

ZONING BOARD OF ADJUSTMENT MEETING
January 15, 2020

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

Members present were:

Joseph Stefano
John Pierantozzi
Gena Pacitto
Victoria Lods
Jeffrey Torchio
George LoBiondo

Members absent were: Ryan Flaim, Ryan Feaster

Others Present were:

Frank DiDomenico, Solicitor
Yasmin Ricketts, Board Secretary
Patrick Finley, Zoning Officer
Kathleen Hicks, Planning Supervisor
David Maillet, City Engineer

Pre-Meeting

Mr. DiDomenico opened the pre-meeting to reorganize for the year.

Mr. Stefano made a motion to nominate George LoBiondo as Chairman.

Roll Call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Torchio made a motion to nominate Joseph Stefano as Vice Chairman.

Roll Call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to nominate Frank DiDomenico as Solicitor.

Roll Call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes

Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to nominate Yasmin Ricketts as Secretary.

Roll Call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Ms. Lods made a motion to approve the meeting schedule for 2020.

Roll call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Dr. Pacitto made a motion to nominate Alena Broshchan as alternate secretary in the absence of Yasmin Ricketts.

Roll call:

Joseph Stefano: Yes
John Pierantozzi: Yes
Gena Pacitto: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Public Hearing

Mr. DiDomenico went over the revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the December 18, 2019 meeting.

Roll call:

Gena Pacitto: Yes
Jeffrey Torchio: Yes
Victoria Lods: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the December 18, 2019 meeting

Roll call:

Ryan Flaim: Abstain
Joseph Stefano: Yes
Ryan Feaster: Abstain
John Pierantozzi: Yes

Susanna Philipusus: Yes
Gena Pacitto: Yes
Victoria Lods: Abstain
Jeffrey Torchio: Yes, Abstain 2019-54, 2019-55
George LoBiondo: Yes, Abstain 2019-54, 2019-55

KEVIN HOWARD, 115 S. West Avenue, Block 3805 Lots 20 & 21 Zone R, Convert a two family dwelling to a three family dwelling.

The applicant was represented by Matthew Robinson, Esquire. The ground floor has a five-bedroom and two-bathroom apartment. The first and second floor has one apartment with 6 bedrooms and four bathrooms. The applicant would like to convert the apartment on the first and second floor into two separate apartments. Each apartment will have 3 bedrooms and 2 bathrooms. The ground floor apartment will remain the same.

The applicant owns lot 20 which is adjacent to lot 21. This lot is a paved parking lot and provides the parking for lot 21. The applicant agrees to provide a recorded cross easement for ingress and egress. This building is suited for a triplex since it has three stories. The current configuration is difficult to control. The applicant agrees to provide landscaping and will meet with Planning staff for the location of greenery.

Kathleen Hicks, Supervising Planner stated that parking can be reconfigured to add additional greenery.

Patrick Finley, Zoning Officer, indicated that this building has been an enforcement problem prior to the applicant buying the building. He supports the conversion because there will be more control.

Alfredo Escobar, member of the public, had concerns with the conversion and felt it would attract more people.

Chairman made a motion to close the public hearing.

Roll call:

Joseph Stefano: Yes
Gena Pacitto: Yes
John Pierantozzi: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Gena Pacitto: Yes
John Pierantozzi: Yes
Victoria Lods: Yes
Jeffrey Torchio: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

Application granted.

JUSTIN SELBY, 805 E. Chestnut Avenue, Block 4904 Lot 2 Zone RB-1, certification of non-conforming use for a three family dwelling.

Mr. Justin M. Selby testified on his own behalf. On October 29, 2019 he purchased this property as a three-family dwelling. He later found out the three-family dwelling did not have an approval. He checked the city Tax Office Records and found that that property is assessed as a three-family dwelling. The records show since 1980s, the property has been used as a triplex. There is a sufficient amount of parking at the rear of the property for three cars for each dwelling unit. Each apartment has two bedrooms and one bath. The property is large and the dwelling has separate entrances.

Patrick Finley, Zoning Officer, believes that this property has been used as a triplex since 1983. Some years ago, he believes this property was purposely converted into a three-family dwelling.

Kathleen Hicks, Supervising Planner, indicated that she obtained the property record card which indicates in 1983 the property was a duplex.

Chairman made a motion to close the public hearing.

Roll call:

John Pierantozzi: Yes

Victoria Lods: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Victoria Lods: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

George LoBiondo: Yes

Application granted.

Applicant- **DAMASO THOMPSON**, 5855 Old Union Road, Block 7405 Lot 12 Zone P-R, Use variance for a detached in-law suite including a side yard setback for a covered porch.

Mr. Damaso Thompson testified on his own behalf. He purchased this property on May 28, 2019. He is requesting to convert the existing detached garage into a one-bedroom apartment to be used by his family. The proposed unit will use the same utilities from the main house. He would also like to add a 10 foot by 6-foot covered porch.

Patrick Finley, Zoning Officer, explained that two separate dwelling units on one lot is not permitted in any zone. If approved, the applicant cannot collect rent. A deed restriction should be required for the second dwelling. The applicant also needs a side yard setback of 6.8 feet whereas 40 feet is permitted.

Chairman made a motion to close the public hearing.

Roll call:

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Victoria Lods: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Joseph Stefano: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Victoria Lods: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

Applicant- **DEBORAH SALANITO**, 1167 Rae Drive, Block 6102, Lot 19.1, Zone I-3, Installation of a ground mounted solar array.

Ms. Debroah Salanitro, testified on her own behalf. She is proposing ground mounted solar panels to provide electric to her home. The panels will be in the rear of her property, and they will not be visible to the road. The panels will be approximately 101' from the front of the home. She agrees to remove the panels when they are no longer in use. There will be a total of 45 solar panels in an area measuring 42'X15'.

James R. Castle, testified on behalf of the applicant. He is the contractor that will install the solar panels. This property requires a larger unit of panels because the usage is higher. The panels have a 25-year warranty. They do not move and do not make noise.

Chairman made a motion to close the public hearing.

Roll call:

Gena Pacitto: Yes

John Pierantozzi: Yes

Victoria Lods: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

John Pierantozzi: Yes

Victoria Lods: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Application granted.

ADJOURN:

John Pierantozzi: Yes

Victoria Lods: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Meeting adjourned at 8:48 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment