



ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
APRIL 15, 2024

A regular in-person meeting of the Zoning Board of Adjustment was held on Monday, April 15, 2024, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Chairman Adams called the meeting to order at 6:06 p.m. and led all in the Pledge of Allegiance to the Flag. Chairman Adams declared a quorum and advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Secretary Lombardi called the roll. Present at the meeting were Chairman Adams, Vice-Chairman DiLullo, Secretary Lombardi, Commissioners Pineiro, DeRos, Contey, Elgarhi, and Garvey., Commissioners Sisk-Galvin, Frain, and Lubach were not present.

Also present were Richard Campisano, Esq., Board Counsel, Robert J. Russo, PP, City Engineer, James Clavelli, PP, consulting City Planner, and Alicia Losonczy, Zoning Board of Adjustment Administrator.

Item IV. - Adoption of Minutes:

Chairman DiLullo called for the adoption of the minutes from the March 18, 2024 regular meeting. Commissioner Pineiro made the motion to adopt the minutes and Commissioner Elgarhi seconded the motion. A unanimous vote of eligible members followed.

Item VII. – Information Session

Mr. Campisano advised that Director Skillender had a family emergency and requested the presentation be carried to next month's meeting.

Item V. - Communications:

- Letter dated March 6, 2024 from Peter Cecinini, Esq. for Z-21-007 – ABBA KARAS REALTY LLC BY RAMEZ ZAKI – Site: 73 and 77 West 32nd Street; Block 144, Lots 17 and 18 where the applicant is requesting an extension until May 15, 2025
 - Commissioner DiLullo made the motion to approve the extension until May 15, 2025. Commissioner Pineiro seconded the motion. A unanimous vote of eligible Commissioners followed.
- Letter dated March 12, 2024 from Peter Cecinini, Esq. for Z-18-029 – EHTISHAM RAHAT HUSSAIN – Site: 1031 Broadway; Block 53, Lot 24 where the applicant is requesting an extension until July 13, 2025
 - Commissioner Elgarhi made the motion to approve the extension until July 13, 2025. Commissioner Pineiro seconded the motion. A unanimous vote of eligible Commissioners followed.

Item VI – Public Hearing:

Z-24-001 – EMIL SOURS – Site: 17 Hartley Place; Block 290, Lot 4 *[The applicant seeks to construct a one-family home on this undersized lot; bulk variances are sought for lot frontage, lot size, and lot coverage]*

Chairman Adams made note that this application is for a one-family dwelling and the error on the agenda stated a two-family dwelling.

Stephen S. Rose, Esq., attorney for applicant, gave an overview of the application and asked the Board to accept his exhibits.

Witness #1:

Mr. Joseph Beshay, prior owner of the house and Mechanical Engineer, described the house that was present as being unoccupied for several years and was leaning on the neighboring

house. He testified that he spoke with contractors who advised that the house was in very bad condition and not able to be repaired safely.

Board Questions:

There were no questions from the Board.

Audience questions:

There were no questions from the audience.

Witness #2:

Emil Sours testified that he is the current owner of the property. He described his education as a Mechanical Engineer from NJIT and currently owns a real estate brokerage as well as a real estate remodeling company. Mr. Sours advised that he would be building this house to occupy as his primary residence. He advised that the lot was empty when purchased.

Board Questions:

There were no questions from the Board.

Audience questions:

There were no questions from the audience.

Witness #3:

Steven Kawalek, Architect and Professional Planner licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert witness. He described the property as a vacant lot where the applicant is proposing a one-family dwelling for this parcel located in the R-2 Zone. Mr. Kawalek explained this street has several undersized lots. He outlined the variances being requested for this proposal as well as a few discrepancies in the drawings. Mr. Kawalek opined that this application does not represent a substantial detriment to the neighborhood.

Board Questions:

Chairman Adams, Vice-Chairman DiLullo questioned Mr. Kawalek.

Audience questions:

There were no questions from the audience.

Statements/Comments from the Audience:

Patricia Conway, 21 Hartley Place, attended the meeting to understand what the application was about.

Closing Statement from Attorney:

Mr. Rose requested that the Board vote favorably upon this application based upon the testimony provided today.

Closed Caucus:

Chairman Adams stated that he is in favor of this application of a number of reasons especially since it fills a gap on the block and his fellow Commissioners concurred.

Motion:

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

The following vote to approve the application was taken at the hearing on April 15, 2024:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[X]	[]
Susan Contey	[X]	[]	[]	[]	[]	[]
Ian Garvey	[X]	[]	[]	[]	[]	[]
Edward Lubach, Jr.	[]	[]	[]	[]	[X]	[]
Thomas Frain	[]	[]	[]	[]	[X]	[]
Islam Elgarhi	[X]	[]	[]	[]	[]	[]

Item VIII. - Adoption of Resolutions:

- **Z-23-021 – KELLIE DUGAN – Site: 38 East 5th Street; Block 342, Lot 19**
 - Commissioner DiLullo made a motion to approve the resolution and Commissioner Lombardi seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on April 15, 2024:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[X]	[]
Susan Contey	[X]	[]	[]	[]	[]	[]
Ian Garvey	[X]	[]	[]	[]	[]	[]
Edward Lubach, Jr.	[]	[]	[]	[]	[X]	[]
Thomas Frain	[]	[]	[]	[]	[X]	[]
Islam Elgarhi	[X]	[]	[]	[]	[]	[]

- **Z-21-007 – ABBA KARAS REALTY by RAMEZ ZAKI – Site: 73 and 77 West 32nd Street; Block 144, Lots 17 and 18 (extension)**
 - Commissioner DiLullo made a motion to approve the resolution and Commissioner Elgarhi seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on April 15, 2024:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[X]	[]
Susan Contey	[X]	[]	[]	[]	[]	[]
Ian Garvey	[X]	[]	[]	[]	[]	[]
Edward Lubach, Jr.	[]	[]	[]	[]	[X]	[]
Thomas Frain	[]	[]	[]	[]	[X]	[]
Islam Elgarhi	[X]	[]	[]	[]	[]	[]

- **Z-18-029 – EHTISHAM RAHAT HUSSAIN– Site: 1031 Broadway; Block 53, Lot 24 (extension)**

- Commissioner DiLullo made a motion to approve the resolution and Commissioner Elgarhi seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on April 15, 2024:

RECORDED VOTE:

<i>Commissioners</i>	<i>Aye</i>	<i>Nay</i>	<i>Abstain</i>	<i>Recuse</i>	<i>Absent</i>	<i>Not voting</i>
Clifford Adams	[X]	[]	[]	[]	[]	[]
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombardi	[X]	[]	[]	[]	[]	[]
Joseph Pineiro	[X]	[]	[]	[]	[]	[]
Arrigo DeRos, Jr.	[X]	[]	[]	[]	[]	[]
Cindi Sisk-Galvin	[]	[]	[]	[]	[X]	[]
Susan Contey	[X]	[]	[]	[]	[]	[]
Ian Garvey	[X]	[]	[]	[]	[]	[]
Edward Lubach, Jr.	[]	[]	[]	[]	[X]	[]
Thomas Frain	[]	[]	[]	[]	[X]	[]
Islam Elgarhi	[X]	[]	[]	[]	[]	[]

Item VIII: Executive Session:

As needed to discuss litigation, personnel or other matters.

The meeting adjourned at 6:43 pm. Certified Shorthand Reporter Susan Bischoff, of 449 Columbia Boulevard, Wood-Ridge, NJ 07075, took a transcript of the meeting.

/akl