

Unified Planning/Zoning Board of Adjustments Meeting
August 1, 2011

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

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

Mr. Montfort made a motion to approve the minutes of the July 6, 2011 meeting and Mr. Buccellato second. The board voted with all members in favor.

The first application was Mr. McCloskey 76 Main Street Block 7, Lot 2

Mr. McCloskey was sworn in as well as his contractor from the Martin group, Mr. Hynes. The applicant stated that he has had his business since 1975 and the area is zoned residential/commercial. He had expanded over the years and had gotten all the appropriate permits. He now needs to expand again and would like to add a 2nd story on the back of the building. He will not be expanding the footprint at all but just going up in the back. He also needs a variance for parking.

Mr. Montfort stated that the parking was pre-existing and that there are 2 front yards with a pre-existing setback.

The applicant said he has Main Street in the front and Mill Street in the back of his property and that at one point he had cleared trees to help add more parking.

Mr. Hadderer asked if the applicant had added additional parking since the last approval and the applicant said he did as the area just became more parking as a result of clearing the trees.

Mr. Irene asked if he was the only business on the premises and the applicant said yes it is 1 insurance company and there is no residence on the property.

Mr. Montfort asked if the lot coverage increase was due to the additional parking and the applicant said yes.

Mr. Hadderer said he counted 11 parking spaces. Mr. Buccellato noted that the application had been denied for parking. Mr. Irene said he counted 1 handicap space and 10 others.

Mr. McCloskey said there are 2 parking spaces in the driveway so that is a total of 13. He said they have to add on to the building as their employee count is now at 16. Their clients don't usually come to the building so it is not for that reason but for the use of his employees that work in the building.

Mr. Cassidy asked if they were still using the restaurant next door as overflow and the applicant said yes and he had a letter stating the mutual agreement which was marked for exhibit. He said they help one another in that regard as they are open at different hours so the arrangement works.

Mr. Montfort asked if the façade of the building will change due to this addition and the applicant said no the addition is in the back of the building and will just go on top of the 1st story.

Mr. Hynes, the contractor, had schematic drawings marked for exhibit and then went on to explain them in detail. He stated again that the footprint would remain the same and he showed the existing and the proposed changes to the building along with the floor plans. The board then discussed waiving site plan and then reviewed the handicap parking.

Mr. Montfort asked about the lighting and the applicant said they have sensor lighting which is pre-existing.

Mr. Hadderer spoke about the handicap ramp and said it looked like right now it would be where the porch is and the contractor said there was enough room for it there.

Mr. Cassidy asked if the building is not a new building would it still have to comply with ADA requirements and Mr. Hadderer said if the addition is substantial enough then yes ADA upgrades are needed for the exterior as well as the interior.

Mr. Cassidy asked if the board waives site plan and then the ADA says it needs upgrades the applicant would have to come back before the board because then the site plan changed and the answer was yes.

Public comments- none

Board comments-

Mr. Montfort had some questions on the lighting that were addressed. Mr. Cassidy said he liked the fact that the lighting was automated by sensor and felt it made it safer.

Mr. Montfort asked if the engineer can decide that the lighting is appropriate without seeing the lighting plan.

Mr. Buccellato said if code says it's alright then unless there are changes made it would be alright. He said if nothing is changed then there are no approvals to acquire. He stated if the building is being used as it is then it is alright, but if it is changed then it has to go through all the approvals. If the applicant puts in a ramp then the ramp must be up to code and as well as the rest of the items will then be looked at as well.

Mr. Urciuoli made a motion to approve the application with the stipulations that the board set forth and Mr. Lopez second. The board voted with all members in favor.

Other Business-

Mr. Cassidy has his own application before the board so he asked for a special meeting date for it to be heard as he will not participate in the night's agenda. The board agreed on August 18, 2011 at 7 pm. Mr. Cassidy will notify the borough clerk to advertise an open public meetings notice.

Mr. Montfort made a motion to adjourn and Mr. Cassidy second. The board voted with all members in favor. The meeting was adjourned at 7:45 pm.

Respectfully submitted,

Diane Cannon
Board Recording Secretary