

Meeting was called to order by Mr. James Jr. 6:30 p.m.

Pledge to the flag

Present: Mr. James, Mr. Black, Ms. Peticca, Mr. Banko, Ms. Helly, Mr. Chen, Mr. Del Priore, Mr. DuPont, Ms. Curran, Thomas Jardim, Esq.

Absent: Mr. O'Connor

Mr. Jardim advised that the meeting was duly noticed under the Open Public Meeting Act. Mr. Jardim announced due to New Jersey being under a State of Emergency the Department of Community Affairs stated there is no prohibition to holding governmental meetings. Board approved minutes from February 18, 2020.

Memorialized Resolutions:

ZB-20-02 New Cingular Wireless

186 Roosevelt Avenue

Block: 302 Lot: 3

Interpretation

Hearing:

Chairman James stated two of the board applications scheduled for hearing will be carried to the April meeting both applicants agreed to re-notice:

1. ZB-20-03 McKay Brothers Inc.
10 Self Blvd
Block: 2801 Lot: 15
Site Plan
2. ZB-20-01 Gurdarshan Singh
249 Randolph Avenue
Block: 5104 Lot: 14.01
Minor Subdivision

ZB-20-04 102 Lincoln

102 Lincoln Avenue

Block: 6002 Lot: 15

Interpretation

Present: Mr. Clarkin, Attorney; Nicholas Graviano, Planner

All present to represent board case ZB-20-04 were sworn in and accepted by present board members. Mr. Clarkin provided description of the interpretation stating the current structure is a two story structure with a residential unit on the first floor and a separate residential unit on the second. First floor is composed of a living room, dining room, den, kitchen, two bedrooms and bathroom. Second floor is composed of living room, kitchen, two bedrooms and a bathroom. This property is a preexisting valid nonconforming two family use located in the R-25 zone. The addition to the property was constructed in 1976 converting a single residential unit into a two family. The time when the structure was constructed to a two family it was a permitted use on a 50'x100' lot, later the municipality amended the lot size for a conditional permitted use of a two family. Mr. Clarkin stated the Borough offices were subject to a flood many years ago which resulted in the loss of many records in the Construction and Zoning Offices. The two family use of 102 Lincoln was never abandoned.

Mr. Graviano stated the documents he was able to obtain relating to a second story structure from the municipality included: proposal, application for building permit, application to the zoning inspector, plot plan and flood hazard letter marked as A1-5. Additional documents

were provided to the board from the Zoning and Construction Office regarding the property marked A6-8. Mr. Graviano stated that the interpretation request does not provide a detriment to the surrounding area or to the zoning plan of the municipality as it would be a continuing use. As a professional planner he stated that there is no detriment to the public since the property has operated as a two family since the 1970's. At one time the second floor had an exterior entrance via stairs; the stairs were removed due to poor condition and the owner did not have the funds for replacement. Mr. Graviano stated that the removal of the stairs did not indicate abandonment since the kitchen on the second floor remained and the doorway to the staircase on the second floor wasn't removed.

Motion was made to the public, public made no comment. Motion was made to approve and seconded with a voice vote of seven. Mr. Jardim presented a resolution for the board members to review; all members present approved and the resolution was memorialized.

ZB-20-05 HSWA, LLC

113-117 Hermann Street

Block: 1604 Lot: 18

Minor Subdivision

Present: Mr. Clarkin, Attorney; Mr. Fletcher, Engineer

All present to represent board case ZB-20-05 were sworn in and accepted by board. Mr. Clarkin stated this is a corner property approximately 15,000 sq. /ft. of lot area and the applicant is looking to subdivide the plat into three lots. Each of the lots will have a proposed width of 50 feet and depth of 100 feet. The structure furthest away from the intersection is currently a three family dwelling and it is being proposed to downside the use to a two family. The second structure on the property is a two family use and will remain as such. In addition, the applicant is proposing to construct a single family home on the vacant area of the lot. Mr. Clarkin clearly stated the property will maintain five residential unit. Each of the lots require lot density, width and area variances. The variances, other than density, are justified under the flexible C2 variance.

Mr. Fletcher confirmed that his company prepared the plans submitted on behalf of the applicant. Mr. Fletcher stated the site holds two existing multifamily dwellings, a three family house and a two family house. The the applicant is proposing to divide the property into three lots, installing sidewalks on both street frontages as well as constructing a two car wide driveway on 117 Hermann. A single family dwelling is proposed to be constructed on the third portion of the lot as well as providing proper landscaping and drainage. Mr. Fletcher confirmed that he reviewed Mr. DuPont's engineering review memorandum and stated the applicant has agreed to comply with all the requests and comments. A lot coverage variance is not required, calculations will be changed to reflect so in the final submission of plans. It was stated that drainage will not have any negative impact to any adjoining property owner with running water runoff. Mr. DuPont referred to item seven in his memo regarding a PVC pipe on 113 Hermann stating that it cannot be connected to the sanitary sewer system.

Mr. Fletcher explained the variances that are being requested include a front yard setback, single side yard setback for the middle property, density and parking. The flexible C2 is being requested for the variances stating that the relief would update the Borough housing stock, provide new sidewalks that do not exist, eliminate a substantially oversized lot and further the goals of the Borough's Masterplan.

Mr. Fletcher said he, with his experience, does not foresee any detriments to granting the variances requested by the applicant. The board was presented a colored version of a tax map of the surrounding area marked as A1. The properties highlighted identified the nonconforming lots within an area of the property. Mr. DuPont asked for clarification of parking spots provided on lot 18.03, Mr. Fletcher said three are going to be provided.

Chairman James motioned to open to the public, a resident from 111 Hermann Street stated concern of the parking. Chairman James stated an addition of five off street parking spaces and removal of one unit in the three unit home may potentially alleviate the issue. Resident from 121 Hermann Street stated that she was concerned that construction may be happening near her dwelling and heard some incorrect information regarding the proposed structures. The resident did not state that she was opposed to the construction. Resident from 2 Fredrick Street voiced concerns regarding parking stating that streets are overcrowded. Mr. James stated that applicant went to great lengths to provide the amount of parking spaces they proposed. Resident from 118 Hermann voiced the same concerns about parking.

Mr. Jardim provided an overview of the case for the board members and public. Motion was made to approve and seconded with a voice vote of seven

Motion to close the meeting was first and seconded.

Next Regular Meeting Tuesday, April 21, 2020

Respectfully submitted
Lauren S. Curran, Zoning Board of Adjustment