

ZONING BOARD OF ADJUSTMENT MEETING
June 16, 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
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Members absent were: John Pierantozzi

Others Present were:

Frank DiDomenico, Solicitor
Yasmin Ricketts, Zoning Board Secretary
Ulrick Crudele, Assistant 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 May 19, 2021 meeting.

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

The Chairman entertained a motion to approve the resolutions from the May 19, 2021 meeting

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

NATIONAL DEFAULT REAL ESTATE SERVICES, 236 W. Grape Street, Block 3807, Lot 18, Zone R, certification of a pre-existing non-conforming use for two (2) single family dwellings on a single lot.

The applicant was represented by Matthew Robinson, Esq. Michael Hermosillo, managing member attended virtually. The property is located in the R zone. The applicant purchased this property with two single family homes on one lot without a CCO.

The water meters date back to approximately 1960. Each structure has a property record card. One house was built in 1890 with a garage built in 1925. The second house was built in 1890. Both of the houses pre-date the City's Land Use Ordinance. The applicant is also requesting a waiver for a formal floor plan.

Michael Hermosillo testified on his own behalf. The front house has one half bath, kitchen, living room, one bedroom on the first floor and the second floor has one bedroom and bath. The rear house on the first floor has a living room, kitchen, bath, and a breakfast area and on the second floor three bedrooms and a bathroom.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano

Jeffrey Torchio

George LoBiondo

Mr. Torchio made a motion to approve the request.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano

Jeffrey Torchio

George LoBiondo

Application granted.

UA RENTALS, LLC, 654 N. Main Road, Block 2418, Lot 35, Zone R-3, certification of non-conforming use for two unit family dwelling.

The applicant was represented by Matthew Robinson, Esq.

It is a property with a single structure with a conversion. The applicant did not obtain a CCO. The property record card indicates that dwelling was built in 1900, and that is a single family dwelling with conversion. The previous owner purchased the property in 1961. The conversion would have predated the city's Land Use Ordinance.

Maria Tkachuk testified on her own behalf. The first floor has a living room, bath, kitchen, and three bedrooms. The second floor has a living, bath, kitchen and two bedrooms.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano

Jeffrey Torchio

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano
Jeffrey Torchio
George LoBiondo

Application granted.

JOSE CORTES, 521 Park Lane, Block 2309 Lot 1, Zone R-2, certification of non-conforming use for two unit family dwelling.

John Cortes testified on his own behalf. He is in the process of selling the property. The property record card indicates that the dwelling was built in 1951. It also indicates that it is a one family dwelling plus conversion. The bottom portion of the property record card states that there are two apartments. He purchased the house in 2001 and his mother bought it in 1995. As to the floor plan, one side has a one bedroom, living room, kitchen, and bath and the second side has two bedrooms, living room, kitchen, and bath.

Mr. Crudelli, Assistant Zoning Officer, explained that this is an enforcement action. The property record card does reflect two units in 1973. In 2012, the building changed to a one family dwelling in the tax office. An inspection revealed the property is a two-family dwelling. He also indicated that the property is not currently registered with the City as a rental.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Application granted.

AVENGER U-STORE-IT, 1348 S. Main Road, Block 5804, Lot 17, Zone R-5, expansion of a previously approved non-conforming use for a self-storage facility and any other variances that may be required. Applicant also requests preliminary and final major site plan approval for a 7,800 square foot expansion to an existing self-storage facility along with associated site plan improvements.

The applicant was represented by Michael Gruccio, Esq. The applicant agreed to proceed with six members of the Zoning Board. This property is the U-Store-It facility on S. Main Road. The applicant is seeking to expand the use variance and is also seeking a preliminary and final major site plan approval. They are adding three additional buildings totaling 7,800 square feet. The building on the north side is 2,400 square feet. The building in the center is 3,600 square feet. The building on the south side is 1,800 square feet. The applicant is also expanding the stormwater management basin to accommodate all three

proposed building. They are also adding additional driveway area. A site plan was approved in 1990 for six buildings and only three were constructed. In 2018, the applicant received a use variance for three additional buildings by way of Resolution 2018-29. In 2019, the applicant received a preliminary and final major site plan approval.

As to the Planning Report, the applicant does request the five variances in paragraph 6. The proposed side yard setback variance keeps the buildings in line with the existing buildings. The applicant is seeking a 4-foot-high fence around the stormwater management basin whereas 6 feet is required. A 4-foot-high fence was previously approved. The two stormwater management basin side yard setbacks are needed to expand the basin to accommodate the three new buildings. The applicant will plant a single row of arborvitae five feet apart along the south side of the basin. There will be a double staggered row of arborvitae along that same boundary along the proposed building. There will be a 6-foot fence around the entire perimeter of the site. The applicant is seeking waivers that were previously approved for indicating the on-site access ways and sight triangles, existing and proposed, with referenced dimensions. Indicating the driveway openings, existing and proposed, with referenced location and width at the curb line and at the property line. Showing types of vehicles that will be used for deliveries and trash removal, and other large vehicles likely to enter the site on a regular basis. The largest vehicles will be 21-foot box trucks. Showing the centerline elevations of the existing streets. Showing storm sewer, existing and proposed, in plan and profile. The applicant agrees with all of the requirements of the City Engineer's report with the one exception. A waiver is requested for the location of the one-foot freeboard elevation of all stormwater basins.

Wayne Johnson, Professional Engineer, testified on behalf of the applicant. The stormwater management basin is appropriately designed to insure safety of the site and neighbors. The basin is being expanded by 70% and meets water quality standards of NJDEP.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano

Jeffrey Torchio

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Flaim

Gena Pacitto

Raquel Soto

Joseph Stefano

Jeffrey Torchio

George LoBiondo

Application granted.

NEW BETHEL A.M.E. CHURCH, 414 N Seventh Street, Block 3003, Lot 4, Zone R, use variance for an expansion of a pre-existing non-conforming use, along with bulk "c" variances for front and side yard setback.

The applicant was represented by Louis Magazzu, Esq. The applicant agreed to proceed with six Zoning Board members. The church has been in operation for 150 years. The applicant is seeking an expansion

of the use variance for access for elderly and handicap members of the church. They will also adding some seats and storage space. The applicant is also seeking waiver from site plan. The church's expansion is de minimis. The church use is an inherently beneficial use.

Jonathan Murphy, trustee of the church.
Murphy- handicapped accessible to make it easier.

Jonathan Murphy, testified on behalf of the church. He has been a Trustee of the church for more than 10 years. The expansion will be beneficial to the church's members that need handicap accessibility.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio

Mr. Torchio made a motion to approve the request.

Roll call:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Application granted.

ADJOURN:

Ryan Flaim
Gena Pacitto
Raquel Soto
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Meeting adjourned at 8:45PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment