

Zoning Board of Adjustment
City of New Brunswick
February 27, 2012

Roll Call:

x	Nancy Coppola, Chair
x	John Cox, Vice Chair
x	John Sutton
x	Kim Maloney
x	Margaret Chester
x	Scott Elias
x	Sue McEligott
x	Doug Sheehan (alt)
x	Peter Ventrice (alt)
	Jose Madera (alt)

Open Public Meetings Statement was read

Salute to the Flag

Minutes

Approval of the minutes of the Board's January 23, 2012 meeting

Motion by: Cox

Second by: Chester

Approved unanimously

Resolutions of Memorialization:

Royal Majesty, Inc. Z-2011-16, 208 Hamilton Street

Motion to Approve By: Cox

Second by: McEligott

Approve:

Beradinelli/DiCampli, Z-2011-18, 73 Bishop Street

Motion to Approve By: Sutton

Second by: Chester

Approve: Unanimously

Hamilton Street Realty, LLC, Z-2011-17, 191 Hamilton Street

Motion to Approve By: Sutton

Second by: Cox
Approve: Unanimously

Annual Report of the Zoning Board of Adjustment
Motion to Approve By: Maloney
Second by: Sutton
Approve: Unanimously

Old Business:
None

New Business:
Dev and Sumedha Debas, Z-2009-16, 187 Hamilton Street , Block 57, Lot 54, Zoning District R-5A

Scott Elias recused himself as he is the adjoining property owner.

James Clarkin, Esq. - proposal is to develop a 2-family house on an irregularly shaped lot. A FAR variance is needed, plus multiple bulk variances. The bulk variances are due to the very narrow frontage of the lot. The applicant has met with the TAC several times. Parking has been moved to the rear to screen it and to construct a fence to prevent the adjacent owner's tenants from illegally using this driveway to park in the other rear yard.

Planner is not available tonight but will present other issues and return next month to conclude.

Susan Sheffmaker, Archt., - existing building is a 1-story commercial storefront. (A-1 photo of existing building). The building is 60+ years old and in bad condition. It cannot be saved.

Proposed building is at the front of the lot and extends to the rear. A gabled roof is proposed as is a porch. The existing left foundation wall will be retained. Room is left on the lot for access on the left side and exit windows are provided. The building is 2-stories and has 2 units. 1st floor unit is 3 BR with 6 person occupancy and 2nd floor unit has 3 BR with 3 person occupancy for a total occupancy of 15 person. Each unit has access to private areas in the basement for laundry facilities.

Exterior will be vinyl siding. Trash will be stored in an area at the rear under the 2nd floor. Trash is brought to the street by the tenant.

Eric Tomzack, Engineering -
Lot is flag shaped, with 25 ft. frontage. It expands to 50 feet wide after 120 ft. of depth. The adjacent house uses this properties driveway to improperly access their rear yard. There will be net decrease in storm water runoff. A subsurface detention facility is proposed for storm water.

Property is 2.5 stories and about 30 feet high. Relief is sought for side yard setbacks. Building location is similar to the existing as is the driveway. Four parking spaces are provided in the rear. Existing utility access will be used. Lighting is provided with wall-mounted units along the driveway, plus a free standing light in the rear plus bollard lights. The lighting plan conforms to City standards. 14 trees are proposed for the site. A 6ft PVC fence is proposed.

A 2.5 knee wall is proposed along the rear part of the side yard to block access by cars to the adjacent yard.

The existing foundation wall will be used where it butts the adjacent property.

Ms. Chester raised concerns about the feasibility of large group tenancies being responsible for putting out the trash to the street. Clarkin said the trash area can be designated for each unit. Clarkin offers that a condition of approval can be that the owner provide a property manager.

Public Comment:

Jo Liotta – Central Ave. - She lives to the rear of the property. Concerned about how close the building will go to her property. Engineer said there will be a landscaped buffer. The building is 60 feet from the rear lot line. She also has concern about people jumping the fence in the rear.

Scott Elias – adjacent property owner – This property physically touches his house. The applicant did not respond to his attempts to discuss the project. He is concerned about damage to his house. Clarkin suggests Elias retain an engineer to review the plan.

Elias says he would have to reside an entire side of his house because of this project. Clarkin says applicant is not responsible but he will inquire if the applicant will participate in the cost.

Elias' fence gets damaged by persons using this property.

There were tenants in the building until recently and it is in deplorable condition. (W-1 through W-7 photos of the property) Debas has maintained it in this condition.

Elias wants the property improved but feels this is too intensely developed. He feels units that have 9 persons are too intense and not what the Board has approved recently. Clarkin says the occupancy issue is something to be discussed and reviewed potentially before the next meeting.

McEligott – how long is the abutment of the 2 houses? Sheffmaker – 24 feet

Charles Kratovil – is the 1st floor unit accessible – Sheffmaker – no

Hearing adjourned until March 26 for further testimony.

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
John Sutton		
Kim Maloney		
Margaret Chester		
Scott Elias		
Sue McEligott		
Doug Sheehan (alt)		
Peter Ventrice (alt)		
Jose Madera (alt)		

Heriberto Cruz, Z-2011-19, 195 Joyce Kilmer Avenue, Zoning District R-5A

Larry Sachs, Esq – Applicant proposes construction of 2 decks that will wrap around the rear of the property. A paver patio area creates an impervious surface variance.

Heriberto Cruz – he is the owner occupant along with mother. The trees in the rear yard make growing grass difficult and he doesn't want mud or to take the trees down and be able to use the rear yard. No landscaping will be taken out.

An existing fence that is in the ROW will be relocated.

The lot coverage maximum is 20% and 36% provided with 50% impervious allowed and 66% provided. This is less than many nearby neighbors.

Public:

None:

Motion: McEligott

Second: Sutton

Approved: Unanimously

	Yes	No
Nancy Coppola, Chair	x	
John Cox, Vice Chair	x	

John Sutton	x	
Kim Maloney	x	
Margaret Chester	x	
Scott Elias	x	
Sue McEligott	x	
Doug Sheehan (alt)		
Peter Ventrice (alt)		
Jose Madera (alt)		

Adjournment 8:45