

**ZONING BOARD OF ADJUSTMENT
MEETING FEBRUARY 15, 2012**

The caucus meeting began at 7:00 P.M. and the regular meeting began at 7:30 P.M.

Members present were:

Edwin Bergamo
John Cheli
Alan Angelo
George LoBiondo
Edward Avena
Leroy Goldblatt
Jeffrey Francesconi
Robert Ortega

Member absent was: Elaine Greenberg

Others Present were: Solicitor Frank DiDomenico, Secretary Yasmin Ricketts, Senior Planner Steven Hawk, Principal Engineer David Maillet, and Zoning Official Patrick Finley.

Mr. DiDomenico made an announcement that the Mainiero matter was off the agenda because it was deemed incomplete.

The Chairman entertained a motion to dismiss the Mainiero matter without prejudice.

Roll Call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Mr. Francesconi: Yes
Mr. Cheli: Yes
Mr. Goldblatt: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Mr. DiDomenico went over the revisions to the agenda. The Michal Brosh application will be carried until March 21, 2012 at the applicant's request with no additional notice. The application for Danza Delsea Group, LLC will be carried to March 21, 2012 at the applicant's request with no additional notice. The application for Because We Love You, Inc. will be carried until March 21, 2012 at the applicant's request with no additional notice. The application for Vision Property Group, LLC will be carried until March 21, 2012 by the request of the applicant with no additional notice.

The Chairman entertained a motion to approve the minutes from the January 18, 2012 meeting.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

The Chairman entertained a motion to approve the resolutions from the January 18, 2012 meeting.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Applicant- **Andrew Stolar**, 1101 E. Garden Road, Block 1101, Lot 19, Zone A-5. The applicants Mr. Stolar testified on his own behalf and would like to construct a 40' x 60' pole barn for his personal use.

Mr. Bergamo explained that the applicant could build a 900 square foot building with no variance. A 2400 square feet is too much.

Mr. Stolar did not think it would hinder anyone else.

Mr. Bergamo explained that a building that use would attract business use in the future. The building is excessive for personal storage.

Mr. LoBiondo explained that he did not make a case for a building that large.

Mr. Ortega explained that he could decrease the size of the building.

Mr. Stolar stated that he would be willing to decrease the size to 1200 square feet.

Mr. Bergamo explained that they are trying to keep a standard with the sizes.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application as amended for 1200 square feet.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Kenneth Mucciarelli**, 1548 Brown Road, Block 104, Lot 9.2, Zone A-5.
Mr. Mucciarelli testified on his own behalf and would like to construct a 30' x 40' pole barn for his personal use.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll Call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Gail Fein**, 1559 N. East Avenue, Block 1702, Lot 29, Zone R-5. The applicant testified on her own behalf and is requesting to have 42' front yard setback. She adopted a miniature mule and miniature goat. Frontage is 250' and she has 208'. She has 2.98 acres and 243' back from the road. Her property is able to accommodate 100' x 100' fence and a 9' x 9' shelter.

Mr. Bergamo wanted to know if she will ever have more than two animals.

Mr. DiDomenico explained that he did not want to limit her animals.

Ms. Fein stated that she would have a maximum of two animals. She could no accommodate any more animals.

Chair made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application.

Roll Call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant-**Donald and Susan Paterno**, 897 E. Butler Avenue, Block 7106, Lot 10, Zone R-5. The applicant testified on his own behalf and is requesting to construct a 40' x 40' pole barn. He has a handicapped daughter and would like to store the van, tin boats, lawn mowers, and personal storage.

Mr. Hawk wanted to know if the driveway will be extended to the garage.

Mr. Paterno stated that he is extending the garage.

Chair made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant-**Muhammad Masood**, 641 W. Crescent Drive, Block 4706, Lot 7, Zone R-3. The applicant was represented by Charles Gabage, Esq., and is requesting a certification of non-conforming use. The realtor marketed the property as a two family home when the applicant purchased it. Sometime between construction of the dwelling and 1980, the property was converted from a single family home to a two family home. The tax records indicate that it is now a two family dwelling. There are two separate electric meters, and has been inspected by the city as a two family unit for years. Mr. Gabage went over the similarities of this application and others that have been approved by the board.

Mr. Finley explained that the request was made by a prospective buyer for the certification, and he did not find anything on record.

Mr. DiDomenico wanted to know if the applicant knew when it was converted.

Mr. Gabage explained that it was operated as a two family dwelling when the property was purchased.

Mr. Angelo wanted to know if there are any other two family dwellings in the area.

Mr. Gabage stated that there were not any other two family dwellings in the area.

Mr. Muhammad Masood testified on his own behalf. He stated that he owned the property since February 1991. It was listed as a duplex by the realtor, and he paid \$115,000.00. It was being utilized as a duplex when he purchased the dwelling. It has separate electrical meters with separate account numbers. The dwelling has also been registered as a rental with the city since 1991. He is currently renting out both units.

Mr. LoBiondo wanted to know if there was access from one unit to the other.

Mr. Massod stated that there was no access between the units.

Gaylord Evey testified in objection to the application. He stated that he lived across the street and his home was built in 1965. His previous wife continues to reside in the home. When the house was built, there was an entrance for the garage and the home was built in the late 1970's.

Mr. Ortega wanted to know if he noticed the house was converted to a duplex.

Mr. Evey stated that he did not notice it was converted.

Mr. Bergamo wanted to know if he knew the person that constructed the mother in law suite.

Mr. Evey did not know who constructed the mother in law suite.

Mr. Gabage wanted to know who currently owned the house that he previously owned.

Mr. Evey stated that his previous wife currently owns the home, and she was not capable to attend the hearing.

Mr. Gabage wanted to know when Mr. Evey lived at that location across the street.

Mr. Evey lived in the home across the street approximately ten years ago.

Karen Evey testified in objection to the application. She stated that the neighborhood was very nice, and it did not have any duplexes. She lived in the house across the street in the 70's until mid 1980's and always thought there was a mother in law suite.

Chair made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: No

Chair made a motion to adjourn.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Francesconi: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Meeting adjourned at 8:55 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment