

Unified Planning/Zoning Board of Adjustments Meeting  
November 2, 2011

The meeting was called to order by Ken Cassidy, chairman, and the pledge of allegiance was recited.

Roll call was taken with the following members present: Mr. Buccellato, Mr. Cassidy, Mr. Gallego, Mr. McKenna, Mr. Montfort, Mr. Lopez, and Ms. Malanga. Mr. Saporito arrived late. Mr. Urciuoli and Mr. Butler were absent.

The first application was Emlerich LLC 126 Main Street Block 24 Lots 3,4,6,6.01, 7-9  
Mr. Alfieri is the applicant's attorney. He stated that his architect was not available tonight so they would like to carry the application to the December meeting without re-notice and with the extension of time granted through the end of January. He asked if all board members have participated in all the meetings and are eligible to vote. Mr. Montfort suggested that the members get a list of all the dates the matter came before the board so they could review it and see if they missed any of the meetings. Mr. Alfieri said his office would do that and get it to the board members. Mr. Irene said that the members who missed any meeting could then listen to the tapes and get up to speed. Mr. Montfort made a motion to carry the application to the December 5, 2011 meeting and Mr. McKenna second. The board voted with all members in favor.

The second application was Mr. Bezrodny 46 Ravine Drive Block 82 Lot 13.01  
Mr. Irene stated that the applicant would like to carry his application until the February 6, 2012 meeting with the stipulation of his signing off on the extension of time granted to the board. Mr. Montfort made the motion and Mr. McKenna second. The board voted with all members in favor.

Other Business:

The board discussed the draft proposal of the change to the IND or industrial zone:  
The Borough Council would like the opinions of the board members in regard to this change. Mr. Irene said that the intention is to eliminate split zoning and to try and blend the highway improvement on one side and the residential on the other side. Mr. Montfort said he has no problem with getting rid of the IND zone and calling it highway improvement or commercial and the mixed use is alright depending on where it is at. He is concerned about having no open space and feels a large building could go in there and there would be no free space available. Mr. Irene stated they could limit the amount of coverage or could allow for recreational space and could do this by means of the ordinance in order to alleviate that issue. He asked if the board's concerns were having larger setbacks and more open space. Mr. Montfort said yes and he feels the first floor could be commercial and the others residential.

Mr. McKenna said he likes the 4 floors and he would stipulate the kinds of materials used in building the structure.

Mr. Montfort said the board could not do that because that is a building code issue and the board deals with land use, not materials used.

Mr. Buccellato said he felt that parking was the key as that is what determines the use.

Mr. Saporito stated that he doesn't want only apartment buildings in town.

Mr. Montfort said that if they minimize density that does not give you more open space.

Mr. Buccellato added that if the ordinance states density and open space then that is what must be done. The council just wants to hear the board's thoughts and comments before anything is adopted or changed.

Mr. Cassidy said he felt that the board had to be careful what it said or they would end up with all apartments and commercial space.

Mr. Irene said that it could say multi family residential but cannot say whether it can be rented or owned as the board only looks at the use of the land and not the ownership. He said that the master plan, last revised in 2003, has it listed as IND/industrial and that this proposal is to change that. He said if the board approves, he will send a letter back to the council saying that they recommend that the IND zone be re-zoned as highway improvement zone not a mixed use. However if a mixed use goes there then the board suggests less density, more open space, and larger setbacks.

Mr. Montfort made a motion to have Mr. Irene send the letter of recommendations from the board and Mr. Gallego second. The board voted with all members in favor except Mr. McKenna who voted no and Mr. Lopez and Mr. Buccellato who both abstained.

Mr. Saporito made a motion to approve the minutes of the October 3, 2011 meeting and Mr. Montfort second. The board voted with all members in favor.

Mr. Montfort made a motion to adjourn the meeting and Mr. Saporito second. The board voted with all members in favor.

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Diane Cannon  
Board Recording Secretary