

**ZONING BOARD OF ADJUSTMENT
MEETING JUNE 20, 2018**

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

Members present were:

John Pierantozzi
Ryan Flaim
Ryan Feaster
Lydia Johnson
Susanna Philippoussis
Gena Pacitto
Joseph Stefano
George LoBiondo

Members absent were: Elaine Greenberg, Alexis Cartagena

Others Present were:

Frank DiDomenico, Solicitor
Yasmin Ricketts, Zoning Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, City Planner/Principal Engineer

The Chairman entertained a motion to approve the minutes from the May 16, 2018 meeting.

Roll call:

Mr. Feaster: Abstain
Mr. Flaim: Abstain
Ms. Johnson: Abstain
Ms. Philippoussis: Abstain
Mr. Pierantozzi: Abstain
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the May 16, 2018 meeting.

Roll call:

Mr. Feaster: Abstain
Mr. Flaim: Abstain
Ms. Johnson: Abstain
Ms. Philippoussis: Abstain
Mr. Pierantozzi: Abstain
Mr. Stefano: Yes
Ms. Pacitto: Yes
Mr. LoBiondo: Yes

Applicant- **Grabiél Morales** -1613 Caitlin Drive, Block 5603, Lot 18, Zone R-5, construction of an addition to an existing porch on a single family dwelling with a variance for side yard setback.

Mr. Grabiél Morales testified on his own behalf. He currently has a 5' deck and it is rotted so it needs to be replaced. He and his wife are remodeling their kitchen and decided to add a patio door and seeking approval for a 15' x 12' deck. The zone requires 35' side yards on each and he is requesting 15' on each side. He would also like to add a roof over the deck. The deck will not have walls.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. Flaim: Yes
Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. Flaim: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Anthony & Jane Medio**- 2595 Bartholomew Drive, Block 6504, Lot 16, Zone R-4, construction of a garage addition to a single family dwelling with a variance for side yard setback.

Mr. Anthony Medio testified on his own behalf. He would like to build a one story detached garage and it will be less than 30' high. They are seeking 6'3" side yard setback whereas 25' is permitted. It will be measured from the eaves of the garage.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. Flaim: Yes
Mr. Feaster: Yes
Mr. LoBiondo: Yes

Mr. Philippoussis made a motion to approve the application.

Roll call:

Mr. Stefano: Yes

Ms. Johnson: Yes

Ms. Philippoussis: Yes

Mr. Pierantozzi: Yes

Mr. Flaim: Yes

Mr. Feaster: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **R.F.C. Container**- 2206 S. East Avenue, Block 6201, Lots 9, 16, Zone R-5, use variance and minor subdivision to separate farming acreage from an industrial use.

The applicant was represented by Charles Gabage, Esq. The applicant would like to convey a portion from the industrial use to farm use. They would like to preserve additional farmland. There is a variance for impervious lot coverage of 28% whereas 15% maximum is permitted. There is a side buffer of 22' whereas 25' along the southerly property line is required for industrial use abutting a residential zone. The applicant is requesting a waiver from showing structure within 150' on the perfected plan. Waivers from showing any wetlands or wetlands transition areas and identifying the developable land area. The applicant will show the wellhead protection area on the perfected plan. It was agreed that on the northern section of lot 9, there are numerous encroachments including driveways, fencing, and pool locations. The applicant was advised that this may cause issues in the future. The applicant requires a use variance because lot 16 is an industrial use and they are decreasing in size.

Chairman made a motion to close the public hearing.

Roll call:

Ms. Philippoussis: Yes

Ms. Pacitto: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Mr. Stefano: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ms. Philippoussis: Yes

Ms. Pacitto: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Mr. Stefano: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Thomas and Eva Russo**- 198 E. Grant Avenue, Block 6201, Lot 22, Zone R-5, installation of three free standing solar arrays located to the rear of the property.

The applicant was represented by Charles Gabage, Esq. The applicant is seeking approval for three solar panels that already have been installed. The installer failed to obtain proper permits prior to the

installation. The solar energy generated will provide electrical power to the applicant's home on lot 21. There are three rows of panels. The applicant agrees to provide a recorded easement permitting the solar panels on lot 22.

Chairman made a motion to close the public hearing.

Roll call:

Ms. Pacitto: Yes
Mr. Pierantozzi: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Philippoussis: Yes
Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ms. Pacitto: Yes
Mr. Pierantozzi: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Philippoussis: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Ludmila Chumak**- 2135 N. East Boulevard, Block 2402, Lot 13, Zone R-3, convert a single family dwelling to a duplex.

Ms. Ludmila Chumak testified on her own behalf. She is seeking to convert the existing family home into a two family dwelling. There will be no changes made to the exterior of the house with the exception of two separate entrances. They will be using the newly created apartment for her disabled brother who currently lives in a group home. The property will be serviced by one electric meter and one sewer line.

Oksana Chumak, testified on behalf of the application. She looked into applying for an in-law suite but her brother wants to live independently.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes
Mr. Flaim: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. LoBiondo: Yes

Ms. Philippoussis made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes
Mr. Flaim: Yes
Mr. Feaster: Yes

Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Jakes Fireworks**- 1070 W. Landis Avenue, Block 2707, Lot 5, Zone PC, install a framed tent for retail sales of fireworks.

The applicant was represented by Shannon Boggan, Esq. The applicant is seeking a temporary use permit to sell fireworks. They will be leasing part of the Walmart parking lot and proposing to sell the fireworks from a tent. The tent will be 12' x 30' and framed. They will also have a pod measuring 8' by 12' for the storage of the merchandise. The pod will be locked at night. Electric will be generated by a generator. There will be no security guards at night.

Nathan Arnold, manager for Jake's Fireworks, testified on behalf of the applicant. He manages operations in West Virginia and New Jersey. He seeing no need for 24 hour security from past experiences. There will be a total of two employees on site. Sales will occur approximately 8 A.M. until dark. They will be handled by a subcontractor and they will receive training.

The board did not feel comfortable with a new application being presented by the attorney,

Chairman made a motion to close the public hearing.

Roll call:

Mr. Flaim: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Mr. Flaim: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes
Ms. Johnson: Yes
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. LoBiondo: Yes

Application denied.

Meeting adjourned at 9:14 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment

