



BOROUGH OF EAST RUTHERFORD ZONING BOARD OF ADJUSTMENT MEETING MINUTES NOVEMBER 1, 2018

A meeting of the East Rutherford Zoning Board of Adjustment was held on **November 1, 2018** at 7:00pm at the Borough Hall, located at 1 Everett Place, East Rutherford. This meeting was held in compliance with the Open Public Meeting Act, N.J.S.A. 10:4-6.

ROLL CALL

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| <input checked="" type="checkbox"/> Philip Alberta, Chairman
<input checked="" type="checkbox"/> Carmen Polifronio
<input checked="" type="checkbox"/> Al Levy
<input checked="" type="checkbox"/> John Martin
<input checked="" type="checkbox"/> Richard Krajunus, Vice-Chairman
<input checked="" type="checkbox"/> Gary Viccaro
<input type="checkbox"/> Derek Sands | <input checked="" type="checkbox"/> John Giancaspro, Secretary
<input checked="" type="checkbox"/> Richard Cedzidlo, Attorney
<input checked="" type="checkbox"/> Glenn Beckmeyer, Engineer
<input checked="" type="checkbox"/> Ray Tripodi, Planner |
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Denotes in Attendance

The meeting was called to order by Chairman Alberta, followed by the Pledge of Allegiance.

A motion was made by Mr. Polifronio, seconded by Mr. Krajunus to approve the minutes of the October 4, 2018 meeting, with a correction to add a statement that explains the outcome of the application.

APPROVAL OF THE MINUTES						
MEMBER	MOVED BY	SECOND	AYE	NO	ABSTAIN	NOT PRESENT
Alberta			X			
Polifronio	X		X			
Levy					X	
Martin		X	X			
Krajunus			X			
Viccaro			X			
Sands						X

DOCKET #18-008

Application for Expansion of Non-Conforming Use with Variances

Renaldo Hoxha

309-311 Paterson Avenue

Block 41.01 Lot 16

Applicant seeks to make improvements to an existing non-conforming structure, by adding two one-bedroom apartments via a second floor addition.

Mr. Beckmeyer reported that he had received the application for 309-311 Paterson Avenue and deemed it incomplete. Mr. David Crook, Attorney for the Applicant, informed the Board that notice had been served to the public for this evening's meeting. He reported that the Applicant would provide the missing information before next meeting, but requested that the Applicant not be required to provide further notice. Mr. Polifronio moved to carry the application to December 6th with no further notice required. Mr. Martin seconded the motion and all were in favor. Chairman Alberta announced the application would be carried.

DOCKET #18-005

Completeness Review

61-63 Central Ave LLC

82 Herman Street

Block 43, Lot 20

Applicant seeks to eliminate an existing commercial space and to renovate an existing apartment unit and add three (3) additional apartment units for a total of four (4) apartment units.

Mr. David Crook, Attorney for the Applicant, requested that the application be carried until the next meeting with no further notice. He submitted proof of notice to the Board for the file. Mr. Giancaspro informed Mr. Crook that he was contacted by properties within 200 feet stating that they had not received notice. Mr. Crook stated he would check the list received by his office from the Borough Tax Office, and if necessary, provide additional notice. Mr. Martin moved to carry the application until December 6th, with notice only being required if there was a discrepancy with the already served notice versus the list provided by the Tax Office. Mr. Levy seconded the motion and all were in favor. Chairman Alberta announced the application would be carried.

DOCKET #18-007

Change of Use

310 Hoboken Road LLC

310 Hoboken Road

Block 37, Lot 9

Applicant seeks to eliminate an existing commercial space and convert it to a one-bedroom apartment for a total of four (4) one-bedroom apartments.

Exhibits introduced related to the application included:

- Exhibit A-1. Application Package
- Exhibit A-2. Proof of Publication and Certified Mailings
- Exhibit A-3. First Floor Apartment Floor Plan
- Exhibit A-4. Deed of Property
- Exhibit A-5. Medical Office Floor Plan
- Exhibit A-6. Boundary Survey
- Exhibit A-7. Tax Collector Certification
- Exhibit A-8. Review Letter of Special Monitor
- Exhibit A-9. Completeness Review of Beckmeyer Engineering
- Exhibit A-10. Review Letter of Beckmeyer Engineering

Mr. David Crook introduced the application stating that the Applicant, TMG 310 Hoboken Road, LLC was seeking to remove a non-conforming use by converting an existing medical office on the first floor of the building to a one-bedroom apartment. He noted that the change would create no change to the site plan or parking situation, and the Applicant was seeking a waiver for site plan approval.

Mr. Peter Melchionne of Wyckoff, New Jersey came forward on behalf of the Applicant. Mr. Melchionne testified that the proposed application would not cause a detriment to the area by producing less traffic as a residential unit, and having direct access to public transportation. He noted that there would be continued access to the rear garage via an existing easement.

Mr. Polifronio asked what the parking requirement of a medical office is, in comparison to a residential unit. Mr. Beckmeyer estimated the medical office parking requirement was 12 spaces, whereas a residential unit is one space per bedroom.

Mr. Melchionne noted that his site also provides parking to the next door three-family unit to alleviate parking conditions on the street. He also noted that the street parking condition would be improved by removing the handicap parking space which was provided for the doctor's office.

Chairman Alberta asked how the trash was managed on site. Mr. Melchionne explained each unit is responsible for their own trash and putting it curbside for collection.

A motion was made by Mr. Levy, seconded by Mr. Martin to open the hearing to the public. With no member of the public wishing to be heard, Mr. Levy moved to close the hearing to the public. Mr. Viccaro seconded the motion and all were in favor.

Mr. Krajunas moved to approve the application, with a stipulation that if the first floor apartment was not occupied by a handicapped individual, the Applicant would apply to the Borough's Governing Body to remove the on-street handicapped parking space. Mr. Levy seconded the motion.

MOTION TO APPROVE

MEMBER	MOVED BY	SECOND	AYE	NO	ABSTAIN	NOT PRESENT
Alberta			X			
Polifronio			X			
Levy		X	X			
Martin			X			
Krajunus	X		X			
Viccaro			X			
Sands						X

The application was approved.

NEW BUSINESS

Mr. Krajunus moved to authorize the Board Secretary to publish Resolution #18-006, soliciting Requests for Qualifications for Board Attorney, Planner, and Engineer for the year 2019. Mr. Martin seconded the motion and all were in favor.

Mr. Cedzidlo informed the Board that the Court had ruled in favor of the Government of the Republic of Eqypt regarding the property at 4 Jersey Street. He informed the Board of its right to appeal the decision. Mr. Levy moved to appeal the decision. Mr. Martin seconded the motion and all were in favor.

With no further business before the Board, Mr. Martin moved to adjourn the meeting. Mr. Krajunus seconded the motion and all were in favor.

Minutes prepared by:

John Giancaspro
Secretary