

ZONING BOARD OF ADJUSTMENT MEETING
October 20, 2021

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

Members present were:

Ryan Flaim
Victoria Lods
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
Rudolph Luisi
Darwin Cooper
George LoBiondo

Members absent were: None

Others Present were:

Frank DiDomenico, Solicitor
Yasmin Ricketts, Zoning Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Supervising Engineer
Ulrick Crudele, Assistant Zoning Officer

Mr. DiDomenico went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the September 15, 2021 meeting.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Abstain
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
Rudolph Luisi: Abstain
Darwin Cooper: Abstain
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the September 15, 2021 meeting

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Abstain
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
Rudolph Luisi: Abstain
Darwin Cooper: Abstain
George LoBiondo: Yes

DANE & TERRI SPOLTORE, 2468 Valhalla Road, Block 6901, Lot 39, Zone R-4, installation of an in-ground pool in a corner lot with two front yards.

Ms. Terri Spoltore testified on her own behalf. She is seeking a bulk variance for the installation of an in-ground pool and a front yard setback of 25' from London Lane whereas 40' is required. The property has frontage on Valhalla Road. The house is located on a corner lot with two front yards. It fronts on Valhalla Road and London Lane is a "paper street". The yard is completely fenced.

Mr. Finley, Zoning Officer, noted that he had no objection.

Chairman made a motion to close the public hearing

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

KEEPON ENTERPRISES USA, LLC, 611 Seventh Street, Block 4114, Lot 27, Zone R, certification of non-conforming use for a four unit family dwelling.

The applicant was represented by Matthew J. Robinson, Esq. The property was purchased as a four unit family dwelling in December 2013. There are two units on the first floor and two units on the second floor. The applicant is now selling the property and discovered the property is not considered a legal four-family dwelling. The property record card indicates that there was a "re-hab" for a four unit family dwelling in April 1978. The property is registered as a four-family dwelling with the city. Each unit has two bedrooms and one bathroom.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes

Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Ms. Torchio made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Ms. Stefano made a motion to approve Resolution #2021-46.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

ANCON PROPERTIES, LLC, 1178 Karin Street, Block 3108, Lot 9, Zone R-P, change in use to a two-unit family dwelling from a commercial office.

The applicant was represented by Michael P. Fralinger, Esq. The applicant would like to change the use from two professional offices to two residential units. This property is in the R-P zone which allows duplexes. It was initially constructed as a residential dwelling in the 1960's. Sometime in the 1960s or 1970s Dr. Better added a medical office. The applicant purchased this property in 2008. In 2008, the applicant was granted a variance for Champion Trophy. Both units are now empty. The lot is undersized for a duplex. There is a one way driveway. Cars can enter at the west side of the driveway, drive along the rear of the house and exit on the eastern side of the driveway. There is also a drive in the front. There is space available in the rear for additional parking. There is a multi-family home across the street with no tenant parking. All the occupants use off street parking.

Mr. Headley explained that Karin Street is a narrow road. It is more suited for a residential use opposed to professional office uses. The city has a parking standard of two cars per unit therefore, a total of four parking spaces are required for this application. The asphalt at the rear of the property should be removed because the use is changing to residential. This asphalt area was parking for the professional office uses. He recommends a 12 foot wide circular, one way drive. The 12 feet would be measured from the existing curb line at the rear of the house the remainder of the asphalt should be removed, and grass planted.

Mr. Finley agreed with the recommendation of Mr. Headley.

Linda Anconetani, owner of property, testified on her own behalf. She does not believe that the 12 foot wide driveway is wide enough for larger vehicles. Her preference is to leave the asphalt, because Karin Street permits parking only on the north side of the street. There is a parking problem on Karin Street since only one side permits parking and the tri-plex across the street has no parking available for tenants.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

PRIMITIVO & JORGE CORTAZAR, 1512 E. Wheat Road, Block 1401, Lot 61, Zone A-5, conversion of an office to a residential use creating a two family dwelling.

Mr. Jorge Cortazar, Jr., testified on behalf of his father. His father would like to convert a single-family home and office into a duplex. His uncle and father purchased this property together. They both intend to live and work there. His uncle would have one apartment and his father would have the other apartment. Both apartments will have two bedrooms; one bath; living room and kitchen.

Rick Crudele, Assistant Zoning Officer, explained that applicant did submit two floor plans for the apartments.

One member of the public, John Sheppard, Jr. appeared with regards to the application. He stated that the applicant has removed the three boats which had been on this property for more than 20 years, and they have also cleaned up the property. He has no objection to the two-family dwelling.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Torchio made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

MICHAEL STERN, 1107 E. Chestnut Avenue, Block 5007, Lot 3, Zones R-P/R-3, use variance for the construction of five self-storage buildings.

The applicant was represented by Robert Casella, Esq. The applicant is proposing five self-storage buildings. The application as submitted satisfies special reasons for the use variance. There is a public need for a public self-storage facility, so it promotes public welfare. The proposal will create a desirable visual environment. The public self-storage is a low intensity, quiet and clean use. The self-storage facility is compatible with a residential neighborhood. This property has a narrow frontage along Chestnut Avenue, therefore, the uses are limited. There are wetland restrictions on the site, which limits its use. There is no substantial impairment of the City's Land Use Ordinance or Zoning Plan. There is no substantial determinant to the public and will benefit the public.

Mr. Headley explained that this property has a significant amount of old trees. The Land Use Ordinance requires a minimum 25 foot residential buffer from any residential uses or residential zones. The City's Tree Ordinance permits not more than 35% of trees to be removed in the R Zone. If more than 35% of trees are removed, the applicant must submit a tree survey with the major site plan and pay the tree replacement fee.

Michael Stern, owner, testified on his own behalf. This property has been in his family for 80 years. During the first 30 years his family owned the property it was a poultry farm and the lot was cleared. He will comply with the requirements of the City's Tree Ordinance.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes

Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Victoria Lods: Yes
Gena Pacitto: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: No

Application granted.

ADJOURN:

Ryan Flaim: Yes
Victoria Lods: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
Raquel Soto: Yes
George LoBiondo: Yes

Meeting adjourned at 9:00 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment