

ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
DECEMBER 19, 2016

A **REGULAR MEETING** of the Zoning Board of Adjustment was held on Monday, December 19, 2016, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Urban called the meeting to order at 6:12 p.m. Present at the meeting were Chairman Urban, Commissioners Adams, Egan, Ferrante, Lombari, LeFante, Dorans, O'Brien and DiLullo. Commissioners Pellitteri, and Pineiro were absent.

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

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 November 21, 2016. Commissioner Egan seconded the motion and a unanimous vote of eligible members followed.

Communications:

- Request from Patrick McNamara, Esq., attorney for application Z-16-020 Bayonne East 22nd Street, LLC, requesting this application be adjourned to our regular meeting on January 23, 2017.
 - Commissioner Ferrante made the motion to adjourn this application to January 23, 2017 with no further notice required. Commissioner Lombari seconded the motion and a unanimous vote followed.

Board Reorganization

- **Election of officers (nominated and unanimously voted in):**

- Mark Urban, Chairman
- Clifford Adams, Vice-Chairman
- Jan Patrick Egan, Secretary

- **Appointment of Support Personnel**

- Richard N. Campisano, Esq., Board Attorney
- Suzanne Mack, P.P., City Planner
- Anthony Rodriguez, P.P., Consulting City Planner
- Robert Russo, P.E. Consulting City Engineer
- Lillian Glazewski, Land Use Administrator
- Susan Bischoff, Certified Shorthand Reporter

- **Adoption of 2017 Calendar**

The following are the dates for the regular meetings to be held in 2017 were read by Commissioner Egan and unanimously adopted.

January 23, 2017 (Alternate date)

February 27, 2017 (Alternate date)

March 20, 2017

April 17, 2017

May 15, 2017

June 19, 2017

July 17, 2017

August 21, 2017

September 18, 2017

October 16, 2017

November 20, 2017

December 18, 2017

The regular meeting dates for 2017 will be published in the Jersey Journal and Star Ledger as required under the Open Public Meetings Act Municipal Land Use Law, N.J.S. 40:55D-9.

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, moved his exhibits into evidence and called his first witness.

Witness:

Daniel A. Roma, Architect was sworn to provide expert testimony in support of this application. Mr. Roma said that he was retained by the applicant to prepare the site plan. He testified that the home that previously stood on this property was destroyed by fire, and it is the applicant's wish now to rebuild the home as a three-family residence. Mr. Roma discussed the details of the plans, size of the proposed apartments and proposed parking for five cars.

Board questions:

Chairman Urban and Commissioners Ferrante and Egan questioned Mr. Roma.

Audience questions:

There were no questions from the general public.

Witness:

David Karlbach, PP was sworn to provide expert planning testimony. Mr. Karbach gave testimony in support of the positive and negative criteria as it relates to this application. He described the property and surrounding area from an aerial photo that was marked into evidence as Exhibit A-24. Mr. Karlbach said that it is his professional opinion that the proposed three-family home is particularly suited to this area. He said that the use variance is justified because this is an oversized lot and sufficient parking for the tenants is being provided.

Board questions:

Commissioners, KiLullo Lombardi, Egan and O'Brien questioned Mr. Karlbach.

Audience questions:

There were no questions from the general public.

Closed Caucus:

Chairman Urban felt that the proposed site is well suited to support this three-family home.

Commissioner Adams said this this is an attractive and positive project that is replacing a home that was destroyed by a tragic fire.

Commissioners Ferrante, Dorans, LeFante and Lombari concurred with their fellow commissioners before them.

Commissioner O'Brien and DiLullo expressed concerns with parking, drive-way curb cuts and entering and exiting the garage.

Commissioner Egan said that he does not like the proposed stacked parking and he is not in favor of this application.

Commissioner Adams made a motion to approve the application subject to any and all conditions spread across the record. Commissioner Ferrante seconded the motion. Commissioners Urban, Adams, Ferrante, LeGante, Lombari and Dorans voted in favor of the application; Commissioner Egan voted against the application

Public Hearing:

Z-16-021 MONICA & DENNIS BURNETT – Site: 86 West 27th Street in City Block 177, Lot 39 *[The applicants are seeking preliminary and final major site plan approval, use and bulk variance relief to convert the existing three-family home to a four-family home.]*

Paul Weeks, Esq., attorney for applicant gave an opening statement, offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, AIA, PP, was sworn to provide expert testimony. Mr. Sambade testified that all of the work will be to the interior of the building. He said that this structure was originally built as a four-family home however, the present owner at some point discontinued the use of one of the units. He discussed the disposal of trash and addressed parking and other variances being sought.

Board questions:

Commissioners Lombari, Adams Ferrante and Urban asked questions that were answered by the applicant Dennis Burnett.

Audience questions:

There were no questions from the general public.

Closed Caucus

Chairman Urban said that the proposed application will have no negative affect on the surrounding area or the City as a whole and he is in favor of this application.

Commissioners Adams, Egan, Ferrante, LeFante, Lombari and Dorans concurred.

Commissioner Adams made a motion to approve the application subject to all conditions spread across the records. Commissioner Egan 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 Lombardi 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 7:30 p.m.

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

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