

ZONING BOARD OF ADJUSTMENT MEETING
April 21, 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
John Pierantozzi
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Members absent were: Ryan Feaster

Others Present were:

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

Mr. DiDomenico went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the March 17, 2021 meeting.

Roll call:

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

The Chairman entertained a motion to approve the resolutions from the March 17, 2021 meeting

Roll call:

Ryan Flaim: Abstain
Victoria Lods: Yes
Gena Pacitto: Abstain
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes, Abstain 2021-19, 2021-20

230 N. BREWSTER TRUST, 230 N. Brewster Road, Block 3202, Lot 57, Zone R-4, construction of addition to an existing barn for up to two horses.

The applicant was represented by Steven Fabietti, Esq. The applicant went before the Zoning Board in May of 2020, and received a bulk for lot frontage of 176 feet whereas 250 feet is required for a farm use. Improvements are completed and the applicant would now like to add

fencing for the horses. They are also requesting to construct a 18'X20' run-in shelter. They are not asking for any other changes to the previous approval or any additional horses. There will be a maximum of two horses on the farm.

Chairman made a motion to close the public hearing.

Roll call:

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Ms. Lods made a motion to approve the request.

Roll call:

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Jeffrey Torchio: Yes

Joseph Stefano: Yes

Application granted.

FREDERICK CRISTELLI, 1175 Karin Street, Block 3109, Lot 2, Zone B-2, use variance for the conversion of a business use to an existing single-family dwelling.

The applicant testified on his own behalf. He is seeking a use variance to convert a former dentist office into a single-family home. The single family home was converted into a dentist and he would like to use it as a single family home again. There are residential uses in the surrounding area. Most of the renovations will be interior.

Mr. Headley explained that the area is mixed use. The conversion back to a single family home is a good use.

Mr. Finley stated that he has no objection and encourages the change.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the request.

Roll call:

Ryan Flaim: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

RICHARD SCHAFFER, 1692 Wallace Street, Block 3511, Lot 24, Zone R-3, variance for an existing fence on a corner property with two front yards.

The applicant testified on his own behalf. He is seeking a variance for an existing solid 6-foot fence along the Taylor Avenue. He purchased this home 4 years ago with the fence installed. The property has an inground pool and the fence is necessary for safety. The property has two front yards along Taylor Avenue and Wallace Street.

Mr. Finley explained that this is a result of an enforcement action. There was a neighbor complaint in the area and he noticed the fence. The City Code does require a fence for a pool. Permits are not required for the construction of a fence.

Chairman made a motion to close the public hearing.

Roll call:

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

Ms. Lods made a motion to approve the request.

Roll call:

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

Application granted.

EUSTIQUIO & MARITZA FELICIANO, 1175 Karin Street, Block 3109, Lot 2, Zone B-2, use variance for the conversion of a business use to an existing single-family dwelling.

Mr. Eustiquio Feliciano testified on his own behalf. He purchased this property in 2007 as a duplex. He rents the property as a duplex and pays all the registration fees as required. The property record card from the tax office shows a two-family dwelling as of November 1, 1984. Mr. Finley explained that the old property record card mentions duplex. They applicant provided a survey and a floor plan.

Mr. Headley explained that the property record card indicates two-family dwelling as of November 1, 1984. The property record card from 1981 showed one family built in 1910. The applicant did provide a survey and floor plan.

Chairman made a motion to close the public hearing.

Roll call:

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

Application granted.

DANILSO MARMOLEJOS, 313 S. Third Street, Block 3903, Lot 21, Zone R, certification of non-conforming use for two unit family dwelling.

Mr. Danilo Marmolejos testified on his own behalf. He is the contract purchaser and would like to continue to use the dwelling as a duplex. He believes the current owner purchased the dwelling as a duplex.

Mr. Headley explained that the property record card shows a two-family conversion in 1959, and it was built in 1890. The applicant provided sewer and electric records from 1998-1999 which indicating that it is a two-family dwelling.

Mr. Finley explained that the applicant has provided a survey and floor plan.

Chairman made a motion to close the public hearing.

Roll call:

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

Application granted.

DANILSO MARMOLEJOS, 417 W. Grape Street, Block 3812, Lot 5, Zone R, certification of non-conforming use for two unit family dwelling.

Mr. Danilso Marmolejos testified on his own behalf. He is the contract purchaser, and he would like to continue to use the dwelling as a duplex. The property record card shows this property as a two-family dwelling. There is also a meter per unit.

Mr. Finley explained that the property record card indicates there was a two-family conversion. The Landis Sewage Authority has issued sewer bills for two units since 1998. The property record card has a notation "two-family flat".

Chairman made a motion to close the public hearing.

Roll call:

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

Ms. Lods made a motion to approve the request.

Roll call:

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

Application granted.

JOHN DILULLO, 418 S. Fourth Street, Block 3907, Lot 9, Zone R, extension request.

The applicant was granted a six-month extension of use variance approval for a two-family dwelling. That approval expired on July 15, 2020, and is now requesting an additional six months.

Mr. Finley explained that this property is under enforcement for property maintenance. The dwelling has been abandoned for many years and the City is prepared to demolish it. The City has been compelled to cut the grass because the applicant has failed to do so.

The Board notes that the Permit Extension Act of 2020 extends all Land Use approvals which were effective as of March 9, 2020. This approval was in effect as of March 9, 2020.

Mr. Torchio made a motion to approve the extension request.

Roll call:

Ryan Flaim: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

ADJOURN:

Ryan Flaim: Yes

Victoria Lods: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Meeting adjourned at 8:59 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment