

**ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
VIRTUAL**

JANUARY 11, 2021

Meeting advertised according to NJ State Sunshine Law

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

Also attending: Jerry Dasti, attorney
Terry Vogt, Engineer/Planner

Salute to the flag.

Motion to approve resolution for **Appeal # 4154 -698 River Avenue, LLC** - Mr. Gelley
Second – Mr. Naftali

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

Chairman announced that Vice Chairman Obi Gonzalez has moved out of Lakewood and no longer a resident of Lakewood and cannot sit on the Board any longer. He thanked Mr. Gonzalez for his many years of service to this board for many years.

Mr. Gonzalez thanked the Board.

Chairman announced that **Appeal # 4115 Hampton Development** will not be heard to tonight, the items that needed to be posted were not in 10 day time period. Will be carried to the February 1, 2021 meeting with No Further notice and a waiver of time.

APPEAL # 4151A – SPRUCE CARE, LLC – Spruce Street, Pine Street. Block 855.01 Lot 26 & 29. Amended site plan to request new side yard setback variances to allow for more parking on site.

Adam Pfeffer, attorney for applicant. They will be asking for a use variance again. Previously they received approval for 50 % office and 40% child care. Child care no longer involved in the project. Child care was removed, they shifted the building back and squared the building off. Asking for office space at 100%. That creates new parking requirements. There is a slight increase in overall square footage of the building.

Brian Flannery, engineer/planner, sworn. Asking for an amended site plan. The board previously approved an office building with a day care in the office building. There were a lot of traffic concerns on the site to accommodate the day care. Asking for use variance for the office building only. The building floor area has an increase of 149 square feet. They have added 50 parking spaces. They now have 166 parking spaces. In order to add the parking spaces they moved the building back. Asking for side setback variance of 7 feet where 10 feet is required and 10 foot rear setback where 20 feet is required. The building will be approximately 150 feet from Spruce Street. There are 2 residential lots behind this building. They are proposing to landscape and the windows will be tinted.

Reviewed Terrys report.

Mr. Flannery – There is a parking area to provide adequate access. The building fronts on Pine Street.

There is no traffic going into the Albert Avenue area.

Mr. Vogt asked if the proposed parking meets UDO standards?

Mr. Flannery – yes.

A-1 site plan- use variance plan prepared by Newlines.

Mr. Flannery – the dumpster will be at the end of the parking aisle.

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Mr. Halberstam - Against the neighbors yard? And will be private pick-up off hours.

Mr. Flannery - We will provide landscaping.

Mr. Chairman – would like a 6 foot solid white board on board fence, so that no one can go through.

Mr. Vogt – the dumpster is not a permanent structure, it is less than 5 feet from the property line.

Mr. Halberstam - This is office trash not supermarket trash.

Mr. Vo0gt – could you eliminate the 2 parking spaces and still meet the UDO requirements.

Mr. Naftali – not worth moving any parking spaces.

Mr. Pfeffer - Applicant would agree to work with Mr. Vogts office with the landscaping

Mr. Vogt - There is only 3 feet between the dumpster and the property line – they can landscape on the sides of the dumpster.

Mr. Ribiat - is there a walkway on the side of the building?

Mr. Flannery – will provide a walkable surface. Looks about 3 feet to 6 feet. There is an entrance in the side of the building which will go upstairs. They will put bumpers along that road. The basement will be used for mechanical and storage. There will be no useable space in the basement.

Mr. Gross asked about the turn in and out to the parking lot. Should it be one side in and one side out?

Discussion followed with the board about the entrance and exits.

Mr. Flannery – better for traffic flow with 2 ways in and 2 ways out.

Mr. Pfeffer - Will make sure that the lighting will not interfere with the residential lots.

Mr. Vogt - security lights go on timers.

Open to Public.

Rivky Finkel, 1442 E. Spruce Street
Eliyahu Finkel, 1442 E. Spruce Street
Howard Mayerfeld, 1450 E. Spruce Street
Shlomo Goldwasser, 1446 E. Spruce Street
Chana Goldwasser, 1446 E. Spruce Street
Charles Klein, 1421 E. Spruce Street
Yechiel Ebstein, 1411 E. Spruce Street

Closed to Public,

Motion to approve with fencing, landscaping and tinted windows, closed gate blocking pedestrian traffic, concrete blockers, both entrances will be right in and right out – Mr. Lankry Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Lankry, Mr. Naftali, Mr. Ribiat, Mr. Ingber,
Mr. Gross, Mr. Halberstam

Moshe Lankry had to leave the meeting.

Appeal # 4166 – Mordechai Ehrman – 340 Laurel Avenue, Block 536 Lot 48, R-7.5 zone. To construct single family home requesting combined side yard setback variance of 10 feet where 15 feet is required.

Secretary announced that this application was heard in December and was asked to amend his application

Chairman – asked for one side be 6 feet –

Glenn Lines, sworn. The board recommended 6 feet on the left side of the house – they have done that – the other was to move the window well from the left side to the rear. They also made the house 1 foot narrower. Revised plan dated 12/21/2020

Mordechai Ehrman, affirmed.

Motion to approve – Mr. Ingber

Second – Mr. Gelley

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

Mr. Ingber had to leave the meeting.

Appeal # 4168 – David Bernstein, Attaya Road, Block 11.04 Lot 7.01, R-12 zone. To construct a residential home with variance requested for combined side yard setback of 20 feet where 25 feet is required. Also seeking retaining wall approval.

Glenn Lines, sworn.

Chairman concerned about this lot already being subdivided. Is this a self imposed hardship.

Mr. Dasti – need more information on the subdivision.

David Bernstein, affirmed. Own the property. Purchased the lot about 5 months ago. The lot is 75 by approximately 300 square feet.

Mr. Dasti asked if they know when the subdivision was done.

Mr. Lines – think about 8 years ago. Variances were granted for 75 foot width.

Mr. Dasti suggested that we carry this application to get the resolution to see if variances were already granted.

Mr. Vogt – concerned about the retaining wall and what is it doing to the adjacent property.

Mr. Lines – have testimony for that and will discuss with Mr. Vogt.

Motion to carry until February 1st meeting – Mr. Gelley

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gelley, Mr. Naftali, Mr. Ribiat, Mr. Gross, Mr. Halberstam

No further notice and agreed to waive time.

Mr. Dasti – prepared resolution for **Appeal # 4151A -Spruce Care, LLC** – Spruce Street, Pine Street, Block 855.01 Lots 26& 29. Resolution to approve site plan

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Motion to approve - Mr. Naftali

Second – Mr. Gelley

Roll call vote: Mr. Gelley, Mr. Naftali, Mr. Ribiat, Mr. Gross, Mr. Halberstam

Motion to pay bills.

All in favor

Motion to adjourn.

All in favor.

Meeting adjourned at 10:00 P.M.

Respectfully submitted,

Fran Siegel
Zoning Secretary