

ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
NOVEMBER 21, 2016

A **REGULAR MEETING** of the Zoning Board of Adjustment was held on Monday, November 21, 2016, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Urban called the meeting to order at 6:10 p.m. Present at the meeting were Chairman Urban, Commissioners Adams, Egan, Ferrante, Lombari, LeFante, Dorans and DiLullo. Commissioners Pellitteri, Pineiro and O'Brien were absent.

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

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:

Commissioner Adams made a motion to adopt the minutes of the regular meeting held on October 17, 2016. Commissioner Lombari seconded the motion and a unanimous vote of eligible members followed.

Communications:

- Letter from Patrick J. McNamara, Esq., attorney for application (**Z-16-020**) **BAYONNE EAST 22ND STREET, LLC (Amended Application)– Site: 160 East 22nd Street in City Block 464.01, Lot 2** requesting the application be adjourned to December 19, 2016.

A motion was made by Commissioner Adams to grant the adjournment to the regular meeting scheduled for December 19, 2016 without further notice required by the applicant. Commissioner Ferrante seconded the motion and a unanimous vote followed.

Public Hearing:

P-16-012 HASAN ELKOMEY – Site: 754 Avenue A in City Block 143, Lot 6 *[The applicant is seeking preliminary and final major site plan approval, use and bulk variance relief to allow the construction of a three-family residence.]*

Paul Weeks, Esq., attorney for applicant requested the Board grant an adjournment to the December 19, 2016 regular meeting indicating that some of this witnesses were unable to be present at this meeting.

Commissioner Adams made a motion to adjourn to the December 19, 2016 meeting with no further notice required by the applicant. Commissioner Lombard seconded the motion and a unanimous vote followed. .

Public Hearing:

Z-16-019 JASON RUBINO – Site: 667 Avenue E in City Block 98, Lot 19 *[The applicant is seeking bulk variance relief for the construction of a one-family home on the existing foundation.]*

Peter Cecinini, Esq., attorney for applicant, stated that his client is seeking a bulk variance for maximum lot coverage. Mr. Cecinini offered his exhibits into evidence and called his first witness.

Witness

Jason Rubino. applicant was sworn to provide factual testimony. Mr. Rubino testified that he has lived in Bayonne for 35 years. He said that his family has owned the property since 1978 and he purchased the home five years ago. Mr. Rubino also testified that during the time that his family owned the home it was a two-family home that continued until it was partially

destroyed in a fire. Mr. Rubino said that he wants to build a one-family home on the existing foundation for his family and to raise his children in Bayonne.

Board questions:

Chairman Urban questioned Mr. Rubino

Audience questions:

There were no questions from the general public.

Witness:

Orestes Valella, AIA, was sworn to provide expert testimony in support of the application. Mr. Valella described the plans prepared and outlined the variance condition that was required as the result of this application. He said that the proposed one-family home will be on the existing foot-print with the same lot coverage. There will be a five- (5) foot overhang on the second floor of the proposed structure and the proposed use will have two (2) parking spaces.

Board questions:

There were no questions from the Board.

Audience questions:

There were no questions from the general public.

Closing remarks:

Peter Cecinini, Esq. summed up and respectfully requested the Board approve the application.

Caucus:

Chairman Urban was in favor of the application as he felt it makes sense.

Commissioner Adams noted the bulk variance requested is the same as what existed on the property before the fire, therefore granting the variance would have no negative impact on the community.

Commissioner Ferrante felt that after the fire tragedy this was a good use for the property and good for the community.

Commissioners Dorans, DiLullo, Lombari and LeFante concurred with their fellow commissioners.

Commissioner Egan, also in favor, commented on a parking spot being gained by this application.

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

Adoption of Resolutions:

- **Z-16-013 - 269 AD, LLC – Site: 269 Avenue C in City Block 276, Lot 24**
 - Commissioner Egan made a motion to adopt the resolution and Commissioner Lombari seconded the motion. A unanimous vote followed.
- **Z-16-014 - SANTINA MANGANO – Site: 837-839 Avenue C in City Block 112, Lot 22**
 - Commissioner Adams made a motion to adopt the resolution and Commissioner LeFante seconded the motion. A unanimous vote followed.
- **Z-16-015 ELIZABETH O'DONNELL – Site: 85-87 West 30th Street in City Block 157, Lots 5 and 6**
 - Commissioner Egan made a motion to adopt the resolution and Commissioner Lombari seconded the motion. A unanimous vote followed.
- **Z-16-017 KHALED ALY – Site: 14 West 34th Street in City Block 139, Lot 27**
 - Commissioner Egan made a motion to adopt the resolution and Commissioner LeFante seconded the motion. A unanimous vote followed.

**Z-16-016 NEW YORK SMSA LIMITED PARTNERSHIP VERIZON WIRELESS – Site:
458-462 Kennedy Boulevard in City Block 237, Lot 49**

- Commissioner Egan made a motion to adopt the resolution and Commissioner Egan 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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