

**BOROUGH OF JAMESBURG  
LAND USE BOARD**

**MINUTES  
April 9, 2009**

The Vice Chairman called the meeting to order and announced that the same was being held pursuant to the Open Public Meetings Act and that all the provisions of the Act had been met.

Flag Salute

Roll Call: Present:	Susan Kozar	John Walker
	John Longo	Brian Wright
	Chris Perdoni	Alt. I: George Zelasko
		Atty: Michael Balint

**Absent:** Connelly, Davino, LaMantia, Staiger

**Approval of minutes March 12, 2009**

Motion: Longo  
Second: Wright  
All in Favor

**Resolution #09-09** – Granting a number of bulk variances to permit the construction of 276 square foot, one story addition to Stuart M. Kovacs for property known as Block 51, Lot 2 on the tax map of the Borough of Jamesburg.

Motion: Wright  
Second: Zelasko  
In Favor: Longo, Perdoni, Walker, Wright, Zelasko  
Opposed: none

**INTERPRETATION**

**Alan Aly – Block 36, Lot 1** – Richard Tilton is the attorney for the applicant, Alan Aly. Mr. Aly wants to add a two-story addition to an already existing two-family house. No bulk variances will be needed and they are not adding any units to the house. Mr. Aly stated that he has had trouble in the past with renting the units due to the size of them. He wants to add a twelve by twelve room to each unit to be used as living room space. The current living room will become a dining area. Mr. Aly hired a contractor to build the addition but the zoning permit was denied by the zoning officer. Mr. Long believes that the addition is expanding a non conforming use. (2 families are not allowed in an R-75 zone). Mike Balint explained that the ordinance states the word “altered” and would like the Board to decide if “altered” is the same as an expansion.

There was a lot of discussion about what the extra rooms would be used for. The Board suggested that there be a deed restriction so that the rooms would not be used as bedrooms. Mr. Aly does not want the deed restriction. Bernie Long stated that in most cases landlords do not know what is going on in the apartments. Rooms may get separated and people will sleep in other rooms. He would be responsible for inspecting the apartments every year and would make sure the new space is used for what it is intended for. Some Board members thought that the Board was overstepping their authority by requiring a deed restriction.

The Board was made aware that there is no escrow fee for an interpretation, therefore a resolution and conditions of approval would be included in the attorney's monthly retainer. The Board was also made aware that a plan review could not be done by the Board Engineer due to no escrow.

John Longo made a motion to approve that the interpretation does not require a use variance. The applicant asked that the motion be carried to the next meeting. The next meeting is May 14, 2009.

Mike Balint suggested that the Ordinance be changed so that the word "altered" means not adding a unit or increasing occupancy.

Motion to change: Wright

Second: Zelasko

All in favor

John Walker suggested the Board Attorney draw up a resolution honoring Wolfgang Zehe's many years of service. Mr. Zehe passed away on March 26, 2009.

**Motion to Adjourn:** Wright

Second: Longo

All in Favor