



**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
APRIL 19, 2021**

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

Chairman Urban called the meeting to order at 6:02 p.m. Secretary Lombari called the roll. Present at the meeting were Chairman Urban, Commissioners Adams, Lombari, Pineiro, DeRos, DiLullo, Gamal, Sisk-Galvin and Blake.

Also present were Richard Campisano, Esq., Board Counsel, Robert Russo, PE, City Engineer, Malvika Apte, PP, consulting City Planner, 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 March 15, 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 #1:

Z-20-014 – 187 BROADWAY, LLC – Site: 187 Broadway in City Block 318, Lot 18

[The applicant is seeking preliminary and final major site plan approval, use and bulk variance relief to construct a mixed use building with two studio apartments on the ground floor along with four residential units on the upper two floors.]

William J. Finnerty, Esq., attorney for the applicant, gave an overview of the application, offered her exhibits into evidence and called his first witness.

Witness #1:

John McDonough was sworn to provide expert testimony in support of the application. Mr. McDonough testified that he was hired to create a planning report for this project. The property has been developed since about 1891 and is seeking a use variance for the residential use on the ground floor. The proposal is for a three story building with two units per floor for a total of six residential units. Relief is being sought for use of the ground-floor for residential use, parking, lot coverage, and side yard setbacks. He testified this is a positive repurposing of the building and fits in with the neighborhood of this Bergen Point downtown area. The project will be very attractive and support the purposes of the land use law as well as the Master Plan.

Board questions:

Chairman Urban questioned if the owner owns the parking lot in the rear. Bill Finnerty said that he does. Ms. Apte questioned Mr. McDonough with regard to the usable open space. Mr. McDonough stated there are parks within a walkable area.

Audience questions:

There were no questions from the audience.

Witness #2:

Victor Malerba was sworn to provide expert testimony in support of the application. Mr. Malerba testified that the utilities and equipment will be in the basement, therefore, tenants would not be able to utilize it for storage. Mr. Malerba testified to the concept plan of the project. He explained the details of the brick façade and address lights that would provide an elegant look. He also mentioned that a street tree would be planned and there is no curb cut for this project. Mr. Malerba mentioned that a dry well was recommended by the City Engineer and they will include it with the plans. The refuse will be stored in the rear and a porter will come to bring it out on trash removal day. The side yard setbacks are zero.

Board questions:

Commissioners DeRos and DiLullo questioned Mr. Malerba regarding the proposed building being built up to the windows on the adjacent building. Ms. Apte had several questions for Mr. Malerba. Commissioner Gamal questioned Mr. Malerba.

Audience questions:

There were no questions from the audience.

Closing remarks:

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

Caucus:

Chairman Urban said that he felt this project has met the criteria for approval, provides a positive improvement to the area and will vote in favor of this application. All commissioner concurred with Chairman Urban.

Motion:

Commissioner DiLullo made a motion to approve the application subject to any and all conditions spread across the record. Commissioner Pineiro 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]	[]	[]	[]	[]
Ryan Blake	[X]	[]	[]	[]	[]

A short recess was taken at 7:07. Secretary Lombardi took a roll call and the meeting reconvened at 7:26 pm.

Public Hearing #2:

Z-20-009 – VITO SPANO – Site: 16 West 49th Street in City Block 64, Lot 33 *[The applicant is requesting preliminary and final major site plan approval as well as use variance relief to place a sign/awning manufacturing garage on a portion of the property.]*

Due to the applicant experiencing difficulty with technology and not being able to come onto the meeting via a camera, Paul N. Weeks, Esq., requested an adjournment for the next meeting which is May 17, 2021.

Commissioner Adams moved that the application be adjourned with further notice on the part of the applicant. Commissioner DeRos seconded the motion to adjourn the matter until May 17, 2021 meeting. A unanimous vote of eligible commissioners followed.

Adoption of Resolutions:

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

- 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]	[]	[]	[]	[]
Ryan Blake	[]	[]	[X]	[]	[]

Chairman Urban closed the meeting at 7:32 p.m.

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

/akl