



**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
JULY 15, 2024**

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

Vice-Chairman DiLullo called the meeting to order at 6:07 p.m. and led all in the Pledge of Allegiance to the Flag. Vice-Chairman DiLullo declared a quorum and advised that the Board has complied with the Open Public Meetings Act/Sunshine Law.

Secretary Lombari called the roll. Present at the meeting were Vice-Chairman DiLullo, Secretary Lombari, Commissioners Pineiro, DeRos, Sisk-Galvin, Elgarhi, Garvey, and Lubach. Chairman Adams, Commissioners Contey and Frain 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.

Vice-Chairman DiLullo read a tribute to Chairman Clifford J. Adams who passed away on July 8, 2024 and asked for a moment of silence. Other Commissioners and Mr. Campisano paid tribute to Chairman Adams.

Adoption of Minutes:

Vice-Chairman DiLullo called for the adoption of the minutes from the June 17, 2024 regular meeting. Secretary Lombardi made the motion to adopt the minutes and Commissioner Elgarhi seconded the motion. A unanimous vote of eligible members followed.

Public Hearing – Item VI. :

Z-22-012 – A & K CONSTRUCTION OF NJ, LLC – Site: 64 West 31st Street; Block 157, Lot 22 *[The applicant proposes to convert the existing one-family dwelling to a two-family dwelling; bulk variances are required for the following: minimum lot area, front yard setback, rear yard setback, side yard setback, building height, lot coverage, parking and proposed parking stall size.]*

John Zucker, Esq., attorney for applicant, gave an overview of the application and asked the Board to accept his exhibits. Mr. Zucker explained what his applicant, Kamal Ghobrial, proposes for this property.

Witness #1:

Alan Feld, an Architect licensed in the state of New Jersey, was accepted by the Board and sworn in. He briefly described the objective of the plan and testified to the site in its present condition. Mr. Feld explained the concept is to create two duplex apartments: the basement and first floor would comprise one unit and the second and third floors would be the second duplex. He advised that currently there is no parking on the premises, however, the proposed plan would provide two parking spaces. Mr. Feld advised that the lower duplex unit would contain two bedrooms and the upper duplex unit would contain three bedrooms.

Board Questions:

Vice-Chairman DiLullo, Mr. Clavelli, and Commissioner DeRos questioned Mr. Feld.

Audience questions:

There were no questions from the audience.

Witness #2:

Michael J. Pessolano, P.P., licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert witness. He requested the Board accept his additional exhibit of A-23 – Planning Exhibit. Mr. Pessolano discussed the planning concept in great detail. He described the existing variances as well as the variance relief being sought. He listed the reasons of the planning criteria, why the application should be approved. Mr. Pessolano explained that the benefit greatly outweighed the detriment to the neighborhood and opined that this project would be a good fit for the neighborhood, therefore, an approval is warranted.

Board Questions:

Vice-Chairman DiLullo questioned Mr. Pessolano. Mr. Pessolano agreed to take the pervious down to seventy percent to meet the pervious coverage requirement.

Audience questions:

There were no questions from the audience.

Statements/Comments:

There were no comments from the audience.

Closing Statement from Attorney:

Mr. Zucker summed up the application and requested the Board vote favorably upon this application; he would include the permeable pavers in the rear.

Closed Caucus:

Chairman DiLullo stated that he wishes the lot size were larger, however, does not see that without purchasing an adjacent lot. He advised that from what he can see, he believes this to

be the best use for the property. Secretary Lombari advised that with the adjustments, he would be in favor of this application. Their fellow Commissioners concurred and advised they would be voting in favor of this application with the conditions discussed.

Motion:

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

The following vote to approve the application was taken at the hearing on July 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>
Nicholas DiLullo	[X]	[]	[]	[]	[]	[]
Louis Lombari	[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 7:01 pm. Certified Shorthand Reporter Susan Bischoff, of 449 Columbia Boulevard, Wood-Ridge, NJ 07075, took a transcript of the meeting.

/akl