

**BOROUGH OF JAMESBURG
LAND USE BOARD – VIRTUAL MEETING
MINUTES
January 14, 2021**

Chairman John Walker called the meeting to order at 7:05 pm 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:

Joseph Howard
Susan Kozar
Mayor Lowande
Joseph Maccaro
Peter Shaughnessy
John Walker
Brian Wright

Alt: Robert Boulogne
Alt: Patrick Connelly

Absent: Roseanna Davino, Shannon Spillane

Elect Chairperson: Brian Wright motioned to elect John Walker

Motion: Wright

Second: Howard

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

Elect Vice Chairperson: Brian Wright motioned to elect Roseanna Davino

Motion: Wright

Second: Boulogne

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker, Boulogne

Approval of Minutes December 10, 2020:

Motion: Wright

Second: Kozar

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #01-21 – Resolution Appointing Secretary to the land use Board
Brian Wright motioned for Susan Boulogne

Motion: Wright

Second: Kozar

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #02-21 – Resolution Appointing Attorney to the Land Use Board
Brian Wright motioned for Michael Balint

Motion: Wright

Second: Howard

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #03-21 -Resolution Appointing Engineer to the Land Use Board
Brian Wright motioned for Remington & Vernick Engineers

Motion: Wright

Second: Maccaro

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #04-21 – Resolution Designating Official Newspapers of the Land Use Board

Brian Wright motioned for the Cranbury Press & The Home News

Motion: Wright

Second: Kozar

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #05-21- Resolution Setting Meeting Dates for 2021 Land Use Board

Motion: Wright

Second: Maccaro

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Wright, Walker

RESOLUTION #12-20 - Steven Egierd - 130 Buckelew Avenue

Granting a lot width variance for existing conditions and a side yard setback variance and submission waivers to permit the erection of a pole barn in place of an existing car port and for a side yard setback variance for an existing wooden shed to Steven Egierd for property known as Block 10, Lot 1.01 on the Tax Map of the Borough of Jamesburg.

Motion: Howard

Second: Kozar

Roll Call: Howard, Kozar, Maccaro, Wright, Walker

RESOLUTION #13-20 – Alex & Gabriel – 258 Gatzmer Avenue

Denying a use variance to permit the redevelopment of a former oil business commercial property to a 24-unit residential apartment building as proposed by Alex & Gabriel Properties, LLC for property known as Block 72, Lots 1 & 2 and Block 72.01, Lot 1 on the Tax Map of the Borough of Jamesburg

Motion: Wright

Second: Maccaro

Roll Call: Hoawrd, Kozar, Maccaro, Wright, Walker, Boulogne

RESOLUTION #14-20 – Franklin Ochoa – 14 Front Street

Denying a reversal on appeal by Franklin Ochoa of a denial of Zoning permit by the Zoning Officer to permit the installation of a patio with flowerbed and walkway on property known as Block 40, Lot 4.02 on the Tax Map of the Borough of Jamesburg

Motion: Wright

Second: Howard

Roll Call: Howard, Kozar, Maccaro, Wright, Walker, Boulogne

Appeal- Razor House Barbershop

Razor House Barbershop would like to appeal Ordinance #27-139 and the denial from the Zoning Officer to allow permanent window lettering that goes beyond the allowed 10% of the window area.

Board Attorney Mike Balint explained the appeal from determination is based on the Ordinance. Zoning Officer Bill Maresca advised the Board the Ordinance allows the sign to cover no more than 10% of the window or 7 sq. ft. based on the window size. The proposed sign is 20 sq. ft. without the background.

Stephanie Santostefano – 2907 Hunters Glen Drive: Plainsboro

Ms. Santostefano is owner of Razorhouse Barbershop. She was denied her signage due to the dimensions. There are 2 other barbershops in town which have signs in their windows that are over 10%. She is looking to advertise her business so she can be successful and feels a larger sign would help.

Board Attorney Balint explained she would have to apply for a sign variance. Several Board members asked questions regarding approvals and sign sizes. Ms. Santostefano will have to apply for the variance then come back before the board for approval.

Motion to Uphold Determination of Zoning Officer:

Motion: Kozar

Second: Howard

Roll Call: hoard, Kozar, Maccaro, Wright, Walker, Boulogne

DISCUSSION ITEM: Naif Tiryaki

Attorney Walter Toto discussed this would be an informal discussion regarding the property located at 54 Lincoln Avenue. The Land Use Board approved a Use Variance in September of 2019. An application was then filed with Middlesex County which was withdrawn due to a Site Plan. Mr. Toto is asking the Board to remove the site plan so they do not have to get county approval. Without a site plan the county doesn't have jurisdiction of the property. If the site plan stays, the county has items they would like to be done to the property which requires a lot of work and money. Some of the items include moving a telephone and utility pole and the building would have to be scaled

back or taken down. These things could become very costly. With the property being on a county road the county has jurisdiction if they would want to widen the road, that's why they are asking for these things to be done.

Mayor Lowande and several Board members are not happy with Mr. Toto asking us to do him a favor by removing the site plan. There have been conditions over the years that were to be taken care of on this property but never were, one as simple as reducing the number of cars Mr. Tiryaki currently has on the property. The board is frustrated since the applicant has not done anything that was asked of him.

Mr. Toto is willing to re-submit plans and come back before the Board for a Use Variance with an expiration date for the work to be completed.

Board Attorney Mike Balint explained the improvements the County would like done would have significant impact to the property. He is suggesting they go back to the county to ask for relief. This property has never been in full compliance.

Mr. Toto is willing to go back to the county to see what they will do to help them. He is also asking for relief from the town for fines Mr. Tiryaki has accrued. He will be asking the county for a waiver to remove the conditions they are asking for, then he will come back to the Board. He will not be able to be heard by the county until early February. More frustration built up with the board members over the fact that simple thing could have been done on the property and were not done.

The discussion ended with the agreement that Mr. Toto would go back to the county in early February. Mayor Lowande will speak to the town judge regarding the fines that have accrued.

Motion To Adjourn:

Motion: Lowande

Second: Kozar

In Favor: All