



ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
DECEMBER 16, 2024

A regular in-person meeting of the Zoning Board of Adjustment was held on Monday, December 16, 2024, in the Dorothy E. Harrington Municipal Council Chambers, 630 Avenue C, Bayonne, New Jersey.

Acting-Chairman DiLullo called the meeting to order at 6:07 p.m. and led all in the Pledge of Allegiance to the Flag. Acting-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 Acting-Chairman DiLullo, Secretary Lombari, Commissioners Pineiro, DeRos, Frain, Lubach, and Garvey. Commissioners Sisk-Galvin, Contey and Elgarhi were not present.

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

Adoption of Minutes:

Acting-Chairperson DiLullo called for the adoption of the minutes from the October 21, 2024 regular meeting. Commissioner Lombari made the motion to adopt the minutes and Commissioner Pineiro seconded the motion. A unanimous vote of eligible members followed.

Board Reorganization

• **Adoption of 2025 Calendar**

The following dates for the regular meetings to be held in 2025 were read by Board Counsel Richard Campisano and unanimously adopted:

January 27, 2025 (alternate date)
February 24, 2025 (alternate date)
March 17, 2025
April 21, 2025
May 19, 2025
June 16, 2025
July 21, 2025
August 18, 2025
September 15, 2025
October 20, 2025
November 17, 2025
December 15, 2025

Commissioner DeRos made the motion to adopt the 2025 calendar of meeting dates and Commissioner Lombardi seconded the motion. A unanimous vote followed.

Item VI:

Z-24-007 – WILLIAM CABAN – Site: 67 West 18th Street; Block 224, Lot 17 [The applicant is seeking a Certificate of Non-Conformity from the Board pursuant to the MLUL, to allow the reconstruction of a three-family home after severe damage from a fire in September 2021.]

Paul N. Weeks, Esq., attorney for applicant, gave an overview of the application and asked the Board to accept his exhibits. He explained that this house was damaged as a result of a fire and requires construction for repair of the damage incurred. Mr. Weeks advised that the character of the building remains as that of a three-family dwelling.

Witness #1:

William Caban, owner of the house at this location, was sworn in and testified to being the owner of this house since 1992. He explained that he has lived there since 1992 on the

second and third floor and that it was always a three-unit, having two tenants on the first floor. Mr. Caban advised that there was a fire in 2020 and it spread to the outside wall of his property; resulting in damage to the side and roof of his house. He testified that all repairs have been completed and there was no redesign required as a result of the fire.

Board Questions:

Acting-Chairperson DiLullo questioned Mr. Caban.

Audience questions:

There were no questions from the audience.

Statements/Comments:

There were no comments from the audience.

Closing Statement from Attorney:

Mr. Weeks summed up the application and requested the Board vote favorably upon this application.

Closed Caucus:

Acting-Chairperson Lombardi thanked Mr. Caban for his testimony and felt that he believed Mr. Caban's testimony and the exhibits prove that this use has always been a three-family dwelling and will be voting in favor of this application. He fellow Commissioners concurred.

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 December 16, 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 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 VII:

Z-24-009 – TPV PROPERTY, LLC – Site: 204 JF Kennedy Boulevard; Block 303, Lot 18 *[The applicant is seeking to enlarge the second-floor apartment by adding two bedrooms and a playroom in the attic of this two-family residence; bulk variance relief is being sought for rear yard setback (existing), side yard setback (existing), lot coverage (existing) and number of stories.]*

Paul N. Weeks, Esq., attorney for applicant, gave an overview of the application for an expansion of the existing two-family home and asked the Board to accept his exhibits.

Witness #1:

Steven Kawalek, Architect licensed in the state of New Jersey, was sworn in and accepted by the Board as an expert witness. He described the existing two-family dwelling located in the R-2 Zone and the nature of the application of the family wanting to finish the attic to relocate one bedroom up there, to create a playroom and a full bath. Mr. Kawalek advised the total bedroom count would not change but the definition of half story prohibits them from having bedrooms and bathrooms. He opined that there is sufficient evidence to approve this application.

Board Questions:

There were no questions from the Board.

Audience questions:

There were no questions from the audience.

Statements/Comments:

There were no comments from the audience.

Closing Statement from Attorney:

Mr. Weeks summed up the application and requested the Board vote favorably upon this application.

Closed Caucus:

Acting-Chairman DiLullo stated that he liked this application with a better design and felt it should be approved. His fellow Commissioners concurred.

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 December 16, 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 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]	[]

Adoption of Resolutions:

- **Z-23-016 – LOVELY HOMES, LLC – Site: 78 West 52nd Street; Block 44, Lot 35.01**
 - Commissioner Pineiro made a motion to approve the resolution and Commissioner DeRos seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on December 16, 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 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-23-017 – LOVELY HOMES, LLC – Site: 80 West 52nd Street; Block 44, Lot 35.02**
 - Commissioner Pineiro made a motion to approve the resolution and Commissioner DeRos seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on December 16, 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 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-23-018 – LOVELY HOMES, LLC – Site: 82 West 52nd Street; Block 44, Lot 35.03**
 - Commissioner Pineiro made a motion to approve the resolution and Commissioner DeRos seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on December 16, 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 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-24-008 – RANDY JOSKOWITZ, JENNIFER JOSKOWITZ, SCOT JOSKOWITZ, AND JODI B. JOSKOWITZ – Site: 27 East 3rd Street; Block 356, Lot 6**

- Commissioner Pineiro made a motion to approve the resolution and Commissioner DeRos seconded the motion.

The following vote to memorialize the resolution was taken at the hearing on December 16, 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 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]	[]

The meeting adjourned at 6:39 pm. Certified Shorthand Reporter Susan Bischoff, of 449 Columbia Boulevard, Wood-Ridge, NJ 07075, took a transcript of the meeting.

/akl