

ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
JULY 17, 2017

A **REGULAR MEETING** of the Zoning Board of Adjustment was held on Monday, July 17, 2017, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Urban called the meeting to order at 6:16 p.m. Commissioner Egan called the roll. Present at the meeting were Chairman Urban, Commissioners Adams, Egan, O'Brien, Dorans, Lombardi, Pineiro and DiLullo. Commissioners Pellitteri and Le Fante, 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 June 19, 2017. Commissioner Lombardi seconded the motion and a unanimous vote of eligible members followed.

Communications:

The Board received a letter of resignation from James O'Brien. The letter was read to the public. Chairman Urban thanked Commissioner O'Brien for his valued service to the Board and wished him well.

Public Hearing:

Z-17-018 – MARIA CUATLAYOL – Site: 88-90 West 34th Street in City Block 138, Lot 53 *[The applicant is seeking a Certificate of Nonconformity to allow the continuation of use of the home as a three-family residence.]*

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

Witness:

Maria Cuatlayol was sworn to provide factual testimony in support of her request for a Certificate of Nonconformity. Ms. Cuatlayol said that she inherited 88-90 West 34th Street from her mother last year. She said that she is familiar with the property since she was raised in that house. Ms. Cuatlayol affirmed that the property has been occupied as a three-family home as far back as she could remember. She said that her parents purchased the home in 1964. There has always been separate meters for each of the three units. She also said that the income received from each apartment has always been declared on her parents' income taxes. An application has been submitted to the Department of Community Affairs to be listed as a three-family.

There were no questions of Ms. Cuatlayol from the Board or the audience.

Closing Remarks:

Paul weeks, Esq. said that sufficient evidence has been presented to grant a Certificate of Nonconformity and he requested the Board look favorably upon this application.

Caucus:

Chairman Urban said that it is obvious that this has been a three-family home for many years and a Certificate of Nonconformity should be issued.

Commissioner Adams said that the applicant has provided sufficient evidence to prove this is a three-family and has been for a very long time.

Commissioners Pineiro, O'Brien, De Ros,, Di Lullo, Lombardi, Dorans, Egan concurred.

Commissioner Egan made a motion to approve the application granting a Certificate of Nonconformity to the applicant. Commissioner Adams seconded the motion and a unanimous vote followed.

Public Hearing:

Z-17-013 - 81 WEST 20TH STREET, LLC – Site: 81 West 20th Street in City Block 215, Lot 8 *[The applicant is seeking bulk variance relief for parking stall size and curb cut width]*

Peter Cecinini, Esq., attorney for applicant described the relief that is being sought by his client. He offered his exhibits into evidence and called is first witness.

Witness:

Chen Feng, Architect was sworn as an expert witness. Mr. Feng provided information on his educational background and experience. Chairman Urban recognized Mr. Feng as an expert. Mr. Feng testified that his client is seeking a variance for a 16-foot curb cut.

Board questions:

Commissioner Egan noted that the narrative statement and plan show that there is a request for an 18-foot curb cut. Chairman Urban, Adams and Di Lullo noted the same and asked Mr. Feng to clarify what variance they are requesting.

Mr. Cecinini said that there was a miscommunication between Mr. Feng and his office and he asked the Board to carry this application to the next regular meeting in August.

Chairman Urban made the motion to carry this matter to August 21, 2017 with no further notice required by the applicant. Commissioner Dorans seconded the motion and a unanimous vote followed.

Adoption of Resolutions:

- **Z-17-011 CYNTHIA BERRIGAN – Site: 20 Evergreen Street in City Block 319, Lot 23**
 - Commissioner Adams made a motion to adopt the resolution and Commissioner Pineiro seconded the motion. A unanimous vote followed.
- **Z-17-012 LEADERS WITHOUT LIMITS A NJ NONPROFIT CORP. – Site: 215 Prospect Avenue in City Block 421, Lot 18.11**
 - Commissioner Adams made a motion to adopt the resolution and Commissioner Lombardi seconded the motion. A unanimous vote followed.
- **Z-17-009 – 258 BROADWAY, LLC – Site: 258 Broadway in City Block 273, Lot 32.01**
 - Commissioner Adams made a motion to adopt the resolution and Commissioner Di Lullo seconded the motion. A unanimous vote followed.

The Board proceeded into **CLOSED SESSION.**

The Board came out of closed session at 7:27 pm and a motion was made to close the meeting.

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

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