

**ZONING BOARD OF ADJUSTMENT
MINUTES**

**JANUARY 5, 2009
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Meeting was called to order at 7: 00 P.M.

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

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

Also present: Russ Cherkos, Attorney
John Ernst, Engineer/Planner
Jackie Wahler, Court Stenographer
Fran Siegel, Secretary

Salute to the flag.

Chairman announced that Sharon Goralski was re-appointed to the board for another term.

Motion to appoint the firm of Dasti, Murphy & McGuckin as attorney for the Zoning Board –
Mr. Zaks

Second – Mr. Gonzalez

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

Motion to appoint Ernst, Ernst & Lissenden as Engineer for the Zoning Board – Ms. Goralski

Second – Mr. Lazzaro

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

Motion to appoint Ernst, Ernst & Lissenden as Planner for the Zoning Board – Ms. Goralski

Second – Mr. Lazzaro

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

Motion to accept Fran Siegel as Acting Zoning Officer – Mr. Zaks

Second – Mr. Gonzalez

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

Motion to accept Fran Siegel as Board Secretary – Mr. Gonzalez

Second – Ms. Goralski

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

Motion to nominate Abe Halberstam as Chairperson – Mr. Zaks

Second – Mr. Gonzalez

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

Motion to nominate Sharon Goralski as Vice Chairperson – Mr. Zaks

Second – Mr. Naftali

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

Motion to accept the Asbury Park Press as the official newspaper – Mr. Lazzaro

Second – Ms. Goralski

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

Motion to re-appoint Wahler Court Reporting – Mr. Gelley

Second – Mr. Naftali

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

Motion to accept the calendar for the year 2009 – Mr. Gonzalez

Second – Mr. Naftali

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

Motion to approve the minutes of December 1, 2008 with a waiver to read – Mr. Gonzalez

Second – Ms. Goralski

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

Motion to accept the Annual Report for 2008 – Mr. Lazzaro

Second – Mr. Gonzalez

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

Request from Chaim Abadi to carry **Appeal # 3692** to the February 2nd meeting – one of the notices was sent to Jackson. Will renote that one person.

Motion to carry - Mr. Gelley

Second – Mr. Naftali

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

No further notice and agreed to waive time.

Request from Raphael Zucker to carry **Appeal # 3691** to the February 2nd meeting – may go to the planning board.

Motion to carry – Mr. Zaks

Second – Mr. Lazzaro

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

No further notice and agreed to extend time for the board to act.

Appeal #3609AAA – Somerset Vine, Vine Street & Pine Street. Block 778.02, 779, 780, 781, Lots 21, 1 & 2, 1 & 2, 1, A-1 and R-10 zone. Amended site plan to subdivide approved 14 lots into 28 lots.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 18, 2008

1. The subject property is located on the corner of Pine Street and Vine Avenue and is within the A-1 (Agricultural) Zone. The site contains an existing single-family dwelling. The applicant is proposing a twenty-nine (29) lot subdivision, twenty-two (22) single-family attached lots, three (3) two-family lots, one (1) recreation lot and three (3) open space lots. Nineteen (19) of the residential lots will have frontage on a cul-de-sac and six (6) lots will have frontage on Pine Street. The existing dwelling will be razed.
2. The applicant previously received approval from the Zoning Board of Adjustment under Appeal No. 3609 for special use (non-permitted use & density) and bulk variances for the proposed major subdivision. Under Appeal No. 3609A they received Preliminary & Final Major Subdivision approval. Under Appeal No. 3609AA the applicant received Amended Preliminary & Final Major Subdivision approval. The applicant is back before the Board for an additional Amended Preliminary & Final Major Subdivision approval.

A second Amended Preliminary & Final Major Subdivision approval is required because the applicant is proposing to subdivide the side-by-side two family dwelling lots with a center lot line, thus creating additional bulk variances. All of the engineering aspects of the site remain the same.

3. The proposed lot layout has not changed since the most recent approvals with the exception of the center lot line additions. The following bulk variances for the dimensional relief are required:

	<u>Required A-1</u>	<u>Last Approval</u>	<u>Proposed</u>
Minimum Lot Area	20,000 s.f.	5,539.48 s.f.	3,200 s.f.
Minimum Lot Width	200 ft.	10.95 ft.	20.43 ft.
Minimum Front Setback	50 ft.	10.95 ft.	10.95 ft.
Minimum Rear Setback	20 ft.	14.13 ft.	16.2 ft.
Side Setback (One)	15 ft.	6.17 ft.	0
Side Setback (Combined)	40 ft.	15 ft.	7.5 ft.
Maximum Building Coverage	20%	32.93%	39.06%

4. It should be noted that the application is contingent upon the vacation of Houston Street, Hyman Place and a portion of Rosefield Street. The applicant has stated that they will apply for the right-of-way vacations once they receive Preliminary Major Subdivision approval.
5. The applicant has previously agreed to address all the items in our November 25, 2008 review letter and the same should be stated in any Resolution of Approval.
6. Any approval should include a condition that a Homeowners Association in accordance with Section 1010B.9 of the ordinance be established for the maintenance of the drainage systems and recreation area. The applicant shall submit a copy of the Homeowners Association Agreement to the Board Attorney for review.
7. Ocean County Planning Board approval must be indicated on the plan.
8. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.
9. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

Moshe Klein, attorney for applicant. The original approval is for side by side duplex units on a single lot. They would like each unit to sit on its own lot. The site plan is exactly the same as presented previously.

Ralph Zucker, 52 Cabinfield Circle, affirmed. Previously they did not think that it was important to have separate lot lines subdividing the actual homes. Would like fee simple lots rather than condo lots. Condo's require an extensive amount of legal hurdles. It is easier for homeowners to obtain a mortgage on fee simple lots. Will comply with all Jim Priolo's comments of November 25th and December 18th.

John Ernst – need subdivision plat map. All of the utility connections over the lot lines.

Mr. Zucker – agreed to comply. Every single unit will have its own utility line.

Open to Public. Closed to Public.

Mr. Lazzaro asked for marketing data to back up why this change needs to be made.

Mordechai Eichorn, broker and owner of Remax, affirmed. Testified that in the current market it is difficult to get a mortgage for a condo. It is much easier to sell fee simple lots.

Board accepted qualifications.

Mr. Zaks – it will not make a difference, it will just make it easier for the applicant.

Open to Public. Closed to Public.

Motion to approve subject to Mr. Priolo's reports – Mr. Zaks

Second – Mr. Gelley

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

Nays: Ms. Goralski

Appeal #3680, Ian Goldman, Block 25.04 Lot 35, College Street, Single family home on an undersized lot.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – July 15, 2008

1. The subject property is located on College Street between Pine Park Avenue and Cedar Row and is within the R-12 (Single-Family Residential) Zone. The existing site is vacant. The applicant proposes to construct a 2-story dwelling. College Street is an unimproved right-of-way.
2. In accordance with Section 902.E of the Ordinance, bulk variances will be required for the construction of the proposed dwelling as follows:

	<u>Required</u>	<u>Proposed</u>
Minimum Lot Area	12,000 s.f.	7,000 s.f.
Minimum Lot Width	90 ft.	50 ft.
Minimum Side Setback (One)	10 ft.	8.6 ft.
Minimum Side Setback (Combined)	25 ft.	18.6 ft.

The zoning schedule should be revised to include the rear deck in the lot coverage.

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. Curb and sidewalk is required along the properties frontage.
4. The applicant is proposing to construct a gravel access drive to their property within the College Street right-of-way. The applicant has requested a waiver from our requirement to submit a Grading Design Plan that meets R.S.I.S. for the roadway. The applicant should be required to construct the access drive in accordance with R.S.I.S.

From: Ed Mack, Zoning Officer

No comments

Adam Pfeffer represented applicant. Would like to build a single family house.

Ron Gasiorski represented an adjacent property owner, Mr. Weinstein. Mr. Gasiorski mentioned that he represented an association years ago that Mr. Lazzaro was a member of.

Mr. Lazzaro said that he would have no problem being fair and objective.

Brian Flannery, professional engineer and planner, sworn.

Board accepted credentials.

Mr. Flannery – this application is for a 7,000 square foot lot in the R-12 zone, classic isolated lot. This lot cannot be developed without the variances being sought. The positive criteria is that they are making good use of the property in accordance with the Master Plan and the Municipal Land Use Law. Reviewed Mr. Priolo's report. The proposal has no adverse impact on the zone plan or zoning ordinance. An effort was made to purchase adjoining property. Requesting relief to allow the roadway as shown. Will submit waiver request to allow a gravel access drive.

A-1 Variance Plan

A-2 Architectural Plans

Mr. Pfeffer - Efforts were made to bring the property into conformity. Letters were sent. One of the adjacent owners has offered to purchase.

A-3 letter to adjacent property owner Mr. Kazirer

A-4 letter to Shimon Brecher – not interested in purchasing

A-5 letter to Francine Saddleman – no interest in purchasing property

A-6 letter to Harold & Hanna Weinstein –

Mr. Pfeffer - Mr. & Mrs. Weinstein were interested in purchasing property – they each did an appraisal. They could not agree upon a price. The Board had their own appraisal done.

Mr. Zaks – the board has copies of the 3 appraisals. Applicant's appraisal is at \$220,000, Mr. Weinstein appraisal is at \$125,000 and the Boards appraisal is \$158,000.

Mr. Gasiorski - There was a supplemental letter that was sent in after including the cost of improving the road reducing the amount between \$70,000 and \$120.00.

A-7 - applicant's appraisal – 6 pages value of \$220,000

A-8 - Mr. Weinstein appraisal - \$125,000.

A-9 - supplement to Mr. Weinstein's appraisal with the cost of improving the road reducing the appraisal to between \$70,000 and \$120,000.

The Board Secretary said that she never received a copy of the supplement.

Mr. Pfeffer said that he never received a copy of the supplement either.

Mr. Pfeffer – the original appraisal took into account of the roadway.

Mr. Cherkos – normally the appraisers would testify. The application should be continued to give Mr. Pfeffer a chance to review it.

Mr. Halberstam - There is no road improvement amount on the Boards appraisal either.

Mr. Cherkos - The Board appraisal is assuming that there is a paved roadway already in.

Harold Weinstein, affirmed. Retained Mr. Goralski to represent him. Offered \$75,000 to purchase the property.

Mr. Cherkos - The Board needs to make a determination as to what the value is.

Recess.

A-10 – Zoning Board appraisal

Mr. Pfeffer asked for an adjournment to review the supplemental letter.

Mr. Goralski asked if he can be on after 8:30 P.M.

Motion to carry until February 2, 2009 – Ms. Goralski

Second – Mr. Lazzaro

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

Appeal # 3638A - Diversified Capital, Inc., 1072 Madison Avenue, Block 64 Lot 6, R-OP
zone

Site plan approval.

Secretary read reports.

Mr. Zaks stepped down.

From: Jim Priolo, Engineer, Planner - December 10, 2008

1. The subject property is located on Madison Avenue (Route 9) between Tenth and Eleventh Streets and is within the ROP (Residential Office Park) Zone. The site contains an existing 1-story building. The applicant is proposing to construct a 4-story multi-family structure containing twenty (20) dwelling units. All existing structures will be removed.
2. The applicant previously received approval from the Zoning Board of Adjustment under Appeal No. 3638 for special reasons (conditional use and density) variance for the proposed major site plan. The applicant is back before the Board to seek Preliminary & Final Major Site Plan approval.

The specific conditions of the use variance approval were as follows:

- a. Applicant must return to the Board for a final site plan approval.
- b. Applicant will comply with the RSIS standards requiring fifty (50) parking spaces.
3. The following items have changed since the original use variance approval:
 - a. The rear yard setback has increased from 23 feet to 23.3 feet.
 - b. The front entrance has been redesigned.
 - c. An additional play/recreation area has been added.
4. The following comments should be addressed with regards to the architectural plans:
 - a. The architectural elevations indicate a garage structure at the entrance drive, whereas the site plans do not include this feature.
5. The following comments should be addressed with regards to the Site Plan:
 - a. A note should be added to the plans indicating that all existing curb and sidewalk shall be replaced at the direction of the Township Engineer.
 - b. The applicant should discuss vehicular circulation within the site including turnarounds, trucks, deliveries, etc. The sizes and types of trucks accessing this site should be provided and turning movements should be verified, specifically garbage removal trucks.
 - c. The applicant should discuss if any site identification sign is proposed, and if so the size and location of the sign. Any proposed sign shall be in accordance with Section 812 of the Ordinance.

- d. In accordance with Section 809, a gate should be provided in front of the trash enclosure. The detail indicates a gate, which should be shown on the plan. The size and location of the enclosure shall be determined by the Department of Public Works, if they should be in charge of collecting the trash.
 - e. The adjacent lot numbers and uses should be shown for Lots 1 & 2.
 - f. It appears the only direct entrance and exit to the garage level is the driveway entrance. The applicant should discuss emergency access to the garage level.
 - g. The applicant should discuss if the parking spaces will be assigned due to the fact that some of the spaces are stacked.
6. The following comments should be addressed with regards to the Grading, Drainage & Utility Plan and stormwater management:
- a. Top of wall and bottom of wall elevations for the east side of the rear wall should be provided.
 - b. The masonry brick wall located in the front and side of the building should be shown on the site plan.
 - c. The roof leaders should be connected directly into the drainage system.
 - d. A grading plan for the garage level should be provided. The entire level should slope towards the trench drain located at the entrance.
 - e. The applicant may want to include additional yard drains in the front lawn (by the masonry wall) to avoid ponding.
 - f. In accordance with Section 815.A., storm sewer requirements and standards for all development shall be those required by the New Jersey Residential Site Improvement Standards.
 - i. Although the applicant has reduced the post-development runoff for the 2, 10 and 100-year storm events to less than the pre-development runoff, it has not met the required reductions of 50%, 75% and 80%.
 - ii. Stormwater infiltration as required under N.J.A.C. Section 7:8-5.4 shall be addressed and calculations shall be provided. The applicant has not proposed any infiltration.
7. The following comments should be addressed with regards to the Landscape Plan:
- a. What type of equipment, if any will be provided in the play areas.
8. The following comments should be addressed with regards to the Construction Details:
- a. A state curb and pavement detail should be provided for any possible curb and pavement work on Madison Avenue (Route 9).
9. The following comments should be addressed with regards to the Architectural Plans:
- a. The applicant should discuss if a garage door will be proposed for the garage entrance.
10. The applicant shall submit to, and appear before, all other Local, State and Federal agencies having jurisdiction over this project.
11. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

Abraham Penzer represented applicant.

A-1 Architectural elevation
A-2 site plan

Mr. Penzer – they put in two playgrounds, added a gazebo, have more than 50 parking spaces.

Brian Flannery, sworn. Application was bifurcated, received use and density. They are now back for site plan. Reviewed Mr. Priolo's report.

Mr. Ernst – it appears that the dumpster area looks like a garage with a roof on top.

Mr. Flannery – that will be fully roofed.

Mr. Ernst – will it be an open garage?

Mr. Flannery - yes.

Open to Public. Closed to Public.

Motion to approve - Mr. Naftali

Second – Mr. Gelley

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

Appeal # 3664A – Somerset, Block 208.01 Lots 10.01, 10.02, 11 & 72, East County Line
Road/Somerset Avenue Site Plan

Secretary read reports.

From: Jim Priolo, Engineer/Planner - December 8, 2008

1. The subject property is located on the southeast corner of East County Line Road and Somerset Avenue and is within the R-12 (Single-Family Residential) Zone. The existing site contains three single-family dwellings and a garage. The Applicant is proposing a subdivision that would subdivide the existing property into eighteen (18) lots and construct seventeen (17) new single-family dwellings and one homeowner's association lot. The existing dwellings will be razed.
2. The applicant previously received approval from the Zoning Board of Adjustment under Appeal No. 3664 for special use (density) and bulk variances for the proposed major subdivision. The applicant is back before the Board to seek Preliminary & Final Major Subdivision approval.

The specific conditions of the use variance approval were as follows:

- a. There shall be a minimum lot size of 7,500 s.f.
 - b. No two dwelling units shall be closer than 15 feet to each other.
 - c. The front yard setback on County Line Road shall be a minimum of 30 feet. *The applicant is proposing 22.3/27.3 feet along East County Line Road on Lot 1.*
 - d. Tree lines on Somerset Avenue and on site shall be maintained.
3. The following items have changed since the original use variance approval:
 - a. It should be noted that the original approval approved a minimum lot width of 53.5 feet, whereas the plan now provides minimum lot widths of 52 feet.
 - b. The front yard setback on the south side of Lot 17 is 9.75 feet, whereas a minimum of 10 feet was proposed.

- c. The road design has changed to eliminate the east stub extension of the road.
4. The following items should be corrected on the plans:
 - a. The plan title should be corrected to, "Preliminary & Final Major Subdivision".
 - b. The Board Approval block should provide a signature for the Board Engineer as opposed to the City Engineer.
 - c. The plan title should be corrected to indicate Lot 72 as opposed to Lot 78.
5. The following comments should be addressed with regards to the Site Plan sheet:
 - a. The applicant should discuss if any walkways will be provided from the driveways to the dwelling entrances.
 - b. The sidewalk should be extended to Somerset Avenue on the south side of Noam Lane.
 - c. The drainage easements should indicate that they will be dedicated to the Homeowners Association.
 - d. A right-of-way dedication and sight triangle easement should be provided on the corner of East County Line Road and Somerset Avenue. Trees should be removed from the sight triangle easement.
 - e. The applicant should discuss the need for a drainage easement on Lot 1, when no drainage exists within that property.
 - f. The 5.25 ft. right-of-way dedication on Lot 10 should be shown on the plan. The applicant should also discuss why this dedication is not proposed on Lot 1. The applicant should provide verification from the County on the required County road dedication.
 - g. The applicant should discuss the use of Lot 72 (or Lot 18); will it be used as open space, dedicated to the Township.
 - h. The treeline along Somerset Avenue should be specifically mentioned as a tree save area which should be a condition of any approval.
 - i. Concrete curb should extend along the entire frontage of County Line Road.
6. The following comments should be addressed with regards to the Grading & Drainage Plan and stormwater management:
 - a. Soil boring logs should be provided.
 - b. Permeability tests should be provided.
 - c. Additional elevations should be provided along the rear yards to insure stormwater runoff. Any approval should include a condition that the applicant will address rear yard runoff conditions during the development of this project to insure that there will be no adverse impacts on the residential properties.
 - d. The Homeowners Association documents should include the maintenance responsibilities of the drainage system as outlined on Sheet C-04 of the plans.
 - e. Proposed Lot 72 (within the 300' category 1 buffer) should be dedicated to the town as open space. An access easement should be provided to this lot from Noam Lane.
7. The following comments should be addressed with regards to the Landscaping & Tree Protection Management Plan:
 - a. Landscaping should be provided along the County Line Road frontage on Lots 1 and 10.
 - b. Tree save areas should be indicated and made a condition of any approval.

8. The following comments should be addressed with regards to the Details:
 - a. A detail for county curb should be provided.
 - b. The Type 'N' Inlet should be corrected to be titled "Type 'B' Inlet".
 - c. The site curb detail should show the roof leaders within the curb.
9. The following comments should be addressed with regards to the Plat and Map Filing Law:
 - a. The lot areas should match the site plan.
 - b. The easements should indicate to whom they are dedicated to.
 - c. The planning board approval block should be removed.
 - d. In accordance with the Map Filing Law, 46:23-9.11.j., a minimum of three (3) corners distributed around the tract shall indicate the coordinate values.
 - e. A note must be added to the plan indicating that the lot, block, and street addresses have been assigned by the Lakewood Township Tax Assessor's office.
 - f. A point of beginning should be provided.
10. Ocean County Planning Board approval must be indicated on the plan.
11. The applicant should provide approval/verification from the NJDEP for the location of the 300 foot Category I Stream Buffer.
12. The applicant shall submit to, and appear before, other Local, State and Federal agencies having jurisdiction over this project.
13. Prior to commencement of construction, the applicant shall post a performance guarantee and inspection fund in accordance with the provisions of the Township's Land Use Ordinance and the Municipal Land Use Law.

Moshe Klein, attorney for applicant.

William Vogt, L2ALand Design, licensed professional engineer, sworn.

Board accepted credentials.

Mr. Vogt – reviewed Mr. Priolo's December 8th letter. Revised their site plan. They have 17 buildable lots and one Homeowners Association lot. They inadvertently placed the house on lot #1 at 27.3 feet from East County Line Road. They were able to adjust the house to meet the 30 foot setback. Reviewed Mr. Priolo's report. The tree line will be preserved along Somerset Avenue.

Front yard setback for lot 17 will be 10 feet. Will comply with all requests in the report. There will be 3 parking spaces for each lot. The road is 30 feet wide. Will provide landscaping on lots 1 & 10.

Scott Kennel, McDunnough & Rea Associates, traffic engineer, sworn.

Board accepted credentials

Mr. Kennel – the 30 foot width allows parking on both sides. Each lot will fulfill the RSIS parking requirements of 3 spaces. There is a 16 foot cartway and two 7 foot parking lanes.

Ralph Zucker, affirmed. RSIS does not encourage wider streets. It would be a mistake to have the roadway one way.

Mr. Zaks - Should have parking on one side of the street only.

Mr. Zucker – would agree to parking on one side only.

Open to Public.

Noreen Gill, 192 Coventry Drive, sworn. Concerned about the traffic. There is a back-up at the light on County Line Road and Somerset Avenue.

Gerri Ballwanz, 208 Governors Road, sworn. This should be a one-way street. Asked about the buffer from the Cabinfield Stream.

Mr. Vogt – lot 18 is 300 feet from the Cabinfield Stream. It will all be green and preserved space.

Fred Gincel, 144 Carasaljo Drive, affirmed. He thinks that Lakewood has an ordinance that on a 30 foot wide road they can only have parking on one side.

Mr. Kennel - It is his suggested that they should have full access at both locations. This is also subject to the County approval.

Closed to Public.

Motion to approve subject to agreeing to all comments of Mr. Priolo's report, making a recommendation of parking on one side, County approval, they will move back the house on Lot # 1 for the 30 foot setback from County Line Road – Mr. Zaks

Second – Mr. Gelley

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

Resolutions

Appeal # 3687 – Aryeh Katzman, 101 Harrison Place, Block 289 Lot 9, R-12 zone. Resolution to approve an addition in the front yard setback.

Motion to approve – Mr. Gonzalez

Second – Mr. Naftali

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

Appeal # 3690 – Mechael Thau, Locust Street & Vermont Avenue, Block 1081, Lots 10.01-10.14, R-20/12 zone. Resolution to approve a use variance for townhouses.

Motion to approve – Mr. Lazzaro

Second – Mr. Naftali

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

Appeal #3609AA – Somerset Vine, Vine Street & Pine Street. Block 778.02, 779, 780, 781, Lots 21, 1 & 2, 1 & 2, 1, A-1 and R-10 zone. Resolution to approve 14 two family dwellings.

Motion to approve – Mr. Gonzalez

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Gonzalez, Mr. Lazzaro, Mr. Naftali, Mr. Zaks,
Ms. Goralski, Mr. Halbersta

Appeal # 3689 - Frances Frankel, 1007 Park Avenue, Block 227 Lot 11, R-10 zone. Resolution to approve the construction of a single family home on an undersized lot.

Motion to approve – Mr. Naftali

Second – Mr. Gelley

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

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MINUTES**

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Motion to pay bills.
All in favor.

Motion to adjourn.
All in favor.
Meeting adjourned at 10:35 P.M.

Respectfully submitted,

Fran Siegel, Secretary