



**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
AUGUST 17, 2020**

A virtual meeting of the City of Zoning Board of Adjustment was conducted by electronic means on Monday, August 17, 2020 as permitted during this State of Emergency due to the COVID 19 pandemic.

Chairman Urban called the meeting to order at 6:19 p.m. Secretary Lombari called the roll. Present at the meeting were Chairman Urban, Commissioners Adams, Lombari, Pineiro, DiLullo, Calcaterra, Iapicca and Gamal. Commissioner DeRos was absent.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner 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 July 14, 2020 regular meeting.

Commissioner Adams made the motion to adopt the minutes and Commissioner Calcaterra seconded the motion. A unanimous vote of eligible members followed.

Communications:

A request from Melissa Schwaderer-Mathews for a one-year extension of time within which to begin construction on project Z-19-002 – Site: 829 Kennedy Boulevard. Good cause having been shown, Commissioner Adams made the motion to grant the one-year extension through August 17, 2021 and Commissioner Calcaterra seconded the motion. A unanimous vote followed.

Public Hearing:

Z-20-005 ANTONIO SUAREZ – Site: 48 West 51st Street in City Block 53, Lot 43
[The applicant is seeking preliminary and final major site plan approval, use and bulk variance relief to convert the existing four-family residence into a six-family residence.]

Paul Weeks, Esq., attorney for the applicant, gave an overview of the application, offered his exhibits into evidence and called his first witness.

Witness:

Al Sambade, AIA, PE, PP, was sworn to provide expert testimony in support of the application. Mr. Sambade testified that the applicant retained him to prepare the site plan for the application. He gave an overview of the project and described the property in its existing condition and how the proposed units will be laid out. He said that the applicant is requesting approval to convert the existing building from a four unit to a six unit residential building. Mr. Sambade further provided testimony to justify the granting of the requested variances, inclusive of parking and open space and said that this application would be an improvement to the area. He addressed both positive and negative criteria. Mr. Sambade also addressed the comments offered in our consulting City Planner's reports.

Board questions:

Commissioners Lombardi and Gamal questioned Mr. Sambade. Consulting City Planner Apte had several concerns which she asked Mr. Sambade to address. She opined that the

applicant had not satisfied its burden of proof in this matter. City Engineer Russo suggested that, if the application were to be approved, that a condition be placed on the approval for the applicant to repair the sidewalk and curb in front of the building.

Audience questions:

There were no questions from the general public.

Closing remarks:

Paul Weeks, Esq., said that he would rely on the testimony given by Mr. Sambade and he respectfully requested the Board approve this application.

Caucus:

Chairman Urban said that he felt this project would be an improvement to the neighborhood and would not have a negative effect on the surrounding area. All commissioner concurred with Chairman Urban.

Motion:

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

Adoption of Resolutions:

- **Z-19-002 – MELISSA SCHWADERER-MATHEWS – Site: 829 Kennedy Boulevard in City Block 143, Lot 24.**
 - Commissioner Adams made a motion to adopt the resolution Commissioner Lombardi seconded the motion. A unanimous vote of eligible members followed.

A motion was made to close the meeting at 7:32 p.m.

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

/lg