

**ZONING BOARD OF ADJUSTMENT
MINUTES**

JULY 27, 2009

Meeting was called to order at 7:15 P.M.

Meeting properly advertised according to the New Jersey State Sunshine Law.

Roll call: Attending: Mr. Gelley, Mr. Gonzalez, Mr. Lazzaro, Mr. Zaks,
Mr. Lieberman, Ms. Goralski, Mr. Halberstam

Absent: Mr. Naftali, Mr. Lankry

Also present: Attorney – Russ Cherkos

John Ernst, Engineer/Planner

Jackie Wahler, Court Stenographer

Fran Siegel, Secretary

Salute to the flag.

Motion to approve minutes of July 6, 2009 with a waiver to read – Mr. Lazzaro

Second – Ms. Goralski

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski,
Mr. Halberstam

Letter from Mr. Penzer re: 910 E. County Line Road. The approval was for the building to have a stucco finish and the applicant wanted to upgrade to brick. The cost of the brick finish was costly and changed to 3 sides vinyl siding and keeping the front brick.

The board decided that this was a substantial change and should come back before the board, public notice should be given, will be re-heard on September 14, 2009.

Appeal # 3690A – Locust Acquisitions, Block 1081 Lots 10.04-10.14, R20/12 cluster zone. To construct townhomes and a community building. Preliminary and final major subdivision and site plan approval is sought, and front and side setback variances are required.

Secretary read reports.

This application was deemed complete by my previous letter of July 14, 2009. I have reviewed the submitted information and offer the following comments:

1. The property is located on the southwest corner of Locust Street and Vermont Avenue. It lies within the R-20/12 Cluster Zone and comprises an area of 7.45 acres. The front portion of the site (corner to Locust Street and Vermont Avenue approximately 1.6 acres) has been cleared of woods and is occupied by a two-story residential dwelling and a driveway from Locust Street. The rear portion of the site is wooded and is occupied by a 1½ story residential dwelling and a shed. Fencing has also been constructed throughout the site. This site is a previously approved 14 lot subdivision that has not yet been developed.
2. The applicant was previously before the Board and was granted a Use Variance for the construction of an undetermined number of townhouse units on the subject property. The Use Variance approval was granted by Resolution #3690.
3. The applicant is now before the Board seeking Preliminary/Final Major Subdivision approval for the construction of 54 townhouse units and a community center building. The proposed construction will occur in the following manner:
 - a. Eight separate buildings are to contain the 54 townhouse units. Five buildings will contain six units and three buildings will contain eight units. The proposed density is 7.25 townhouse units per acre. In review of the Architectural and Development Plans each building will be two stories in height, have a raised rear yard deck or at-grade patio and have an exterior entrance to a basement.
 - b. Each townhouse unit will be on a “fee simple” lot.
 - c. A one-story (1,450 s.f.) community center building is proposed. The building will also have a basement.
 - d. A “tot lot” area is proposed on the west boundary of the site in a proposed low area that is adjacent to the clubhouse of an adjoining future townhouse development.
 - e. Ingress/egress to the development is proposed from Locust Street. The interior 44 ft. right-of-ways will provide for 32 ft. wide paved roads and sidewalks on both sides of the streets. Residential parking is provided by individual lot driveways as well as parking areas that will be owned and maintained by a Homeowner’s Association.

- f. Underground stormwater collection systems that direct stormwater to two underground recharge systems and one above ground infiltration basin is proposed. A Homeowners Association is to be established for ownership and maintenance of the two underground recharge systems and the above ground infiltration basin.

**ZONING BOARD OF ADJUSTMENT
MINUTES**

**JULY 27, 2009
PAGE**

2.

- g. Street trees, street lights and landscaped areas are proposed.
 - h. Potable water and sanitary sewer mains are proposed to be extended from existing facilities within Locust Street.
 - i. All existing improvements on the site will be removed.
 - j. Two "open space" lots are proposed. One lot (containing 0.43 acres) will contain the above ground infiltration basin. The second lot (containing 1.75 acres) will contain the community center building, an underground stormwater recharge system, a parking area for 41 vehicles, a "tot lot" area, a parking area for 20 vehicles and a perimeter buffer. A Homeowner's Association is to be established for ownership and maintenance of the "open space" lots.
 - k. Landscaped buffers are proposed along the south side of the site as well as along portions of the east and west sides of the site. The buffers run along a portion of an "open space" lot as well as encroaching into residential lots.
 - l. Based on our calculations the applicant proposes 11.6% of the tract area for either "open space" or "active/passive recreation area". This percentage includes the community center building, a "tot lot" area and a perimeter buffer area that runs along the west and south sides of the tract. This percentage is in conformance with Section 18-808.A1 of the Ordinance which requires a minimum of 5% of the tract area to be reserved for "open space" or "active/passive recreation".
 - m. The applicant has provided a statement that there will be no bedrooms in the attic and/or the basement areas of the townhouse units.
4. The applicant should provide testimony to the Board in regards to the neighbors' concerns on the development of this property and if all of the concerns are being properly addressed. The meeting with the objecting neighbors to satisfy these concerns was a condition of the Use Variance approval.
5. The following Variances are required:
- a. Front Yard Setback Variances – Front yard setbacks of 20 ft. on Lots 1 and 25 and 12 ft. on Lots 13 and 14 are proposed; whereas 25 ft. is required (Section 18-900.H6a).
 - b. Side Yard Setback Variances for End Units – Side yard setbacks of 4 ft. on Lots 10.32 and 10.34 and 6 ft. on Lots 6, 8, 19, 20, 10.23, 10.42, 10.47 and 8 ft. on Lots 10.25 and 10.41 are proposed; whereas 12 ft. is required (Section 18-900.H6.b).
 - c. A Variance for Not Providing a Useable Rear Yard Depth of 20 ft. –

<u>Lot No.</u>	<u>Proposed Useable Rear Yard Depth</u>
10.18	18.8 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.19	18.8 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.22	18.7 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.23	18.6 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.25	18.5 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.26	18.5 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.29	18.4 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.30	18.3 ft. measured from building line to proposed 29 ft. wide buffer line and 18.5 ft. measured from building line to proposed 6 ft. high vinyl fence
10.34	14.1 ft. measured from building line to proposed 50 ft. wide buffer line
10.35	14.1 ft. measured from building line to proposed 50 ft. wide buffer line
10.36	12.1 ft. measured from building line to proposed 50 ft. wide buffer line
10.37	12.1 ft. measured from building line to proposed 50 ft. wide buffer line
10.38	14.0 ft. measured from building line to proposed 50 ft. wide buffer line
10.39	14.0 ft. measured from building line to proposed 50 ft. wide buffer line
10.40	12.0 ft. measured from building line to proposed 50 ft. wide buffer line
10.41	12.0 ft. measured from building line to proposed 50 ft. wide buffer line

Whereas a useable rear yard depth of 20 ft. is required for all lots above.

5. The applicant has requested a Waiver from submitting an Environmental Impact Statement as required by Section 18-820 of the Ordinance. Testimony should be provided to substantiate this request.
6. The applicant requires a Waiver for the proposed 50 ft. wide buffer along the tract's westerly property line as there are encroachments within the buffer area. The encroachments include woods clearing, residential lot areas, residential lot grading, a drainage structure and the "required useable rear yards" of 8 residential lots. The Board should be aware that a 30 ft. wide portion of the proposed buffer satisfies the buffer requirement of Section 18-803.E2b of the Ordinance, and has no encroachments.
7. The applicant requires a Waiver for not providing a 30 ft. wide buffer along adjacent Lot 12 which is presently occupied by a single family residential dwelling (Section 18-803.E2b of the Ordinance). Within the required buffer area there are portions of two parking lots and the proposed "tot lot area". We realize that if the adjacent townhouse development is constructed this buffer is not required.
8. The applicant requires a Waiver for not providing a 25 ft. wide buffer along Locust Street and along Vermont Avenue which is adjacent to the proposed stormwater infiltration basin (Section 18-803.E2e of the Ordinance). Within the required buffer area is a portion of a parking lot, a portion of an underground stormwater recharge system and a portion of the above ground stormwater infiltration basin. The Board should be aware that the applicant is providing landscape screening plants along both roadways.
9. The applicant requires a Waiver for the proposed 29 ft. wide buffer along Vermont Avenue as 16 residential lot areas encroach into the buffer area. The Board should be aware that the proposed buffer would require deed restrictions on the 16 residential lots. Additionally the buffer width only need be 25 ft. wide along the roadway.
10. The applicant proposes two driveway parking spaces on each townhouse lot (108 spaces) and 107 additional parking spaces within four separate parking areas throughout the site. The total number of parking spaces proposed is 215 which provides for 4 parking spaces per townhouse lot.
11. The Board should determine if the number of townhouse units (54 units) is appropriate for this site. The number of townhouse units was not determined during the hearing for the Use Variance.
12. Since Locust Street and Vermont Avenue are County roads, we will defer to the County Engineer all issues related to traffic, intersection and Locust Street improvements.
13. The applicant should petition the Township Committee for the vacation of Geula Court.
14. The Development Plans indicate the extension of an existing 8" sanitary sewer within Locust Street will be done "by others". The applicant should provide testimony to the Board on who will construct the sanitary sewer main within Locust Street.
15. The Architectural and Development Plans should be amended to show the locations of the screened trash and recycling containers and also the HVAC equipment.
16. The Board should be aware that we have concerns for the adequacy of the proposed stormwater management facilities currently shown on the Development Plans and have been in contact with the applicant's Engineer in regards to this issue. We have been informed by the applicant's Engineer that revisions to the facilities are currently being done and that the system will be in full compliance with the B.M.P. Once revised plans are submitted this office we will perform a Technical Engineering Checklist Review of the stormwater management system as well as other issues related to the Development Plans and the Final Plat. The Checklist Review will be sent to the applicant's Engineer with copies to the Board.
17. The applicant should provide a street name for the project and revise the plans accordingly. The street name must be approved by the Township Committee. Proof of the approval of the street name should be submitted to this office.
18. The following outside agency approvals are required:
 - a. Ocean County Planning Board.
 - b. Ocean County Soil Erosion and Sediment Control.
 - c. NJDEP (for potable water approval).
 - d. NJDEP (for sanitary sewer approval).
 - e. New Jersey American Water Company (for potable and sanitary sewer approval).
 - f. Township Committee approval for the street name.
 - g. The applicant remains responsible to obtain all other Local, State and Federal approvals and permits that may pertain to this project.

I would reserve the right to present additional comments pending the testimony of the applicant before the Board.

**ZONING BOARD OF ADJUSTMENT
MINUTES**

**JULY 27, 2009
PAGE 4.**

Mr. Halberstam – one of the conditions of the approval was that they meet with the neighbors.

Tomekia Jordan, Albert Donnell, 11 Salvatore Drive, sworn. Their lot is to the rear of the property. They were not noticed. They did receive notice of tonight's notice.

Mr. Penzer – they had 2 meetings that night. The meeting was May 18th at a restaurant. They met at 6 P.M. and again at 9 P.M.

Mr. Halberstam asked if there were any other neighbors who were at the meeting.

Craig Rice, 13 Salvatore Drive, sworn. He was properly notified of the meeting.

Mr. Rice - The requirement was that the applicant meet with the neighbors 4 weeks prior to the public hearing. At the 9 P.M. meeting he and one neighbor were the only ones present.

Mr. Penzer – at the 6 P.M. meeting there were 8 neighbors present.

Mordechai Eichorn, affirmed. He sent out regular mail and certified mail.

Mr. Zaks said that they should continue with the application while Mr. Eichorn went back to his office to get a copy of the certified notices that were sent out for the May 18th meeting.

Mr. Cherkos – the applicant has to send a certified notice to everyone listed within 200 feet.

Board decided to proceed with the application.

Mr. Penzer – changes were made – they reduced the amount of units from 60 to 54 units. They moved the garbage away from Mr. Rice's area. They agreed to put up a 10 foot fence.

Brian Flannery, Engineer/Planner, sworn. This application is for site plan. The use variance was granted previously. They reduced the amount of units from 60 to 54 taking in the neighbors' considerations. Met with John Franklin, Public Works and the Township will be responsible for picking up the garbage. The dumpster issues and the storm water management issues, they did satisfy the neighbors. They would agree to any conditions with the lighting. They propose a series of buffers. There will be a 29 foot buffer along Vermont Avenue. There will be a 50 foot buffer wrapping around the neighbors to the rear. It will be 30 feet from their property with additional landscaping and a varying fence. There will be fencing around the perimeter of the property from 10 feet to 8 feet to 6 feet. The 8 units closest to Mr. Rice's lot there will be no decks. There will be patios with pavers on grade. The fence will be 30 feet in from the property line. The total lot is approximately 32 x 120. Active recreation would be the total lot area and the recreation building. They have provided 4 parking spaces per unit and parking areas throughout the development.

Mr. Cherkos – just given the documents – form letter that was sent to the neighbors about a meeting on May 18th and the list of neighbors. There are no receipts, the five that were returned were sent by certified. Ms. Jordan was on the list but we do not have certification that they were notified.

Mr. Donnelly – they want a regular meeting - they want time to review the plans.

Mr. Zaks – they were clearly on the list and the applicant made a good faith effort to have a meeting. Suggested that they continue.

Mr. Cherkos – the board has the discretion if they want to continue. His opinion is that the applicant was not prepared to prove that he notified everybody of the meeting.

Mr. Penzer – they made a good faith effort.

Mr. Gonzalez- suggested that the applicant continue.

Chairman took a poll of the board - the Board voted to proceed with the application.

Mr. Flannery – Reviewed Mr. Ernst’s report. They have met with the County engineer with regard to the entrance. At the May 18th meeting a lot of the neighbors concerns were addressed.

Mr. Penzer – they signed an agreement with Harrogate.

Mr. Ernst – satisfied with the engineering comments by Mr. Flannery. He has agreed to stormwater conditions, the road conditions appear to be adequate.

Mr. Zaks – the community house looks small, the meeting room is small.

David Feldman, architect, affirmed. The community center is one-story structure with a full basement. The lower level is about 1,500 square feet.

Mr. Flannery – They could add 5 feet on each side, to the north and to the east. They could put a second story on the community center. This space could accommodate 120-130 people which is appropriate for this development.

Mr. Zaks – the tot lot is too small.

Mr. Flannery suggested a contribution be made to the Township to upgrade for the older children at the D’Zio Park on the corner of New Hampshire and Locust Street.

Mr. Zaks- concerned about the little children.

Mr. Flannery – this project is designed to pick up the water that’s flowing onto the property. The light fixtures are shielded.

Recess.

Open to public.

Edwin O’Malley, attorney for applicant.

Don Johanson, Executive Director at Harrogate, sworn. Approximately 300 residents. Main concerns is that the neighborhood keeps the aesthetic appeal. This use is appropriate. In support of this application.

Tomekia Jordan, sworn. Have not received any notification of the meeting with the neighbors. These houses are in her backyard. They presently have a sewer/drainage problem. Opposed to the entire project.

Craig Rice, sworn. Mr. Penzer & his developer have agreed to satisfy some of the neighbors requests. Before this plan was revised his dwelling saw the side of 2 units now his dwelling faces the backside of 8 units. They have agreed to a 10 foot fence and no decks. His life savings are invested in this house. Asking for the 50 foot buffer. Drainage is a major concern.

Mr. Flannery explained that any of Mr. Rice’s water has a place to go to the stormwater management in the corner. All of their property has catch basins. None of the projects water will run onto Mr. Rice’s property. The roads are cut lower.

Laurie Hegedus, 13 Salvatore Drive, sworn. They were told when they bought their homes that there would be single family homes on the adjacent property.

Closed to Public.

**ZONING BOARD OF ADJUSTMENT
MINUTES**

**JULY 27, 2009
PAGE 6.**

Mr. Gonzalez - This project is still quite dense. Too many units. The basements have outside egress which causes much concern. Would like to see more like 48 units.

Ms. Goralski – proposal is too dense. Tot lot is too small and shoved in a corner.

Mr. Lazzaro – this project meets most of the requirements, but it is greatly impacting the area, it is too dense.

Mr. Penzer – The adjacent property that was approved by this board has a higher density. They are have done everything to accommodate the neighbors.

Mr. Zaks suggested removing some of the units by Mr. Rice’s house and putting the playground there. He won’t see it with a 10 foot fence.

Mr. Ernst - The engineering works but the Board has to decide the number of units.

Mr. Rice – would prefer the removal of the 4 units facing their backyard and the inclusion of the tot lot.

Ms. Jordan – would prefer if all 8 units were removed – have no trouble with the tot lot.

Motion to approve with the subject to an expansion of the clubhouse, 5 ft to the northerly side and 5 feet to the westerly side, the agreement between the applicant & Mr. Rice, removal of the 4 units facing Mr. Rice’s house and the addition of another tot lot, irrigation system. - Mr. Zaks
Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Zaks, Mr. Halberstam

Nayes: Mr. Gonzalez, Mr. Lazzaro, Mr. Lieberman, Ms. Goralski

Motion denied.

Appeal # 3711 – Metro PCS, Block 2 Lot 5.01, OS zone. To locate 6 antennas on an existing monopole at 110 feet. Use variance..

Secretary read reports.

We have reviewed the submitted information, **deem this application complete**, and offer the following comments:

1. The property is located at the southeasterly corner of County Line Road West (Ocean County Route No. 528) and Country Club Road. It lies within the O – S Zone and comprises an area of 2.40 acres. The site is mostly wooded and is occupied by a wireless communication facility consisting of a 120 foot high monopole with 2 equipment pads enclosed by a 6-foot high chain link fence. An existing transformer sits outside the fence. The monopole and existing equipment are currently occupied by T-Mobile. The plans indicate that access to the fenced enclosure is from Country Club Road on an existing asphalt and gravel drive that runs along the southerly property line.
2. The applicant proposes to install six panel antennas and two gps devices on the existing monopole at a centerline height of 110 feet. Also proposed is the installation of several outdoor equipment cabinets on a concrete pad and a PTC cabinet, all located within a proposed 10 ft. x 20 ft. lease area. A cable bridge will be constructed from the base of the monopole to the proposed equipment cabinets.
3. The applicant has requested the following Variances:
 - a. A Use Variance for the installation of the six antennas, the gps devices, the equipment cabinets and the cable bridge. The proposed construction is an expansion of an existing non-conforming use, as telecommunications facilities are not permitted within the O – S Zone.

- b. A Use Variance for the proposed antennas and gps devices. A centerline height of 110 feet is proposed where a maximum height of 35 feet is permitted. By State statute, if the proposed height exceeds the permitted height by 10 feet or 10%, a Use Variance is applicable.

**ZONING BOARD OF ADJUSTMENT
MINUTES**

**JULY 27, 2009
PAGE 7.**

4. The applicant should provide testimony to the Board on the following issues:
 - a. The applicant should demonstrate to the Board that the Use Variance can be granted without substantial detriment to the public good and that the intent and purpose of the Lakewood Township Land Use Ordinance and Master Plan will not be substantially impaired.
 - b. The applicant should discuss any special reasons supporting the granting of the Use Variances, addressing both the positive and negative criteria for the Variances.
 - c. Testimony should be provided as to the surrounding land uses.
 - d. Testimony should be provided regarding the possible installation of floodlights with a manually operated switch. Where will the lights be located, if installed? When and how long will the floodlights be used? What provisions are proposed to prevent glare from impacting adjacent properties and roadways?
5. The applicant has requested the several minor Site Plan Checklist Waivers which our office has no issue with the granting of those Waivers.
6. The drawings should be revised as follows:

General

All Title Blocks on the Site Plan Drawings should be amended to show lot number, block number and correct street address for the site.

Sheet T – 1

- a. The certification (“Approvals”) Block should be revised per 18-604B.2.
- b. The Zoning Map should be corrected to show current Township Zoning.
- c. A map showing all buildings, structures and uses (residential, commercial, vacant land, etc.) within 200 feet of the site should be provided.
- d. The Township line separating Lakewood and Jackson Township should be shown on the Location Map and Zoning Map. Jackson Township should be identified.

Sheet T – 2

A certified list of owners for properties in Jackson Township located within 200 feet of the site should be added. A copy of the certified list of properties in Jackson Township has been provided to our office.

Sheet Z – 1

- a. Route 528 should also be identified as “County Line Road West” per the Tax Map.
- b. The Lakewood/Jackson Township line should be shown and Jackson Township identified.
- c. General Note # 5 should be revised to reference the map prepared by KTP Consulting, LLC that was submitted in the application package.
- d. The existing drainage easement shown on the Tax Map should be added.
- e. The size of the proposed concrete equipment pad should be indicated.
- f. The Minimum Side Yard Setback “Proposed” column in the Bulk Requirements Table should be revised to state “30.0/115.0 (antennas)” and “45.0/106.6 (equipment)”.
- g. The Maximum Height (ft.) line in the Bulk Requirements Table should be removed, as it refers to maximum building height.
- h. Footnote (1) and both references in the Bulk Requirements Table should be removed.
- i. Footnote (2) is not referred to in the Bulk Requirements Table and should be removed.
- j. Footnote (2) should be removed from the Wireless Bulk Requirements.
- k. Existing floodplains, wetlands and wetlands buffers should be shown or a note should be added stating that none exist.
- l. Existing water courses, streams, shorelines, water boundaries and encroachment lines should be shown or a note should be added stating that none exist.

Sheet Z - 4

The Gravel Surface Detail indicates pressure-treated 2” x 12” wood edging, staked in place, around the entire perimeter of the existing compound. Also shown is a 6” layer of stone or gravel over a continuous weed mat. The location of these improvements should be shown on the Site Plan or the details removed if they do not apply.

Existing Conditions/Topography

- a. Correct the block number to indicate Block 2.
 - b. Add a graphic scale.
 - c. The existing drainage easement shown on the Tax Map should be added.
7. The applicant remains responsible to obtain all other Local, County, State and Federal approvals and permits that may pertain to this project.

I would reserve the right to present additional comments pending the testimony of the applicant before the Board.

Rich Stanzione, attorney for applicant. Use variance to co-locate antennas on the existing tower.

Dave Collins, sworn. Prepared FCC Compliance report . FCC sets a standard and they are in full compliance with their standards.

Daniel Penesso, 130 Clinton Road, Fairfield, NJ, sworn. Radio Frequency Engineer. Metro PCS is a wireless carrier providing services. Building out this phase in New Jersey. They are licensed with the FCC. Prepared exhibit A-1, coverage from neighboring sites. In Lakewood there are no sites on air. They will cover a 1.04 mile gap with this site. This site is essential for their design.

Ron Igneri, Innovative Engineering, sworn. The compound is in the southeast corner of the property and surrounded by trees on two sides. The compound was designed for co-location. There are 6 existing antennas at the top at 120 feet that belong to T-Mobile. There will be no interference and Metro PCS will locate their antennas directly below. The site is serviced every 4-6 weeks by a technician. The property is in the Open Space zone. The only zone that permits communication facilities is the M-1 zone. Adding antennas to an existing monopole is good planning. Need use and height variance. The equipment is hidden by a landscape buffer.

Mr. Lazzaro – in favor of this application.

Open to Public. Closed to Public.

Motion to approve – Mr. Lazzaro

Second - Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Lazzaro, Mr. Zaks, Mr. Lieberman, Ms. Goralski, Mr. Halberstam.

Resolutions.

Appeal # 3706 – Lydig Land, LLC, 11th Street & Monmouth Avenue, Block 234 Lot 2, R-7.5 zone. Resolution to approve a single family home on an undersized lot.

Motion to approve – Mr. Zaks

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski, Mr. Halberstam

Appeal # 3707 – Sydney Welz, Park Place & Harvard Street, Block 171 Lot 13, R-7.5 zone. Resolution to approve a single family home on an undersized lot.

Motion to approve – Mr. Zaks

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski, Mr. Halberstam

Appeal # 3708 – Isadore Fisher, New York & Ridge Avenue, Block 224 Lots 11.01, 11.02

& 11.03 – Resolution to deny two undersized lots for a duplex on each lot.

Motion to approve – Mr. Zaks

Second – Mr. Lazzaro

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski, Mr. Halberstam

ZONING BOARD OF ADJUSTMENT

JULY 27, 2009

MINUTES

PAGE 9.

Appeal # 3709 – JLSG, LLC, 115 Leonard Street, Block 227 Lot 8, R-10 zone. Resolution to approve the construction of a single family home on an undersized lot.

Motion to approve – Mr. Zaks

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski, Mr. Halberstam

Appeal # 3710 -Sam Brown – Block 187.15 Lots 16 & 104, Block 189.04 Lots 68, 197 & 201, OT Zone. Resolution to approve a use variance to construct commercial and multi-family units in the OT zone.

Motion to approve – Mr. Zaks

Second – Ms. Goralski

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Mr. Zaks, Ms. Goralski, Mr. Halberstam

Appeal #3694A - Forest Glen, Chestnut Street, Block 159 Lots 19, 42-44, 85, R-20 zone. Resolution to approve the construction of 68 townhouses in 12 buildings. Use Variance previously granted. Major subdivision and site plan approved.

Motion to approve – Ms. Goralski

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lazzaro, Ms. Goralski, Mr. Halberstam

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 11:35 P.M.

Respectfully submitted,

Fran Siegel, Secretary