

Planning/Zoning Board of Adjustments Meeting
January 5, 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. Butler, Mr. Cassidy, Mr. Gallego, Mr. Lopez, Mr. McKenna, Mr. Saporito, and Ms. Malanga. Absent were: Mr. Dolan and Mr. Montfort.

Reorganization:

Mr. McKenna made a motion to nominate Mr. Cassidy for chairman and Mr. Buccellato second. The board voted with all members in favor and Mr. Cassidy abstaining.

Mr. McKenna made a motion to nominate Mr. Butler for vice chairman and Mr. Buccellato second. The board voted with all members in favor and Mr. Butler abstaining.

Mr. Buccellato made a motion to nominate Mr. Gallego for secretary and Mr. Lopez second. The board voted with all members in favor and Mr. Gallego abstaining.

Mr. Buccellato made a motion to nominate Mrs. Cannon for recording secretary and Mr. McKenna second. The board voted with all members in favor.

Mr. Buccellato made a motion to nominate Mr. Irene for board attorney and Mr. Lopez second. The board voted with all members in favor.

Mr. Buccellato made a motion to nominate T & M Engineering, Mr. Hadderer, for board engineer/planner and Mr. Saporito second. The board voted with all members in favor.

Mr. Buccellato made a motion to approve the revised meeting dates for 2011 with 2 changes and Mr. Lopez second. The board voted with all members in favor.

The first application was Mr. Rahman 131 Main Street Block 9, Lot 27

Mr. Ondar is the applicant's architect. This is for D variance for a non-conforming use, so the Class 1 & 3 members stepped down. There is also a bulk variance needed for a non-conforming use. Mr. Ondar said Mr. Rahman is out of the country at this time. Mr. Ondar went on to say that he is not sure

where the application stands at this point but that he is not an engineer and cannot speak to any of the site plan issues.

Mr. Irene said the board could not vote on this matter tonight due to there are only 4 members eligible to vote, not the 5 that are needed. He also stated the board could not review the site plan if there was no engineer to answer the questions. The board, as well as the board engineer, does not feel they can waive the site plan without the issues being covered such as the lighting, parking, gravel, paving and buffers.

Mr. Ondar had asked if there were any architectural issues still pending.

Mr. Irene noted that if any testimony was taken then any missing members would have to listen to tapes. He said that at this point the board has only discussed procedural issues on this application tonight.

The board decided to carry it over to the February 7, 2011 meeting. Mr. McKenna made the motion to carry it and Mr. Saporito second. The board voted with all eligible members in favor and Ms. Malanga and Mr. Butler abstaining.

The second application was Farro Management Pine Crest/Pine Valley 1008-1016 Hwy. 34 Block 120.01, Lots 6 & 10

Mr. Cambria is the attorney. Mr. Irene said the board can take testimony but they cannot vote tonight due to not having enough members present. The missing members would all listen to the tapes and sign certifications. There is no D variance relief requested, this application is for final site plan approval and for a bulk variance. The site plan was marked for exhibit.

Mr. Venezia, the applicant's engineer, was sworn in. He stated he would like to clear up what was done and what was not done previously on this application. He then reviewed the property location, the entrances and layout. He stated there was property maintenance done on the property in regards to lights, drains, re-paving and the trash. He said that the work done on the drainage should have come before the board prior to get a site plan waiver. Mr. Venezia then went on to review the board engineer's letter regarding: the lot consideration, the trash area that will have a minor expansion and hinged covers placed on the containers, the fence and landscape for the buffer, the parking modification that complies now with the handicap parking spaces with a ramp out front, the signage which will be relocated and does not need a setback variance, and he addressed questions on the disturbance of the area.

Mr. Hadderer stated that he had wanted to get some answers on the record so there was no confusion. He said that the percentage of disturbance could

lead to a storm water management issue so that was his concern, but he found out that these requirements from the state do not apply.

Mr. Venezia said that the lot width variance, the landscape/buffer, and the access aisles no longer need variances.

Board questions:

Mr. Gallego asked if the turning templates were still needed and Mr. Hadderer said they did in the rear lot, but the applicant wouldn't curb it now but just stripe it, so it will be alright.

Public questions: none

Mr. Irene suggested to the board that if they wanted to get a vote on this application tonight, they could withdraw the first two meetings testimony and let tonight's stand alone since most of the testimony was tonight. He asked if the applicant was willing to do this and Mr. Cambria said yes.

Mr. Irene then told the board to disregard anything prior to tonight as part of this application and that the application was limited to tonight's testimony only.

Mr. Buccellato only had one question on the shed and Mr. Venezia said it had been previously removed.

Mr. Saporito made a motion to approve and Mr. McKenna second. The board voted with all eligible members in favor and Mr. Butler abstaining.

Resolutions:

Oreckinto Resolution: Mr. Gallego made a motion to approve and Mr. Cassidy second. The following roll call vote was taken: Mr. Cassidy-yes, Mr. Gallego-yes, Mr.; McKenna-yes, Mr. Saporito- yes and Ms. Malanga-yes.

Martin Resolution: Mr. McKenna made a motion to approve and Mr. Cassidy second. The following roll call vote was taken: Mr. Cassidy-yes, Mr. McKenna-yes, Mr. Saporito- yes and Ms. Malanga-yes.

Other Business:

Mr. Irene told the board that Ms. Gierling filed a complaint and he filed an answer on behalf of the board and now he is just waiting to hear back.

Mr. Butler and Ms. Malanga were given the CD for the 126 Main Street application to listen to for the August and October meetings. Mr. Saporito has already listened and will sign the certification with the Borough Clerk.

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

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Diane Cannon
Board Recording Secretary