

ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
FEBRUARY 22, 2016

A **REGULAR MEETING** of the Zoning Board of Adjustment was held on Monday, February 22, 2016, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Urban called the meeting to order at 6:18 p.m. and Secretary Egan called the roll. Present at the meeting were Chairman Urban and Commissioners Ferrante, LeFante, Weicker, Lombardi, Pellitteri, Kushnir and Dorans. Commissioners Adams, Egan and Rivera were absent.

Also present were Robert Russo, PE, consulting City Engineer, Richard N. Campisano, Esq., Board Counsel and Lillian Glazewski, Land Use Administrator.

After the Pledge of Allegiance to the Flag, Chairman Urban declared a quorum and advised that the Board had complied with the Open Public Meetings Act/Sunshine Law.

Adoption of Minutes:

Chairman Urban called for the adoption of the minutes from the special meeting held on January 19, 2016 and regular meeting held on January 25, 2016.

Commissioner Lombardi made a motion to adopt the minutes and Commissioner LeFante seconded the motion. A unanimous vote of eligible members followed.

Communications:

Letter from Christopher D. Vatale, Esq., O'Halloran & Vitale, Esqs., requesting the Board grant an adjournment for application Z-15-021 Excel AP, LLC to allow the architect time to make further revisions to the plans to conform with the comments of the commissioners and to reschedule the matter to our next regular meeting on March 21, 2016.

Commissioner Lombardi made a motion to adjourn this hearing to March 21, 2016 with the applicant not being required to send out further notice. Commissioner Ferrante seconded the motion and a unanimous vote followed.

Public Hearing:

Z-16-002 GUISEPPE and ASSUNTINA ALI – Site: 15 East 3rd Street in City Block 356, Lot 1 *[The applicant is seeking a bulk variance for parking].*

Paul Weeks, Esq., attorney for the applicant moved exhibits into evidence and called first witness.

Witness:

Al Sambade, PP, PE was sworn and accepted as an expert witness for the applicant. Mr. Sambade described the he prepared and submitted and he outlined the variances being requested. Mr. Sambade said that the parking stall size satisfied the Municipal Land Use Law (MLUL) because it resulted in an efficient use of land and was justified under N.J.S.A. 40:55D-70(c). He further testified that granting the variances would not cause detriment to the public health, safety and welfare and would not create a negative impact.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

Paul Weeks, Esq. respectfully requested the Board look favorably on this application.

Caucus:

Chairman Urban said that he feels this application requires minimal relief and he is in favor of granting application.

Commissioner Ferrante said that the applicants have met their burden of proof for approval.

Commissioners LeFante Weicker, Lombari, Pellitteri, Dorans and Kushnir concurred.

Commissioner Lombari made a motion to approve the application subject to any and all conditions agreed to and spread across the record. Commissioner Ferrante seconded the motion and a unanimous vote followed.

Adoption of Resolutions:

- **Z-15-030 Malady**
 - Commissioner Ferrante made a motion to adopt the resolution and Commissioner Lombari seconded the motion. A unanimous vote followed.
- **Z-15-027 Harry Vaswani, Site: 29 West 33rd Street in City Block 139, Lot 7**
 - Commissioner Ferrante made a motion to adopt the resolution and Commissioner LeFante seconded the motion. A unanimous vote followed.
- **Z-15-028 Paulette Properties, LLC, Site 585 Kennedy Boulevard in City Block 201, Lot 33**
 - Commissioner LeFante made a motion to adopt the resolution and Commissioner Lombari seconded the motion. A unanimous vote followed.
- **Z-15-025 PR Builders, LLC, Site: 82-84 East 31st Street in City Block 413, Lot 8**
 - Commissioner Lombari made a motion to adopt the resolution and Commissioner Weicker seconded the motion. A unanimous vote followed.
- **Z-15-029 Public Service Electric & Gas Company, Site: 159-163 West 63rd Street in City Block 3, Lot 3**

- Commissioner Ferrante made a motion to adopt the resolution and Commissioner Kushnir seconded the motion. A unanimous vote followed.

A motion was made to close the meeting at 6:30 p.m.

Susan Bischoff, Certified Shorthand Reporter, took a transcript of the meeting.

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