**ZONING BOARD OF ADJUSTMENT DECEMBER 7, 2015**

**MINUTES**

Meeting properly advertised in accordance with the NJ State Sunshine Law.

Roll call: attending: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

 Absent: Mr. Halvorsen, Mr. Lankry, Mr. Mund, Mr. Naftali

 Also attending: Jerry Dasti, Board Attorney

 Terry Vogt, Engineer/Planner

 Court Reporter

 Fran Siegel, Secretary

Salute to the flag.

Motion to approve minutes of November 9, 2015 – Mr. Ribiat

Second – Mr. Gonzalez

Roll call vote: Mr. Gelley, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

Chairman announced that there were only 5 members present.

Request from Adam Pfeffer to carry **Appeal # 3931 Eli Lerner** to January 4, 2016

Motion to carry – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and with a waiver of time.

Sam Brown attorney for applicant **Appeal # 3917, Primeland Holdings**, requested to carry to the February 1, 2016 meeting.

Motion to carry – Mr. Gonzalez

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and agreed to waive time.

Letter received from Ms. Weinstein re: **Appeal # 3932, Linda Wajsbort,** to carry to the January 4, 2016 meeting.

Ed Liston was present and he requested that he represents an objector to this application and they were not available in January and asked that it be carried until the February 1th meeting.

Motion to carry to February 1st – Mr. Gelley

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and agreed to waive time.

Request from Sam Brown, attorney for **Appeal # 3922, 1500 Prospect Street** to carry to the January meeting.

Motion to carry until January 4, 2016 – Mr. Ribiat

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and agreed to waive time.

Letter from Adam Pfeffer, attorney for **Appeal # 3925, Kochav, LLC,** requested to carry until

January 4, 2016. Traffic report not completed.

Motion to carry until January 4, 2016 – Mr. Ribiat

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and agreed to waive time.

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Brian Flannery asked that **Appeal # 3936, Mordechai Zafrani,** be carried until the January meeting.

Motion to carry until January 4, 2016 – Mr. Gelley

Second – Mr. Ribiat

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

No further notice and agreed to waive time.

Letter from Brian Flannery, re: **Appeal #3481A**, Block 2.05 Lots 6 & 18 requesting a change in the proposed use of the building to allow for mixed office and medical offices. 27 additional parking spaces have been added to accommodate the medical use.

Brian Flannery engineer/planner sworn. They condensed the septic system and were able to add the additional parking spaces. There 2 offices on the first floor will be general offices and the rest of the building will have sufficient parking for medical offices.

Open to Public. Closed to Public

Mr. Vogt – they will look at the revised design.

Motion to approve a portion of the building to be used for medical offices – Mr. Gonzalez

Second – Mr. Gelley

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

Letter from Brian Flannery re: **Appeal #3694AA, Stamford Hill,** Block 1159, Lots 19, 41, 43, 44 &85 requesting an increase in the size of the community building.

Brian Flannery, engineer/planner, sworn. Applicant want to increase the size of the building 500 square feet for the womans section in the building. The parking does not change because they are not increasing the size of the sanctuary.

Open to Public. Closed to Public.

Motion to approve – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

Resolution for **Appeal # 3930 – Bais Yaakov High School,** James Street, Block 321 Lot 1, Block 339 Lot 1, Block 340 Lot 1, & Block 341 Lot 1, R-12 zone. Resolution to approve a use variance to construct duplexes.

Mr. Dasti – prepared a draft resolution and there was a question about the attic. His recollection was that the attic would not be approved. Request is to change it that the developer will not improve the attic but the homeowner can, only with an inside stairway.

Open to public. Closed to Public.

Motion to approve – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

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**Appeal # 3934 – 363 Chestnut Street**, Chestnut Street, Block 1096 Lot 2, R-20 zone. Requesting a use variance to allow the construction of 6 – 10,000 square foot lots where 20,000 is required.

Secretary read report.

**From: Terry Vogt, Engineer/Planner – December 2, 2015**

Applicant is seeking use variance relief and preliminary and final major subdivision approval on the 61,752 square foot property. As referenced on the site plans, the subdivision layout depicts six two-story single family dwellings. An existing single family dwelling and improvements on the property are proposed to be removed.

Miriam Weinstein represented applicant. Was here 3 or months ago with an application for duplex buildings. The board denied the application and recommended that they come back with single family homes. They will put in the infrastructure.

Brian Flannery, sworn.

A-1 showing the 6 houses – 2 will front on Chestnut and one on Caldwell. The remaining 3 in the back will front on a paper street that will be improved.

A-2 aerial exhibit showing site and surrounding area.

Mr. Flannery – This is a “D” variance and will enhance the public good. There will be sidewalks on their side and will be a full width right-of-way.

Ms. Weinstein - Architecturals were not submitted.

Mr. Flannery – there will be no outside stairway to the attic. A stairway to the attic will be internal. The HVAC equipment will be in the rear yard or on the side and screened.

Open to Public. Closed to Public.

Motion to approve – Mr. Gelley

Second – Mr. Ingber

Roll call vote: affirmative: Mr. Gelley, Mr. Ingber, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

Resolution for **Appeal # 3929 – John Lombardi**, 203 River Avenue, Block 768 Lot 1, HD-6 zone. Resolution to approve the construction of a steel building used for an automotive facility.

Motion to approve – Mr. Gelley

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gelley, Mr. Ribiat, Mr. Gonzalez, Mr. Halberstam

Motion to pay bills.

All in favor

Motion to adjourn.

All in favor.

Meeting adjourned at 8:30 P.M.

Respectfully submitted,

Fran Siegel, Secretary