (Single-Family Residential) Zone. The existing lot contains a 1-story single-family dwelling. The applicant proposes to demolish the existing dwelling and construct a new larger 2-story dwelling.
- 2. In accordance with Section 902.E. of the ordinance, bulk variances will be required for the construction of the proposed addition as follows:

	Required	Existing	Proposed
Minimum Lot Area	12,000 s.f.	9,631.7 s.f.	9,631.7 s.f.
Minimum Lot Width	90 ft.	50 ft.	50 ft.
Minimum Side Yard (One)	10 ft.	9.2 ft.	7 ft.
Minimum Side Yard (Combined)	25 ft.	25.8 ft.	15 ft.
Accessory Side Yard	10 ft.	3.1 ft.	3.1 ft.
Accessory Rear Yard	10 ft.	1.6 ft.	1.6 ft.

The schedule of bulk requirements should indicate the correct information for the accessory setbacks.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impacts which the new larger structure will have on the surrounding properties.

- 3. In accordance with R.S.I.S., a minimum of 3 off-street parking spaces are required for this dwelling. The proposed driveway should be shown on the plans.

4. Any approval should include a condition that all curb shall be replaced as directed by the Township Engineer. A note should also be added to the plan. Sidewalk should also be required as a condition of any approval.
5. The applicant should provide testimony on the proposed use of the basement level. The drawings indicate a separate outside entrance to the basement level.
6. Any approval should include a condition that the maximum elevation difference between finished floor and outside grade at the foundation is 30 inches. The applicant is proposing a difference of 24-48 inches.

From: Ed Mack Zoning Officer

This house should be redesigned to be more conforming to the side line setbacks.

Steven Pfeffer represented applicant.

A-1 & A-2 letters seeking to buy/sell

A-3 photo of present home.

A-4 & 5 – homes going up on the street.

Mr. Pfeffer reviewed Mr. Priolo's report. There will be one set of utilities. Basement will be used for storage. Property is about 9,600 square feet. The next door neighbor Mr. Shaw, has requested that they move the house over so that it is closer to the other side. There will be 13 feet to lot 21. The combined setback will be 20 feet instead of 16 feet proposed. The front yard setback proposed was 35 feet and Mr. Shaw has asked that the house be moved forward to 30 feet.

Mr. Gonzalez – the application is being revised in front of us.

Mr. Pfeffer - Not redesigning - making a 5 foot adjustment.

Mr. Sernotti – fix it and bring it back so that it can be reviewed by Mr. Priolo.

Open to Public.

Herb Shaw, 760 Lakewood Drive, sworn. His house is about 4 feet from the property line. By putting this large house so close it would create a large wall. The other house is much further away than the property line. 13 feet between the property line and the new house would be acceptable to him. Moving the house forward the 5 feet would allow him a little more sunlight and breathing room.

Closed to Public.

Mr. Priolo - Do not feel that by making the changes it would not be a new application. Basically changing the combined setback from 15 feet to 20 feet.

Motion to approve – Mr. Naftali

Second – Mr. Gelley

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Naftali, Mr. Lieberman, Mr. Halberstam,

Nayes: Mr. Gonzalez, Ms. Goralski, Mr. Sernotti

Appeal #3603 – Yosef Rottenberg, 421 Third Street, Block 71 Lot 6 R-OP zone. To subdivide the lot and construct a two-family dwelling on each lot. Use variance.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - January 16, 2006

1. The subject property is located on Third Street and is within the ROP (Residential Office Park) Zone. The existing site contains a two-story dwelling to be razed. The applicant proposes a minor subdivision that will subdivide the existing 11,250 s.f. lot into two (2) new lots, each with an area of 5,625 s.f. A four unit multi-family structure is proposed. The subdivision line will provide for two families per lot.
2. In accordance with Section 903.I of the ordinance, the multi-family use is not permitted in the ROP Zone. Therefore a special reasons variance is required as follows:
 - a. Requesting a use in a district restricted against such use. In accordance with Section 903.I.1 of the Ordinance, multi-family homes are not a permitted use in the ROP Zone.
 - b. Requesting an increase in the maximum permitted density. The maximum permitted density in the ROP Zone based on single-family use and lot area is 4.3 units/acre, whereas the applicant is proposing 16 units/acres. It appears the site can yield 1 conforming lot, whereas the applicant is requesting 4 units.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance to depart from the zoning regulations to permit:

- a. A use in a district restricted against such use.
- b. An increase in the maximum permitted density.

Additionally, the applicant must demonstrate to the Board that the requested special reasons variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The proposed lots do not conform to the current zoning requirements for the ROP Zone. In accordance with Section 903.I of the ordinance, bulk variances will be required for the proposed subdivision as follows:

	Required	Existing	Provided Lot 6.01	Provided Lot 6.02
Minimum Lot Area	10,000 s.f.	11,250 s.f.	5,625 s.f.	5,625 s.f.
Minimum Lot Width	75 feet	75 feet	37.5 feet	37.5 feet
Minimum Side Yard Setback (One)	10 feet	-	0 feet	0 feet
Minimum Side Yard Setback (Both)	25 feet	-	10 feet	10 feet
Maximum Lot Coverage	25%	-	27.8%	27.8%

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impacts which the proposed development will have on the surrounding properties.

The minimum lot size required in this zone is 10,000 s.f. The applicant should discuss how the purposes of the zone plan and zoning ordinance will be advanced by taking an existing conforming lot and creating two (2) non-conforming lots.

4. In accordance with R.S.I.S., 10 parking stalls are required (5 spaces/lot). It appears there is room for less than that, and therefore a variance is required.

If the applicant widens the driveways to comply with the parking requirements, the Board should be concerned about the overall appearance as the front yards may have a "parking lot" look to them.

5. A grading and drainage plan should be provided for review.
6. Any approval should include a condition that all curb and sidewalk will be removed and replaced as directed by the Township Engineer.

From: Ed Mack, Zoning Officer

I cannot support the idea of subdividing a lot that is only seventy five feet wide into two lots, especially when we are considering putting a two-family house on each lot.

Samuel Brown represented applicant.

Brian Flannery, Asking for 4 attached single family dwellings. The ROP zone allows single family dwellings, it does not say detached. The requirements say –all uses except multi-family.

Mr. Brown argued that there is a flaw in the ordinance.

Mr. Flannery – this area is in the downtown area.

The Board determined that a use variance was needed.

Mr. Flannery reviewed Mr. Priolo's report. This proposal is consistent with the area.

Mr. Brown – there is currently a 2 family home and 1 structure on the property.

Mr. Flannery – the bulk variances required are also consistent with the area. RSIS requires 10 parking units. They are proposing 5 parking spaces in front of each unit. Agreed to provide a grading and drainage plan. Asking for subdivision and use.

Mr. Priolo - Each lot is 37 1/2 feet wide.

Mr. Flannery - One structure with 2 duplexes or 4 units.

Mr. Brown – the township would rather see legal two families.

Mr. Sernotti - Each duplex needs to put on 10,000 square feet.

Mr. Flannery – the RM standards should be in place here. Proposing 4 multi-family units. The RM zone permits multi-family.

Mr. Priolo – on 12,000 square foot lots. This is not the RM zone.

Open to Public. Closed to Public.

Mr. Sernotti – this is too aggressive for this lot.

Mr. Gonzalez – another huge house on a small lot. Not in favor of this application.

Motion to deny – Mr. Gelley

Second – Mrs. Goralski

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

RESOLUTIONS

Appeal # 3533 – Dov Gluck, 601 Park Avenue, Block 234 Lot 1, R-7.5 zone. Resolution to approve a single family home on an undersized lot.

Motion to approve- Mr. Gonzalez

Second – Mr. Naftali

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Appeal # 3577 - Sterling Developers, 999 Vermont Avenue, Block 1100 Lot 23, R-20 zone. Resolution to approve a density variance in order to subdivide the existing property into 12 lots.

Motion to approve- Mr. Gonzalez

Second – Mr. Halberstam

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal # 3505 – Shalom Bauman, 610 Princeton Avenue, Block 157 Lot 11, R-M zone. Resolution to approve 3-2 family townhouse units, density and bulk variances

Motion to approve- Mr. Naftali

Second – Mr. Gelley

ROLL CALL VOTE: Affirmative: Mr. Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Appeal #3570 – Somerset Development, 436 & 444 Cross Street, Block 524 Lots 7, 8.01, 8.02, 10-17, 129 & 131, M-1 and R-40 zone. Resolution to approve a use variance for the development of an Adult Community in the M-1 and R-40 zone.

Motion to approve- Ms. Goralski

Second – Mr. Gelley

ROLL CALL VOTE: Affirmative: Mr.Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Appeal # 3562 – Erwin Deutsch, Cottage Place, Block 247 Lot 28.02. R-7.5 zone. Minor subdivision to construct 2 townhouse units.

Motion to approve- Mr. Gonzalez

Second – Mr. Halberstam

ROLL CALL VOTE: Affirmative: Mr.Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Appeal #3538, Greg Kukal, amended resolution to include outside sales.

Motion to approve- Mr. Naftali

Second – Mr. Halberstam

ROLL CALL VOTE: Affirmative: Mr.Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam

Appeal # 3370, Congregation Khal Yishuos Dovid – Resolution granting a one-year extension.

Motion to approve- Mr. Gelley

Second – Mr. Naftali

ROLL CALL VOTE: Affirmative: Mr.Gelley, Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Halberstam, Mr. Sernotti

Motion to pay bills

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 11:30 P. M.

Respectfully submitted,