

**BOROUGH OF JAMESBURG
LAND USE BOARD – VIRTUAL MEETING
MINUTES
May 13, 2021**

Chairman John Walker called the meeting to order at 7:03 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
Peter Shaughnessy
Shannon Spillane
Brian Wright
John Walker

Alt: Robert Boulogne
Alt: Patrick Connelly

Absent; Roseanna Davino, Joseph Maccaro

Approval of Minutes April 8, 2021:

Motion: Kozar

Second: Lowande

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

RESOLUTION #08-21 – NJ HOUSE FLIPPERS

Granting a Use Variance with Bulk Variances for existing mother/daughter house to continue to be used as a mother daughter as requested by NJ House Flippers, LLC for property known as Block 19, Lot 1.01 on the Tax Map of the Borough of Jamesburg

Motion: Howard

Second: Kozar

In Favor: Howard, Kozar, Wright, Walker, Boulogne

Abstain: Lowande, Shaughnessy, Connelly

RESOLUTION #09-21 – WALTER & DIANE KOZIATEK

Waiving any requirement that the property owners need to appear before the Combined Land Use board to permit the construction of a single-family residence on property which includes a small portion of block 26.01, Lot 10.11 on the Tax Map of the Borough of Jamesburg

Motion: Wright

Second: Howard

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

Abstain: Connelly

INTERPRETATION: Alla Krutyansky – 79 East Railroad Avenue

Alla Krutyansky – 5 Roxy Court, Farmingdale, NJ

The vinyl lettering on the front door of her building does not cover more than 10% of the front window if you count the 4 large windows, plus the 4 window panes in the door. Zoning Officer Bill Maresca explained the 10% is based only on the window the lettering is going on.

Mayor Lowande discussed we are looking into changing the Ordinance from 10-% to 50%. The main concern is being able to see into the windows in case there is a police call to the building.

Board members Walker and Kozar agree the lettering looks nice and you can see through it. It would be silly to ask the applicant to move it, when it may eventually be allowed.

Board Attorney Mike Balint explained the Ordinance is being reviewed and changes need to be made. This can take time. If the Board is in favor, we can grant conditional approval for 6 months. If the Ordinance is changed, she will not need a Variance or will not have to remove the lettering.

Motion to Give Conditional Approval for 6 Months – (November)

Motion: Howard

Second: Spillane

In Favor: Howard, Kozar, Spillane, Wright, Walker, Boulogne, Connelly

Abstain: Lowande, Shaughnessy

INTERPRETATION/APPEAL – Gabriella Nocera – 241 Forsgate Drive

Gabriella Nocera is the owner of “Shaping Eyes”. Ms. Nocera is looking to open a business in the property located at 241 Forsgate Drive. Her business does eyebrow shaping, waxing and tinting. No permanent makeup or tattooing. Property is zoned office use only. Zoning Officer Bill Maresca explained that doctors’ offices are permitted under office. Ms. Nocera explained her business is considered medical since a sink is required to be in her office. Having the sink falls under medical.

Board Attorney Mike Balint would like to look into the section of the licensing code that talks about medical space. He would like to better understand what would call her a medical facility and not a salon.

Motion To Carry Hearing To The June Meeting To Have Time To Gather More Info. About Medical Office:

Motion: Wright

Second: Howard

In Favor: Howard, Kozar, Lowande, Shaughnessy, Spillane, Wright, Walker, Boulogne, Connelly

PUBLIC HEARING: Catherine Catacora – 158 Buckelew Ave.: Block 12, Lot 10

Ms. Catacora purchased the above-mentioned property in 2014. There was already an existing deck. She redid the deck and added 4ft. to it. No permits were issued for the work to be completed. Ms. Catacora did not know she needed to apply for permits. Borough Engineer John LeCompte went through his compliance letter. A Variance is required for 1.1 ft. The deck should be 10 ft. from the property line. It is currently approximately 9 ft.

Borough Attorney Mike Balint suggested to open to the public to make sure there are no negative issues.

Board Member Brian Wright discussed she would need to get inspections to make sure the deck was built properly and she will also need to apply for the permits.

Motion to Open Public Comment:

Motion: Wright

Second: Howard

In Favor: All

No one from the public wished to speak.

Motion to Close Public Comment:

Motion: Wright

Second: Spillane

In Favor: All

Motion to Grant Variance with Condition the Applicant will get all necessary Permits and Inspections.

Motion: Wright

Second: Spillane

In Favor: Howard, Kozar, Spillane, Wright, Walker, Boulogne

Abstain: Connelly

PUBLIC HEARING: 19 Vine Street – Block 33. Lot 2

Attorney James Mitchell explained his client is seeking to turn a single-family home into a 2-family home. The home is run down. The original plan was to fix up the home and use it as a single family. Once COVID hit he felt making it a 2 family would make it more useful.

Owner and applicant Chris Cardile purchased the home in February 2020. The home was totally run down with a lot of garbage. He has since remodeled the garage and cleaned up the home. No construction has been started in the home. His original content was to keep it as a single-family home.

Architect Steven Savino discussed the way the home is set up now it has 6 existing bedrooms. By making this a 2-family home it would reduce the number of bedrooms to 5. The attic and the basement as well as the garage would be for the landlord only. By making this home a 2 family it would drop the number of occupants from 13 down to 9. Outside will have new siding and windows. Everything on the inside will be new. The driveway can fit 6 cars and would pave it if need be. There is no sidewalk in front of the home. The owner would have one installed if necessary.

- The planner was having technical difficulties. We will open to the public for comment, then go back to his testimony.

Motion to Open Public Comment:

Motion: Wright
Second: Kozar
In Favor: All

No one from the public wished to speak.

Motion to Close Public Comment:

Motion: Wright
Second: Kozar
In Favor: All

Planner – Paul Ricci discussed the lot is oversized; existing multi-families are permitted in the R75 district. We are seeking a D1 Use Variance. If approved, there will be a brand-new house with the same skeleton. The existing home allows for 13 occupants, we will be reducing the number of bedrooms and occupants. There is other 2 family homes, a 3-family home and an 8-family home in the area. There is sufficient parking on the oversized property. The neighborhood will benefit from the changes being made.

Borough Engineer John LeCompte discussed the plans would require a full survey with all grates, a sidewalk along the front, with or without a curb, and a paved driveway.

Chairman Walker asked if the owner had any other plans for the property since it is such a large piece of land. The applicant does not.

Motion to Re-Open Public Comment:

Motion: Howard

Second: Kozar

In Favor: All

No one from the public wished to speak.

Motion to Close Public Comment:

Motion: Howard

Second: Connelly

In Favor: All

Motion to Approve:

Motion: Howard

Second: Spillane

In Favor: Howard, Spillane, Walker, Boulogne

Not in Favor: Kozar, Wright, Connelly

Abstain: Lowande, Shaughnessy

- The three Board members that voted no all agree they are not in favor of a 2-family home in a single-family zone and do not believe it will control the number of people living there.

PUBLIC HEARING – Niki Durando – 113 McKnight Ave. – Block 51, Lot 5.01

Mr. Durando did not meet the requirements for noticing the meeting. Part of his property backs up to Monroe Township. He is required to send letters to those residents as well as the residents in Jamesburg who are all within 200 feet of his property. Monroe did not get him the addresses on time.

Motion to Carry to the June 10th Meeting Without Further Notice:

Motion: Howard

Second: Spillane

In Favor: Howard, Lowande, Shaughnessy, Spillane, Wright, Walker, Boulogne, Connelly

DISCUSSION ITEM: ORDINANCE #07-21 – Revision to Borough Ordinance #06-21

A revision was made to Borough Ordinance #06-21 “Storm Water Control”. The change had to do with adding a performance guarantee. The wording was minor. The change came from the state.

Board Attorney discussed briefly with the Board. There were no objections, therefore he recommends this for adoption at the next council meeting.

Motion for Council to Adopt:

Motion: Kozar

Second: Spillane

In Favor: Howard, Kozar, Spillane, Wright, Walker, Boulogne, Connelly

ADMINISTRATIVE REVIEW REQUEST – VARDHAN REAL ESTATE

Board Attorney Mike Balint discussed with the Board regarding revisions made to the plans. They are looking to get Administrative approval instead of going back to the Board.

Board Engineer John LeCompte went over the changes with the Board. They took out the large overhang and replaced it with 2 smaller ones. The square footage of the building is the same. The number of offices is not changing. Zoning Officer Bill Marasca to review interior layout of offices and floor plans to ensure they remain the same as originally approved. If so, John can administratively review from his end. They added a free-standing sign to the plans, which was not on the original plans. If they plan on keeping the sign it would require Board approval.

Board Attorney Balint would like the Board to be presented with new Architectural Aesthetics of the Building.

Motion to Accept New Aesthetics Plan to be Presented/Submitted and Reviewed by the Board:

Motion: Wright

Second: Lowande

In Favor: All

Motion To Adjourn:

Motion: Lowande

Second: Kozar

In Favor: All