

**ZONING BOARD OF ADJUSTMENT MEETING
December 21, 2022**

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

Members present were:

Victoria Lods
Raquel Soto
Joseph Stefano
Darwin Cooper
Joseph Repice
Mark Grussenmeyer
Eric Hernandez
George LoBiondo

Members absent: Ryan Flaim, Skip Luisi

Others Present were:

Nathan Van Embden, Zoning Board Solicitor
Yasmin Ricketts, Zoning Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Zoning Board Engineer/Planner

Mr. Van Embden went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the November 16, 2022 meeting.

Roll call:

Darwin Cooper: Yes
Victoria Lods: Abstain
Raquel Soto: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
Eric Hernandez: Abstain
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the November 16, 2022 meeting

Roll call:

Darwin Cooper: Yes
Victoria Lods: Abstain
Raquel Soto: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
Eric Hernandez: Abstain
George LoBiondo: Yes

EDGAR & GLORIA CALDERON, 4406 Lake Road, Block 110, Lot 8, Zone A-5, Lot frontage and lot area to allow chickens and goats as pets constituting an agricultural use on the property.

Edgar Calderon testified on his own behalf. He would like to continue to have some chickens and goats on his property.

Mr. Finley explained that the zone allows agriculture but the property is deficient in size. The proposed lot frontage is 170 feet whereas 330 feet required. The proposed lot area is 41,688 square feet whereas 250,000 feet is required.

Mr. Calderon indicated that there are twelve chickens and there would be no roosters. There are three chicken coops at the rear of the property. The area is roughly 75' x 100' x 30'. The goat pen is approximately the same dimensions. There are three small goats and they are contained in the pen. He also explained that there is a five foot high fence with metal posts.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

LEONARD DEBRUNO, 3575 Cornucopia Avenue, Block 7409, Lot 49, Zone W-6, use variance for the construction of an apartment located in a detached garage resulting in two residential dwellings on one lot.

Leonard Debruno testified on his own behalf. The proposed dwelling attached to the garage will have one bedroom with 1.5 bathrooms, kitchen and living room. It will be used for family only, and he agrees to never accept rent for it.

Mr. Finley questioned how to enforce a deed restriction.

Mr. Debruno indicated that the dimensions of the enclosed garage are 1,168 square feet.

The garage portion is 486 square feet, and the dwelling portion is 685 square feet. The apartment will be one level.

Mr. Van Embden explained to the applicant that he must record a deed to himself including the second structure on the lot. It will be a condition of approval, and building permits will be issued after that condition is satisfied.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

MS. Lods made a motion to grant the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

ALEJANDRO GARCIA, 513 Mayfair Street, Block 2414, Lot 22, Zone R-3, conversion of a single-family dwelling to a two family dwelling.

Alejandro Garcia testified on his own behalf, along with his brother Luis Garcia.

Mr. Garcia explained that the first floor is a garage and the second floor is a dwelling. They are proposing to convert the garage area into an apartment. The apartment will be for himself, and his brother will occupy the second floor. Both units will have one bedroom. The existing basement will be used for storage. There are two electric meters and one gas meter. They plan on splitting the gas expenses, but are willing to separate them if necessary.

Mr. Finley indicated that variances are required if approved. There is an approximately 5 foot setback in the rear east side, and an approximately 13 foot setback on the south side. The next closest zone that allows duplexes would require 20 feet.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Raquel Soto: Yes

Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
George LoBiondo: Yes

Application granted.

LILAC POINTE, W. Walnut Road, Block 4801, Lots 40 & 41, Zone R-3, use variance and major site plan approval for the construction of condominium units and townhouses known as Lilac Pointe.

The applicant was represented by Michael Guccio, Esq. The board previously approved a use variance for a townhouse and condominium project with a total of seventy-four dwelling units. This current application has sixty-four proposed dwelling units and one less building. The applicant is in receipt of the Planning Report dated December 7, 2022, and the Engineering Report dated December 8, 2022. The relief sought is minimal. The applicant met with staff and worked through a number of considerations. Engineering comments have been completely resolved relative to drainage and other comments in the report.

Carolyn Feigan, Professional Engineer, testified on behalf of the applicant. The site is 15 acres on the west side of Walnut Road. There are 7.7 acres of wetlands at the rear of the property. There is also a sanity sewer easement also thorough the center of the property. Site improvements will be to the east of the easement. The applicant is proposing 64 units. Building sizes range from four units to eight units. There is one condominium building in the rear. Each townhome unit will have a garage with three parking stalls for each unit. There are an additional twenty-seven parking spaces throughout the site for overflow parking. The site will have sidewalks throughout for pedestrians. The property will be ADA complaint. The applicant is requesting two variances. Planning Report, item 5(a), freestanding sign, amount per street frontage (2 provided vs. one sign maximum allowed). Item 5(b), sign face area, 2nd freestanding sign (32 square feet provided vs. 0 square feet permitted). Waiver for item 6(a), driveway opening setback from extended property line, easterly (0 feet provided vs. 5 feet required). Waiver for item 6(d), stormwater management basin fence height (4 feet provided vs. 6 feet required). Waiver for item 6(e), stormwater management basin setback from dwelling (9 feet provided vs. 50 feet required). The applicant meets the standards for the Residential Townhouse overlay district standards. Building height for the townhouses will be 30 feet. The condominium building will be forty-five feet high. The separation from building to building are typical for townhome developments. There are three access points on Walnut Road. All the privately owned roads will be maintained. The Fire Marshall gave comments wanting a third egress across the street from a fire hydrant. They will be placing a few inlets on Walnut Road to help with runoff. The pipes will follow existing patterns. There are two basins and a wet pond. The wet pond will be converted to a basin. The applicant will comply with the remainder of the Planning Report. Basin will not have discharge to wetlands. The applicant will comply with the requirements in the Engineering Report. Lilac is a municipal right of way that will be vacated.

Joseph Adamson, Landscape Architect, testified on behalf of the applicant. The front buffer is 25 feet wide. It will consist of evergreens and trees. That will be along the entire frontage. The walkways will be 5 foot wide and same to the rear to access recreational element. They moved things around to for utilities and meet requirements. There will be a street tree alignment. The applicant will provide irrigation to the site.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes
Victoria Lods: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes

Joseph Repice: Yes
George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Darwin Cooper: Yes
Victoria Lods: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
George LoBiondo: Yes

Application granted

Meeting adjourned at 9:10PM

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Skip Luisi: Yes
Raquel Soto: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
George LoBiondo: Yes

Yasmin Ricketts, Secretary
Zoning Board of Adjustment