

**ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting**

November 26, 2019

Conference Meeting Agenda:

At 7:01 PM, Chairman Hochberg announced that proper notice had been given and Planning Administrator, Jackie Hollis called the Roll:

Present: James Hochberg, Chairman
Tony Nardone, Vice Chair (Arrived 7:03 PM)
Laurie Kahn
Pearl Hwang
Kalpesh Kenia
Jared Resnick
Vineeta Khanna
Ed Bier
Richard Vallario, Board Attorney
Jackie Hollis, Planning Administrator
Catherine Maddrey, Planning Assistant
Donna Holmqvist, Planning Consultant

Absent: Lauren Tabak-Fass

Minutes: The minutes of October 22, 2019 were accepted as presented.

New Business: The draft Meeting Dates for 2020 was distributed for review.

Regular Meeting Agenda

At 7:09 PM., it was announced that proper notice had been given and the Roll was called: The Regular Meeting continued with the same attendees along with Lee Klein, Traffic Consultant who was present for the application for Poto Developers, LLC.

The following Resolutions were memorialized:

Billy Maglaras/Tom Frank – 462 S Livingston Avenue – Application No. 2019-55-V
Jeremy Gelade & Melissa Niglio – 44 Mounthaven Drive – Application No. 2019-52-V

Variance (Adjourned to December 10, 2019)
Block 2602; Lot 29
35 Sycamore Avenue
Application No. 2019-53-V
TRI Owners Realty LLC

Chairman Hochberg announced that the application for TRI Owners Realty LLC was being adjourned to December 10, 2019; no new notices required.

Variance
Block 1301; Lot 11
40 Filmore Avenue
Application No. 2019-59-V
Lisa Schwarz

Applicant is requesting approval for a first floor addition in violation of the following Section:
170-99C4 Rear Yard Setback – 35’ required; 25’ proposed; 10’ variance requested

Lisa and Mark Schwarz (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (shallow lot) upon motion made by Mr. Kenia and second by Mr. Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 3703; Lot 3
2 Fredon Drive
Application No. 2019-62-V
Rajiv & Carrie Parikh

Applicant is requesting approval for a covered patio in violation of the following Section:
170-98C4 Rear Yard Setback – 40’ required; 35.5’ proposed; 4.5’ variance requested.

Rajiv & Carrie Parikh (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardship was reconfirmed (shallow lot) upon motion made by Mr. Resnick and second by Mr. Kenia. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 3703; Lot 3
34 North Baums Court
Application No. 2019-56-V
Gerard Bargoud

Applicant is requesting approval to construct a two car garage and an addition in violation of the following Sections:

170-98C2 Front Yard Setback – 50’ required; 40.5’ proposed; 9.5’ variance requested.
170-87LC Side Street (Corner Lot) Setback – 40’ required; 25’ proposed; 15’ variance requested.

Gerard Bargoud (Applicant) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The Board found that the improvements are not a detriment to the neighborhood. The application was approved with a condition that a minimum of three, 5’-6’ tall green giant arborvitaes (or similar) are planted in front of the trees facing N. Baums Court. A motion to approve with that condition was made by Mr. Bier and second by Mr. Resnick. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 1903; Lot 37
2 Tanger Drive
Application No. 2019-38-V
Joel & Susan Goldstein

Applicant is requesting approval for a fence in violation of the following Sections:
170-91 B (2) (a) (b) (c) (d) & (14):
Front/Corner Yard Fence Setback – 4’ required; 5’ proposed; 1’ variance requested
50% open fence required; privacy fence requested
Plantings in front of fence required; no plantings requested

Susan and Joel Goldstein (Applicants) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The approved the 5’ height of the fence. Conditions of approval include:

- Install 10’ wide gates on both sides along easement line.
- Move fence 5’ in facing E McClellan Avenue and add 5’-6’ tall green giant arborvitaes (or similar) in front of the fence, spaced 5’ apart.
- Add plantings in front of the fence on Tanger Drive.

A motion to approve was made by Mr. Nardone and second by Mr. Bier. The remaining members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Preliminary Final Site Plan and Use Variance (Continued from September 24, 2019)
Block 3200; Lot 15
222 South Livingston Avenue
Application No. 2018-86-PFSP-UV
Poto Developers LLC

Applicant proposes the following:
Expansion to the front & northerly side of an existing 2-½ story commercial building with renovations to the exterior façade; Building will contain a salon on the first floor with two (2) one-bedroom residential apartments on the upper levels. Miscellaneous on-site drainage, walkway, and minor parking lot improvements associated with the overall building improvements.

Appearing for the Applicant: Steven Schepis, Esq.

Witnesses for the Applicant: Christine Miseo, P.A. Architects; Miseo Associates
Jeffrey D. Egarian, P.E.; D.J. Egarian & Associates, Inc.
Gary Anderson, Traffic Consultant; JDA Accident Reconstruction & Traffic Engineering
Joey Poto, Applicant & Owner

Members of the public with questions or comments:
David Bellicha – 218 South Livingston Avenue
Coleman Leff – 218 South Livingston Avenue

Chairman Hochberg announced that, at the request of the Applicants, the matter would be further adjourned and continued to the Board’s Regular Meeting at 7:00 PM on January 28, 2020 and an extension of time of decision to February 25, 2020. No new notices are required.

Adjournment

With no further business, the meeting adjourned at 9:43 PM.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Catherine Maddrey".

Catherine Maddrey, Planning Assistant