**ZONING BOARD OF ADJUSTMENT APRIL 13, 2015**

**MINUTES**

Meeting was advertised according to the NJ State Sunshine Law.

Roll call: attending: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

 Absent: Mr. Mund, Mr. Naftali, Mr. Ribiat, Mr. Halberstam

 Also present: Attorney – Jerry Dasti

 Terry Vogt, Engineer/Planner

 Jackie Wahler, Court Reporter

 Fran Siegel, Secretary

Salute to the flag.

Motion to approve minutes for March 2, 2015 – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber

Mr. Gonzalez announced that there was only 5 members present for tonights meeting.

Chaim Abadi requested that **Appeal # 3884, DRMY Holdings,** River Avenue would like to table

until May 4th meeting.

Motion to carry - Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

Mr. Abadi agreed to waive time and no further notice.

Chaim Abadi requested that **Appeal 3902, Chaim Burstein,** 1797 Lanes Mill Road**,** to carry until May 4TH meeting.

Motion to carry – Mr. Lankry

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

No further notice – agreed to waive time.

Miriam Weinstein, attorney for **Appeal # 3900, Congregation Maalos Hatorah,** Gates Avenue

requested to carry until the May 4th meeting. Agreed to waive time and No further notice

Motion to carry – Mr. Lankry

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

Secretary announced that Mr. Heilbrun 641 7th Street withdrew their application to Zoning Board.

Abraham Penzer , attorney for **Appeal # 3903, Max Wosner,** Shelley Lane, requested to carry until the May 4th meeting. Agreed to waive time and no further notice.

Motion – Mr. Lankry

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

**Appeal # 3897 – Napco Construction** 419 Manetta Avenue, Block 243 Lots 34, 35,

 36 & 38, R-7.5 zone. To construct 4 duplexes, 10,000 square feet

 required, approximately 7,000 & 8,000 square foot lots proposed.

Secretary read report.

**From: Terry Vogt, Engineer/Planner – February 18, 2015**

The applicant proposes to construct four duplex dwelling on 8 zero lot line lots. The applicant also proposes a common area lot to be owned by a Homeowner’s Association. The proposed lots will be known as lots 34.01-34.09. Three existing dwellings and appurtenances will be removed.

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A use variance is required as duplexes in the R-7.5 zone require a minimum of 10,000 square feet whereas 7,000 – 8,025 square feet is provided for each duplex. Bulk variances are also sought for front yard setbacks and building coverage.

Louis Felicetta, attorney for applicant.

Brian Flannery, sworn, engineer/planner. Application is for the construction of four duplexes.

A-1 map of area

A-2

Mr. Flannery – This area is in need of redevelopment. They provided a private road which took away from the lot area. Reviewed Mr. Vogt’s report. Asking for 9.55 dwelling units per acre, permitted would be 8.71 dwelling units per acre. They are within 10% for the density. They will comply with the other items in Mr. Vogts report.

Mr. Vogt – there is a two way 24 foot way access drive and head in parking. The plan is not very legible.

Mr. Flannery – The units in the back will have assigned parking spaces. The 4 back units 34.03 through 34.06 will be parking in front of 34.01 and 34.02. There are 4 parkings spots per unit.

The front on the private drive. Snow removal will be responsible by the Homeowners Association.

Mr. Lankry asked where they will put the Sukkah.

Mr. Flannery – The rear yard is 15 feet. The yards will work.

Mr. Gonzalez – this is way too dense. Asked for 9,000 plus square feet per lot.

Mr. Flannery – The property in the back is a land-locked parcel.

Mr. Lankry suggested that he come back and rework the plan.

Mr. Flannery - Applicant would like to carry until June 8, 2015 and will re-notice

Motion to carry until June 8, 2015 – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

Abraham Penzer attorney for applicant for **Appeal #3907, Michael Fish** requested to carry to May 4th meeting. Agreed to waive time and no further notice.

Motion to carry to May 4, 2015 – Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

**Appeal # 3906 – Bais Tova, Inc.** 555 Oak Street, Block 792 Lot 1, R-40 zone. To install a 16

 foot high privacy screen fence to provide privacy between boys and girls

 private schools.

Secretary read report.

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**MINUTES PAGE 3.**

**From: Terry Vogt, Engineer/Planner – April 1, 2015**

The applicant proposes constructing a 16-foot high, chain link privacy fence along the northeast perimeter of Block 792 Lot 1. Several boys and girls schools exist or are proposed on this property and on nearby properties. The fence will be located 17 feet from the cartway. Existing fencing will be removed.

Leah Lederberger represented Bais Tova, Inc. – There are no residential homes in this area. The height of the fence must be at 16 feet because the boys school is on a hill and therefore the height of the fence allowed would not provide the privacy they need.

Graham Macfarlane, engineer, sworn. The proposed fence will be 280 feet of 16 foot high fence.

This is the only means available to provide privacy between the boys and girls schools. The fence will be installed at the eastern end of the property to block the view from Yesodei Court. Chain link fence with privacy screening, ivy. The fence will be in the Bais Tova property line.

Open to Public.

Shaya Unger, affirmed. With Yeshiva Yesodei Torah and this will be beneficial to have the privacy.

Closed to Public.

Motion to approve 300 feet of 16 foot fence with ivy for privacy screening – Mr. Lankry

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

**Appeal # 3904 – 47 Holly, LLC,** 41 & 47 Holly Street, R-7.5 zone. To provide 2 duplexes on

 4 zero lot line lots with lot area deficiency, required 10,000 square feet 9,690

 square feet provided.

Secretary read report.

**From: Terry Vogt, Engineer/Planner – March 23, 2015**

The applicant seeks a use (density) variance and a zero lot line subdivision approval to subdivide an existing 19,380 square foot property into 4 new zero lot line lots, proposed to contain 2 two-story residential duplex structures.

Louis Felicetta, attorney for applicant.

Brian Flannery, engineer, planner, sworn.

A-1 area map

A-2 map submitted.

A-3 architectural plans

A-4 photos of the site

Mr. Flannery – this is a site in desperate need of redevelopment. The site is on the corner of Holly Street & Stirling Ave. Proposing areas that are 97% of the required. Relief is de minimus.

Will provide a 6 foot fence along the westerly property line of 178.06. There will be exterior access to the basement.

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Open to Public. Closed to Public.

Motion to approve – Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Lankry, Mr. Ingber, Mr. Gonzalez

Chairman announced that there was only 4 members present.

Abraham Penzer, attorney for **Appeal # 3898, Lakewood Automotive Center,** 650 JamesStreet

requested to carry until May 4th with no further notice and agreed to waive time.

Motion to carry – Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber, Mr. Gonzalez

Resolutions

**Appeal # 3710B – Arm Land Group, LLC**, Lanes Mill Road, Block 189.04 Lots 68, 197, 201, OT Zone. Resolution to approve a use variance to construct two family duplex units.

Motion to approve – Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber

**Appeal # 3890 – Shlomo Sidenfeld,** Ridge Avenue, Block 238 Lot 14, R-7.5 zone. Resolution to approve a duplex on a 8,517 square foot lot where 10,000 is required.

Motion to approve – Mr. Ingber

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber

**Appeal # 3888 – Congregation Gevuros Ari,** Block 768 Lot 83.01, Pine Street, R-10 zone. Resolution to deny the construction of a 3 story synagogue/office building.

Motion to approve – Mr. Gelley

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen

**Appeal # 3895 – Yossi Willig,** 17 Buttell Ave, Block 418 Lot 5, R-10 zone. Resolution to approve the construction of an addition with rear yard setback variance of 10.5 feet.

Motion to approve – Mr. Gelley

Second – Mr. Halvorsen

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber

**Appeal # 3896 – Abe Auerbach**, 51 Birch Street, Block 416 Lot 41, R-10 zone. Resolution to approve the construction of a 2 story single family home. Approved side yard setback variance of 15 feet combined where 25 feet is required.

Motion to approve – Mr. Ingber

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber

**Appeal # 3899 - Dov Kaufman,** 1122 E. County Line Road, Block 193 Lots 1, 2, 4 & 5,

R-15 Zone. Use variance approved to permit a two story retail-office building.

Motion to approve – Mr. Ingber

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Halvorsen, Mr. Ingber

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**MINUTES PAGE 5.**

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 9:00 P.M.

Respectfully submitted,

Fran Siegel, Secretary