

ZONING BOARD OF ADJUSTMENT MEETING
November 18, 2020

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

Members present were:

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

Members absent were: Ryan Flaim

Others Present were:

Frank DiDomenico, Solicitor
Alena Broshchan, Substitute Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Principal Engineer

Mr. DiDomenico went over the revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the October 21, 2020 meeting.

Roll call:

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

The Chairman entertained a motion to approve the resolutions from the October 21, 2020 meeting

Roll call:

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

HIGH 1, LLC, 1132 E. Wheat Road, Block 1401, Lot 73, Zone R-5, certification of non-conforming use for a four (4) unit multi-family use and any other variances that may be required. In the alternative, applicant requests a use variance for the multi-family use.

The applicant was represented by Rocco J. Tedesco, Esq. The property is located on the north side of E. Wheat Road between Valley Avenue and Main Road. The property was purchased in 2019 as a foreclosure and there are three separate buildings. The applicant applied to the City for permits to upgrade the electrical and heating systems. They also tried to register the property as rental unit. They were denied because there are no records for the existing three buildings. There are only existing records for the electric and water connections. There is a record for the sewer connection in 1986. The property record card indicates that all three buildings are listed for residential use. It was also indicates that each building was built in 1952. The applicant is requesting to add one bedroom to the first-floor unit at 1136 E. Wheat Road and one bedroom to the second-floor unit at 1136 E. Wheat Road. All three buildings have separate mailing addresses.

Mark Hadnett, applicant, testified on his own behalf. He indicated that 1132 E. Wheat Road is occupied by tenants.

Michael A. Clifford member of the public, stated that he opposed the applicant's request. He believes that the applicant will turn the property into an apartment complex. This property is never maintained. He also believes that the sewer system cannot support the three buildings.

Theresa Clifford, member of the public, stated that she had the same concerns as Mr. Clifford.

Mr. Tedesco explained that the applicant is trying to clean up the property and that is why they applied for permits from the City.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Victoria Lods: No

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

NEHEMIAS & CATHERINE BORRERO, 3350 Prospect Avenue, Block 901, Lot 7.5, Zone A-5, construction of a single family dwelling with variances for front yard setback and side yard setback.

The applicant was represented by Michael Fralinger, Esq. This lot is part of an approved four lot subdivision. This lot is over an acre in size. There are numerous lots in the area that are smaller. When the lot was created, it was conforming to the R-4 zone. Since then, the zone has changed to A-5. The A-5 zone increased the side yard setbacks and front yard setbacks. The applicant would like to build a home, and the proposed setbacks don't meet the current requirements. The applicant is seeking a front yard setback on Arbor Avenue of 40 feet where as 50 feet is required. A side yard setback on the south side of the property of 15 feet whereas 40 feet is required. A survey, aerial, and construction plans were submitted as exhibits.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

RICHARD PESCATORE, ESQ., 30 Glenn Terrace, Block 4210, Lot 13, Zone R-3, certification of non-conforming use for a two unit family dwelling.

The applicant was represented by Richard Pescatore, Esq. He is the applicant for this application and is requesting a certification of non-conforming use for a two unit family dwelling. The property has been inspected and permits have been obtained. The property was purchased in 2013, and it has been registered and occupied as a duplex. The property record card from the City indicates that the property was built in 1971 as a "two family" use.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Torchio made a motion to approve the request.

Roll call:

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

Application granted.

MAYRA PEREZ, 577 Royal Drive, Block 2404, Lot 10, Zone R-3, construction of an addition to a single family dwelling with a variance for side yard setback.

Mayra Perez, testified on her own behalf. She is requesting a bulk variance for a 6 foot side yard setback for a kitchen addition to her home. The addition is for a kitchen and dining area. It will be constructed where there is an existing screened in porch. It will be a conversion from screen porch to an addition. It will be 6 feet deeper into the lot. She is not increasing the side yard setback.

Chairman made a motion to close the public hearing.

Roll call:

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

Mr. Stefano made a motion to approve the request.

Roll call:

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

Application granted.

ADJOURN:

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

Meeting adjourned at 8:35 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment