



**ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
MARCH 15, 2021**

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A virtual meeting of the City of Zoning Board of Adjustment was conducted by electronic means on Monday, March 15, 2021 as permitted during this State of Emergency due to the COVID 19 pandemic.

Chairman Urban called the meeting to order at 5:59 p.m. Secretary Lombari called the roll. Present at the meeting were Chairman Urban, Commissioners Adams, Lombari, Pineiro, DeRos, DiLullo, Gamal and Sisk-Galvin.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner, and Alicia Losonczy, Zoning Board of Adjustment Secretary.

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 February 22, 2021 regular meeting.

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

**Public Hearing:**

**Z-21-002 – BOB C. TORRES – Site: 417 West 53<sup>rd</sup> Street in City Block 35, Lot 16**

*[The applicant is seeking an appeal to the Zoning Officer's decision.]*

Mr. Torres, the property owner, asked the Board to accept his exhibits A-1 through A-15. Mr. Torres read his narrative statement explaining his proposal to upgrade his carport and repair his porch and stairs that are presently unsafe. He explained how his zoning permit application was denied due to the new pervious coverage requirement but he needed to make these repairs as a result of notification from his insurance company.

**Witness:**

Andrew Ciok, Architect, was sworn to provide expert testimony in support of the application. He explained the applicant's issue further and how they are not able to meet the pervious coverage requirement.

**Board questions:**

Chairman Urban, Commissioner Adams, Dilullo and Mr. Russo questioned Mr. Ciok.

**Audience questions:**

Steven Mutterperl, neighbor to Mr. Torres, questioned Mr. Ciok.

**Closing remarks:**

Mr. Ciok said that the applicant could add back pervious pavers or a pervious area that would not result in an increase of impervious coverage. Mr. Ciok asked the Board to approve Mr. Torres' appeal.

**Closed Caucus:**

Chairman Urban said that he felt the Zoning Officer was correct in her ruling, however, Mr. Torres' application denial was a matter of timing. Chairman Urban said that if the applicant is

willing to comply with not increasing the pervious coverage, he would be in favor of voting favorably on this application. The Commissioners discussed that if Mr. Torres' architect is willing to bring the proposal into conformity with the pervious coverage requirement, this is something that could be permitted through the permit process.

**Motion:**

Commissioner Adams made a motion to approve the application subject to any and all conditions spread across the record. Commissioner Dilullo seconded the motion.

**RECORDED VOTE:**

| <i>Commissioners</i> | <i>Aye</i> | <i>Nay</i> | <i>Abstain</i> | <i>Recuse</i> | <i>Absent</i> |
|----------------------|------------|------------|----------------|---------------|---------------|
| Mark Urban           | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Clifford Adams       | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Louis Lombardi       | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Nicholas DiLullo     | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Arrigo DeRos, Jr.    | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Joseph Pineiro       | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Ehab Gamal           | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Cindi Sisk-Galvin    | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |

**Adoption of Resolutions:**

- **Z-20-008 – GOODMAN LOFTS, LLC – Site: 21-25 West 20<sup>th</sup> Street in City Block 2163, Lot 8**

- Commissioner Adams made a motion to adopt the resolution Commissioner DeRos seconded the motion.

**RECORDED VOTE:**

| <i>Commissioners</i> | <i>Aye</i> | <i>Nay</i> | <i>Abstain</i> | <i>Recuse</i> | <i>Absent</i> |
|----------------------|------------|------------|----------------|---------------|---------------|
| Mark Urban           | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Clifford Adams       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Louis Lombardi       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Nicholas DiLullo     | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Arrigo DeRos, Jr.    | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Joseph Pineiro       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Ehab Gamal           | [ ]        | [X]        | [ ]            | [ ]           | [ ]           |
| Cindi Sisk-Galvin    | [X]        | [ ]        | [X]            | [ ]           | [ ]           |

- **Z-20-012 – JOHN MOZUMDAR – Site: 295 Avenue B in City Block 33, Lot 16**

- Commissioner Adams made a motion to adopt the resolution Commissioner Dilullo seconded the motion.

**RECORDED VOTE:**

| <i>Commissioners</i> | <i>Aye</i> | <i>Nay</i> | <i>Abstain</i> | <i>Recuse</i> | <i>Absent</i> |
|----------------------|------------|------------|----------------|---------------|---------------|
| Mark Urban           | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Clifford Adams       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Louis Lombardi       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Nicholas DiLullo     | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Arrigo DeRos, Jr.    | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Joseph Pineiro       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Ehab Gamal           | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Cindi Sisk-Galvin    | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |

- **Z-21-001 – MARIM FAM – Site: 42 Country Village Court in City Block 235, Lot 8**

- Commissioner Adams made a motion to adopt the resolution Commissioner DeRos seconded the motion.

**RECORDED VOTE:**

| <i>Commissioners</i> | <i>Aye</i> | <i>Nay</i> | <i>Abstain</i> | <i>Recuse</i> | <i>Absent</i> |
|----------------------|------------|------------|----------------|---------------|---------------|
| Mark Urban           | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Clifford Adams       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Louis Lombardi       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Nicholas DiLullo     | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Arrigo DeRos, Jr.    | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Joseph Pineiro       | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Ehab Gamal           | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |
| Cindi Sisk-Galvin    | [X]        | [ ]        | [ ]            | [ ]           | [ ]           |

A motion was made to close the meeting at 6:45 p.m.

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

/akl