

**LAKWOOD ZONING BOARD OF ADJUSTMENT
MINUTES
MARCH 6, 2006**

Meeting was called to order at 7:35 P.M.

Meeting properly advertised according to the Sunshine Law.

ROLL CALL

Attending: Mr. Gonzalez, Mrs. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Absent: Mr. Gelley, Mr. LeCompte

Also present: Glenn Harrison, Attorney
Jim Priolo, Engineer/Planner
Steve McCrystal, Court Stenographer
Fran Siegel, Secretary

SALUTE TO THE FLAG

Letter from Sal Alfieri, Esq. re: **Appeal # 3588** request to table.

Motion to carry with re-notice and a waiver of time – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Request to carry **Appeal # 3604** Aryeh Weinstein to May 1st.

Motion to carry with a waiver of time – no further notice - Mr. Lieberman

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to approve **minutes of January 23, 2006** – Mr. Lieberman

Second – Mr. Zaks

Roll call vote: affirmative: Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to approve **minutes of February 6, 2006** – Ms. Goralski

Second – Mr. Naftali

Roll call vote: affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal # 3589 – Step On Me Carpet, Route 9, Block 415 Lot 14, HD-6 zone. Use variance for retail use.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – Third Review 2/21/06

1. The subject property is located on the west side of Route 9 (a.k.a. River Avenue), 100 feet north of the James Street intersection and is within the HD-6 (Highway Development) Zone. The existing site is vacant. The applicant proposes to construct a two-story 5,248 s.f. retail/storage/office building with parking facilities, and other site improvements. The showroom (retail) space will be 3,485 s.f. in size and the second floor office/storage space will be 1,763 s.f. in size.
2. The applicant appeared before the Board of Adjustment on November 7, 2005. Due to extensive comments and concerns by the Board, the applicant has significantly revised the plans.
3. Special Reasons Variances are required for this project as follows:
 - a. Requesting a use not permitted in this Zone. Code Section 903G., sets forth the permitted uses in the HD-6 Zone. The HD-6 Zone does not identify retail and warehouse facilities as permitted uses and therefore a use variance is required.

The applicant must provide testimony to the Board detailing the special reasons which would allow the Board to grant a variance from the Zoning Regulations to permit a use in a District restricted against such use. In order to achieve this, the applicant should explain why the retail/warehouse use is a better planning and zoning alternative than the permitted uses in the Zones.

Additionally, the applicant must demonstrate to the Board that the requested use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and the zoning ordinance.

4. Variances are required as follows:
 - a. In accordance with Sections 903G. and 803E. of the ordinance, bulk variances will be required for the construction of the retail/warehouse as follows:

	Required	Provided
	HD-6 Zone	
Minimum Front Yard Setback	150 ft. (Route 9)	69.56 ft. (Route 9)
Minimum Improvement Setback	100 ft. (Route 9)	3.06 ft. (Route 9)
Minimum Rear Yard Setback	30 ft.	15 ft.

- b. In accordance with Section 807, 22 parking spaces are required for the proposed use, whereas 19 spaces are provided.

It should be noted that the area used for the warehouse parking calculations does not match the area listed on the architectural drawings. Based on the architectural drawings provided it is ±980 s.f.

- c. In accordance with Section 803E., a minimum 50 ft. buffer shall be provided along rear/western property line which borders the R-10 Zone, whereas an 15 ft. buffer is provided.
- d. In accordance with Section 803E.4.f., no building, structures, or parking shall be permitted within the buffer area, whereas the building, trash enclosure and parking are within the buffer.
- e. In accordance with Section 812.A.13.c., no wall sign shall exceed an area of 60 s.f., whereas the proposed wall sign is ±78 s.f.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance.

5. The applicant should provide verification whether a right-of-way dedication will be required by the NJDOT.
6. The Township has established specific setback requirements along Route 9 to provide a larger separation between the highway and any proposed improvements. Among the reasons was to allow for the hopeful future expansion of Route 9. The State and County have asked the Township to enforce these setback requirements, as it will aid them in any future plans for Route 9.

Therefore, the Board should strongly consider the setback requirements along Route 9.

7. The following comments should be addressed with regards to the Site Plan:
 - a. The applicant should discuss vehicular circulation within the site including turn arounds, trucks, deliveries, etc. The sizes and types of trucks accessing this site should be provided and turning movements should be verified.
 - b. The handicap parking stall should be designed in accordance with current ADA requirements. This will result in the loss of one (1) parking space.
 - c. The employee parking area should also be marked as a loading zone.
 - d. New sidewalk should be proposed along the entire frontage.
8. The following comments should be addressed with regards to the Landscape and Lighting Plan:
 - a. The Norway spruce trees to be utilized as a buffer should be increased in size to 8'-10' along the rear and 6'-8' along the northern side.
 - b. Additional lighting should be provided within the parking area. The seven (7) spots along Route 9 and two (2) spots by the trash enclosure have no lights provided.
 - c. A fence was to be proposed around the perimeter of the building.
 - d. Additional landscaping around the trash enclosure should be provided.
9. A detail of the trash enclosure should be provided.
10. All signature blocks should reference the Lakewood Township Zoning Board.

11. A NJDOT Access Permit will be required for the driveway. A copy of the permit should be submitted for review.
12. The applicant should apply to, and appear before, all other Local, State and Federal agencies having jurisdiction over this project.

From: Ed Mack, Zoning Officer

I believe that the widening of Highway 9 is inevitable, although I have no better guess than anyone as to when. I would like the applicant to explain if this building will still be functional once this widening occurs.

Abe Penzer represented applicant. Made changes as per the Boards instructions. The way the lot is situated nothing can be built with the 150 foot setback. Asking for retail and office, no storage and no trucks. Changed the amount of parking spaces. They now have 19 instead of the 22 required. Even if Route 9 comes through, the building will still be functional.

Ray Carpenter, 2517 Route 35 Manasquan, Engineer for applicant. Reviewed Mr. Priolo's report. Moved trash to the rear so that it is not visible to the public. There are 19 parking spaces on site. Reduce the building as far as they can. There are 8 parking spaces in the front. Applicant agreed to reduce the wall sign to 60 square feet to eliminate a variance.

A-1 Route 9/Lakewood/Dover Study from the Department of Transportation.

Mr. Carpenter – At this point in time the DOT is not recommending the widening of Route 9.

Mr. Sernotti – the townfathers are pushing to get Route 9 widened and they have asked us not to grant variances that will incur a problem with the widening of Route 9.

Mr. Penzer – they are the contract purchasers.

Mr. Sernotti - Is there any size building or use that will work on this property?

Mr. Priolo – they could make a smaller building. Met with the applicant and they absolutely need the 3,485 of first floor area to make there use work. If there was a 2,000 square foot building you would need less parking which would eliminate the parking in the front. In order for them to get this size building and make it work this is the best site plan.

Mr. Carpenter – There will not be a right of way dedication required by the DOT.

Mr. Penzer – applicant agreed to new sidewalks - there will be no trucks on site – will not be used as a warehouse.

Sarah Stavsky, 220 Central Avenue, affirmed. There will be no fed-ex or UPS trucks on site, they will be going to her warehouse. There is no intent for any trucks.

Mr. Penzer - Rear yard setback required is 30 feet and they are requesting 15 feet. Agreed with the neighbor that there will be siding and phony windows so that the building looks like a house.

Mr. Sernotti – the first meeting we did not like the application because it was just too much – 2nd meeting 2 story building with basement – this is the 3rd time. If they are contract purchasers and they get denied they do not have to buy the building. Somebody else could come in with the right building and make this property work.

Mr. Priolo – correct. They are providing a 15 foot buffer with plantings.

Mr. Carpenter – in the past year he has filed 5 highway access permits on Route 9 in Lakewood, and it has never been an issue.

Mrs. Stavsky - Ground floor was originally supposed to be much bigger.

Mr. Zaks - Nothing will fit the front yard setback.

Mr. Priolo – the parking calculation would go down with a smaller building. Will still not meet the front yard setback required.

Open to Public.

Noreen Gill, 192 Coventry Drive, sworn. Asked about the loading zone. This should be a smaller building to meet the setbacks.

Larry Simons, 7 Schoolhouse Court, sworn. Should comply with required front setbacks.

Mr. Sernotti - 69.56 feet is what the applicant is asking for.

Mr. Simons – the Township committee emphasized that all front setbacks should be met.

Gerri Ballwanz, 2 Governors Road, sworn. Object to the front setback requested. Should be a smaller building that would meet the requirements for the future widening of Route 9. This variance should not be approved. This spot is too small for the future of Lakewood.

Robert Geitz - attorney for Family Planning. They have no objections but would like to see more trees or a fence along the property line.

Closed to Public.

Mr. Sernotti - The buffers are not the issues – the distance between the building and Route 9 is our issue.

Mr. Penzer – have been here several times – started with a building over 4,000 square feet, warehouse. They have tried to meet all the boards concerns. Reducing the size of the building will only reduce the amount of parking. This is the best application for this site. They do not need 11 parking spaces – they need 6 or 8. They have cut all they can. This will be minimal use.

Mr. Sernotti - Biggest issue is that they need the setback from Route 9. They have been asked by the Township Committee to abide by that setback. Cannot support this application.

Mr. Zaks – in favor of the application. The entire site is 120 feet and the setback is 150 feet - no matter what you put on the lot you cannot meet that setback.

Mr. Naftali – will be showroom only and at this point this is a better option than what could be.

Mr. Lieberman – I thought we told them to make a two-story building and come back.

Mr. Gonzalez – not in favor of application. Still concerned about the widening of Route 9. Following the instructions of the Township Committee and the County.

Mr. Priolo – a smaller building will eliminate some parking, buffers and some other variances, the actual front yard setback can never be eliminated. The 150 foot setback variance will never go away because the lot is only 120 feet.

Motion to approve – Mr. Naftali

Second – Mr. Lieberman

Roll call vote: Affirmative: Mr. Naftali, Mr. Zaks, Mr. Lieberman, Mr. Halberstam,

Nayes: Mr. Gonzalez, Ms. Goralski, Mr. Sernotti

Motion denied.

Appeal # 3586 – Shlomo Meyer, 423 6th Street, Block 68 Lot 13, R-OP zone. To renovate the existing structure and to construct a 2 1/2 story addition to create a 2,341 square foot single family structure.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – Third Review 2/22/06

1. The subject property is located on Sixth Street and is within the ROP (Residential Office Park) Zone. The applicant proposes to demolish the existing dwelling and construct a new single-family dwelling.
2. The applicant previously appeared before the Board requesting a two-family use. The applicant has amended the application to request a single-family use for a new structure. The applicant has also submitted revised plans in response to the Boards concerns regarding the proposed single-family house.

3. The existing lot does not conform to the current zone requirements. In accordance with Section 903 I. of the Ordinance, bulk variances will be required for the construction of the proposed additions as follows:

	Required	Existing	Proposed
Minimum Lot Area	10,000 s.f.	7,500 s.f.	7,500 s.f.
Minimum Lot Width	75 feet	50 feet	50 feet
Minimum Side Setback (One)	12 feet	0 feet	6.8 feet
Minimum Side Setback (Combined)	25 feet	6.5 feet	13.8 feet
Maximum Building Coverage	25%	18.6%	27.2%

It should be noted that lot coverage includes the deck area. The proposed elevated deck (5' x 31') should be shown on the plot plan and the eastern side setback should be shown as seven feet (7').

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impacts which the new dwelling will have on the surrounding properties.

4. The applicant is proposing a 3,900 s.f. dwelling with a 1,900 s.f. basement. The applicant should discuss why the structure cannot be reduced in size, which would help eliminate some of the variances.
5. An existing driveway straddles the side property line which appears to be a shared driveway with adjacent Lot 12. The applicant has provided a copy of a deed which describes an eight-foot (8') wide cross access agreement between the two properties. A new deed should be filed to accommodate the existing 10-foot wide driveway.
6. The applicant has removed the proposed garage at the rear of the property. Proposed grades should be provided at the rear of the property and additional drainage for roof runoff may be required.
7. Any approval should include a condition that all curb, sidewalk, and driveway aprons shall be replaced as directed by the Township Engineer.

From: Ed Mack, Zoning Officer

I feel that this plan is much more appropriate for this lot. I would like to caution, however, that this deck which is less than 3 feet from the property line could conflict with the state building codes.

Shlomo Meyer, 585 4th Street, affirmed. Changes that were made were that they will demolish the entire building - rear setback now conforms, lot coverage complies except for the deck, they addressed the drainage for the roof run-offs.

Mr. Priolo – garage eliminated, reduced variances requested, reduced overall size of basement. Still have existing lot area and lot width. Have a copy of the deed. The driveway will fit. The easement gives 4 feet on each side of the property line. The driveway is wider than the easement.

Open to Public. Closed to Public.

Motion to approve – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion approved.

Recess.

Appeal #3602 – Shlomo Kanarek, 115 – 9th Street, Block 133 Lot 9, RM zone. Two lot subdivision.

Secretary read reports.

From: Jim Priolo, Engineer/Planner - January 16, 2006

1. The subject property is located along the northern side of Ninth Street and is within the R-M (Multi-Family Residential) Zone. The application proposes to subdivide the lot into two new lots consisting of 6,000 s.f. (Lot 9.01) and 6,000 s.f. (Lot 9.02). A 2-1/2-story duplex is currently under construction on this property. The subdivision will split the building.
2. In accordance with Section 902.H. of the ordinance, variances for the proposed sub division are required as follows:

	Required	Existing Lot 9	Proposed Lot 9.01	Proposed Lot 9.02
Minimum Lot Area	10,000 s.f.	12,000 s.f.	6,000 s.f.	6,000 s.f.
Minimum Lot Width	50 ft.	80 ft.	40 ft.	40 ft.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

3. The Board Approval block should reference the Lakewood Township Zoning Board.
4. The following comments should be addressed with regards to the Map Filing Law:
 - a. All certification blocks should reference the Lakewood Township Zoning Board.
 - b. A Point of Beginning should be provided.
 - c. A note must be added to the plan indicating that the lot, block, and street addresses have been assigned by the Lakewood Township Tax Assessor's office.

- d. The Applicant's and Owner's notarized signature must appear on the plan.
- e. The plan should indicate a Municipal Engineer certification stating that, "I have carefully examined this map and to the best of my knowledge and belief find it conforms with the provisions of the "Map Filing Law" resolution of approval and the municipal ordinances and requirements applicable thereto."
- f. The plan should indicate a Zoning Board Secretary certification stating that, "This plat must be filed in the office of the Clerk of Ocean County on or before _____, which date is ONE-HUNDRED ninety (190) days after the OF APPROVAL BY the LAKEWOOD Township ZONING Board."
- g. The plan should indicate a Licensed Surveyor certification stating that, "I hereby certify that to the best of my knowledge, information and belief that the land survey dated _____ has been made under my supervision and meets the minimum survey detail requirements promulgated by the State Board of Professional Engineers and Land Surveyors and that the outbound monuments as shown have been found or set."
- h. A monument must be indicated at the intersection of the proposed lot line and the existing right-of-way line.
- i. In accordance with the Map Filing Law, 46:23-9.11.j., a minimum of three (3) corners distributed around the tract shall indicate the coordinate values.

From: Ed Mack, Zoning Officer

This property has already been granted variances for several requirements, I see no advantage in creating two even more non-conforming lots.

Steve Pfeffer, represented applicant.

A-1 copy of resolution.

Mr. Pfeffer – this property was given approval for a two family structure for the staff of his school. The school has since moved. Wants to divide the building so that each tenant can own their unit. Each tenant would purchase a unit. Applicant agreed to everything in Mr. Priolo's report. Want a subdivision of the two-lots. They agree to everything in Mr. Priolo's report.

Mr. Mack – the ordinance was created to create two units on one lot. A subdivision would create two smaller lots.

Mr. Sernotti - We approved a variance for a duplex, which is two units on one lot.

Mr. Pfeffer - Two family and each one would be their unit.

Mr. Sernotti- the unit was built so that there was one address with two units, one an owner and one a tenant.

Mr. Mack – When this was approved there was no attempt to subdivide.

Shlomo Kanarack, 137 East 8th Street, affirmed – the school was there and he went for this approval for his administration and, he sold the house to two separate families who are now living there. The only problem is because they each need to get there own mortgage the lot has to be subdivided. The deed is owned by the school.

Mr. Gonzalez – why can't he sell it as a co-op?

Mr. Pfeffer – he could sell it as a condo but would need an association. The zone is RM which allows multi-family.

Mr. Zaks - They can go to the state and get an approval to condo it.

Open to Public. Closed to Public.

Motion to approve – Mr. Zaks

Second – Mr. Halberstam

Roll call vote: Affirmative: Mr. Zaks, Mr. Lieberman, Mr. Halberstam

Nayes: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Sernotti

Motion denied.

Appeal # 3578 – David Herzog, Oak Street, Block 782.01 Lot 11. HD-7 zone. Use variance to construct a two-family home.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – Revised March 6, 2006

1. The subject property is located on Oak Street within the HD-7 (Highway Development) Zone. The existing site is vacant. The applicant proposes a conceptual subdivision that will subdivide the existing 1.7 acre lot into ten (10) new lots, each with an area of 7,425 s.f. A two-family dwelling is proposed on each lot.
2. In accordance with Section 903 H. of the ordinance, bulk variances are required as follows:

	Required HD-7	Provided
Minimum Lot Area	43,560 s.f.	7,425 s.f. (each lot)
Minimum Lot Width	150 feet	45 feet
Minimum Side Yard Setback (One)	30 feet	7.5 feet
Minimum Side Yard Setback (Both)	60 feet	15 feet
Minimum Rear Yard Setback	50 feet	45 feet
Maximum Lot Coverage	25%	29.2%
Minimum Floor Area	2,500 s.f.	1,950 s.f.

The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

The applicant should address the Board regarding the visual impacts which the proposed development will have on the surrounding properties.

3. The following variances will be required during the subdivision/site plan phase of this project:
 - a. In accordance with R.S.I.S., 2.5 parking stalls are required per unit. This application proposes 20 parking stalls, whereas 50 stalls are required. Therefore, a variance is required. The Board should note that the notes indicate that 40 stalls are proposed, however, the plans only show space for 20 stalls.
 - b. In accordance with Section 903 H.5., there shall be no more than one (1) driveway per 100 feet of street frontage. The 450 feet of frontage would allow for four (4) driveways, whereas ten (10) driveways are proposed.
4. The proposed density is approximately 12 units/acres. The Board should note that there are no high density projects in the area and the nearby zones are R-12, R-10 and R-20.
5. If the applicant widens the driveways to comply with the parking requirements, the Board should be concerned about the overall appearance as the front yards may have a “parking lot” look to them.
6. The applicant should address how stormwater management will be addressed during the subdivision/site plan phase. Drainage improvements may also be required in Oak Street to accommodate this development.
7. The applicant should address open space and recreational opportunities for this development. Rear yard areas may be reduced if any buffers or tree save areas are required in the rear yards.
8. Architecturals should be submitted for revisions.
9. Any approval should be subject to preliminary and final major site plan/subdivision approval.

From: Ed Mack, Zoning Officer

I object to this application because of the number of variances requested as well as the degree of nonconformity with the Zoning requirements.

Steve Pfeffer, attorney for applicant – This property the Township Committee rezoned this property to the HD-7 zone and reduced the minimum from 1 acre to 5 acres.

Brian Flannery, Engineer for applicant, sworn.

A-1 variance map

A-2 aerial photo

A-3 conceptual plan

Mr. Flannery, engineer. The HD-7 zone the ordinance was changed to allow townhouses as a conditional use. What permitted by ordinance is not as nice as this plan. They have 10 detached 2 family units - 20 units on 1.7 acres. Two-family townhouses are also allowed. They are proposing legal basements and parking spaces for them. They can go to Planning Board for this approval. The 10 detached would look nicer than what is permitted by ordinance. Townhouses permitted are 16 per acre – they are providing 12 per acre. Will come back for subdivision. Oak Street school is next door which provides open space.

Mr. Sernotti - Mr. Priolo mentions that the front looks like a parking lot. Oak Street is a very heavy bus route.

Mr. Flannery - They could provide easements on the lots and provide shared driveways.

Open to Public. Closed to Public.

Mr. Priolo - Unit count to be determined at subdivision. You would be approving the lot size. Single family is not permitted in HD-7.

Mr. Flannery - Duplexes that cannot be subdivided.

Mr. Priolo - Lot dimensions do not comply with the ordinance.

Mr. Harrison - Not voting on lot number – voting on the use variance based on the lot sizes requested.

Mr. Flannery – the drainage and parking needs to meet all the RSIS standards. They can go to Planning Board and ask for 13 townhouses. Applicant thinks that 10 duplexes is a better zoning alternative.

Mr. Halberstam – asked if a playground is needed.

Mr. Priolo – technically no.

Motion to approve use only- no amount of units – Mr. Lieberman

Mr. Harrison - Applicant not willing to reduce unit count – so you would be voting on lot size.

No second.

Motion to deny – Mr. Gonzalez

Second – Mr. Naftali

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Sernotti

Nayes: Mr. Lieberman, Mr. Halberstam

Motion denied.

Motion to table **Appeal # 3593, Congregation Sons of Israel** until the April 3rd meeting
– Mr. Zaks
Mr. Naftali

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

No further notice and a waiver of time.

Appeal # 3606 – George Fisher, Cushman Street, Block 430 Lot 56.02, HD-7. SF dwelling in the HD-7 zone – use variance.

Secretary read reports.

From: Jim Priolo, Engineer/Planner – February 24, 2006

1. The subject property is located at the terminus of Cushman Street within the HD-7 (Highway Development) Zone. The applicant proposes to relocate/construct a new single-family dwelling. Single-family dwellings are not a permitted use in this zone, therefore a use variance will be required.

The Board should note that under SD-1392, the Lakewood Planning Board approved a townhouse development located along the south side of 474754n Street. The dwelling in question was affected by this development and requested approval to relocate the dwelling to Lot 58 (new Lot 56.02).

The Board should also note that under SP-1768, the Lakewood Planning Board approved the application for the synagogue on Lot 56 (new Lot 56.01).

The Board should also note that under Appeal 3523, the applicant submitted an application for the relocation/construction of a single-family dwelling on Lot 58. The Board requested that the applicant file a subdivision application of Lot 56 & Lot 58 with the Planning Board. Although the lots had two separate designations, they were considered one lot. The applicant has since received subdivision approval under SD-1482 and has now returned to the Zoning Board for use variance approval.

2. The existing lot does not conform to the current zoning requirements. In accordance with Section 903.H. of the ordinance, bulk variances will be required for the construction of the proposed single-family dwelling in the HD-7 Zone as follows:

	Required	Provided
Minimum Lot Area	43,560 s.f.	10,741 s.f.
Minimum Lot Width	150 feet	88.13 feet
Minimum Front Yard Setback	50 feet	35 feet
Minimum Side Yard Setback (One)	30 feet	19.98 feet
Minimum Side Yard Setback (Both)	60 feet	39.98 feet
Minimum Rear Yard Setback	50 feet	46.8 feet

3. The applicant must demonstrate to the Board that the requested variances can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.
4. The applicant should address the Board regarding the visual impacts which the new addition will have on the surrounding properties.

From: Ed Mack, Zoning Officer

I have no objection to this use on an isolated lot on a dead end street; I do wonder however, if this would not have been better utilized by the existing synagogue.

Miriam Weinstein represented applicant. This lot is located directly across the street from the Chateau Park development and they were approved for a synagogue on the adjacent lot to this property. The two lots were merged and they had to obtain a subdivision. They are now seeking approval to locate a single family home on this lot. Applicant is the contract purchaser. The house is approximately 2,800 square feet. The house existed on the land where the Chateau Park development now stands. The synagogue is strictly for the residents of Chateau Park. The developer or the Association owns the synagogue.

Mr. Zaks – have no issues with this application.

Open to Public. Closed to Public.

Motion to approve – Mr. Zaks

Second – Mr. Halberstam

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Secretary read a letter from Ed Mack re: **Appeal # 3132**, 7th Street and Clifton Avenue asking if the board would accept a replacement of stone instead of brick veneer?

Board agreed that stone was a suitable substitute for brick.

All in favor.

Secretary read a letter from Israel Kaluszyner re: Appeal # 3568. Asking for an outside entrance to the basement. The approval was for internal steps. The board recommended that applicant return to the board and amend his original application.

Motion that the Secretary send a letter and advise applicant to return to the Board with an amended application - – Mr. Lieberman

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Zaks,
Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Resolutions

Appeal #3560 – Ormont Developers, 173 & 175 East 4th Street, Block 241 Lots 13 & 21, B-2 zone. Resolution to approve a subdivision of the existing property into two non-conforming lots and construct a 2 family home on each lot.

Motion to approve – Mr. Lieberman

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3600 – Aaron Rottenberg, 230 Carey Street, Block 111 Lot 3, R-10 zone, Resolution to approve a single family home on an undersized lot.

Motion to approve – Mr. Naftali

Second – Mr. Lieberman

Roll call vote: Affirmative: Mr. Naftali, Mr. Lieberman, Mr. Halberstam

Appeal #3596 – Miriam Krieger, 522 Private Way, Block 48 Lot 30, R-12 zone, Resolution to approve an addition on undersized lot.

Motion to approve – Mr. Naftali

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3599 – Barbara Flannery, Edgecomb Avenue & Vine Avenue, Block 1025 Lot 2, R-12 zone. Resolution to approve a use variance to construct a duplex on an undersized lot.

Motion to approve – Mr. Gonzalez

Second – Mr. Lieberman

Roll call vote: Affirmative: Mr. Gonzalez, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3595 – Rivka Danziger, 764 Lakeview Drive, Block 12.07 Lot 18, R-12 zone. Resolution to approve a single family home on a non-conforming lot.

Motion to approve – Mr. Naftali

Second – Mr. Halberstam

Roll call vote: Affirmative: Mr. Naftali, Mr. Lieberman, Mr. Halberstam

Appeal #3603 – Yosef Rottenberg, 421 Third Street, Block 71 Lot 6 ROP zone. Resolution to deny a use variance to construct a two-family dwelling.

Motion to approve –Mr. Naftali

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Appeal #3607 – Somerset, 678 Park Avenue, Block 233 Lot 3.02, B-4 zone. Resolution to approve an addition, deck and ramp on an undersized lot.

Motion to approve – Mr. Halberstam

Second – Mr. Gonzalez

Roll call vote: Affirmative: Mr. Gonzalez, Ms. Goralski, Mr. Naftali, Mr. Lieberman, Mr. Halberstam, Mr. Sernotti

Motion to pay bills.

All in favor.

Motion to adjourn.

All in favor.

Meeting adjourned at 11:40 P.M.

Respectfully submitted,
Fran Siegel, Secretary