

5/18/2020
approved
JPM

NUTLEY ZONING BOARD OF ADJUSTMENT

Public Session Meeting Minutes

April 20, 2020

CALL TO ORDER: A meeting of the Nutley Zoning Board of Adjustment was called to order at approximately 7:30 p.m. by Chairman Frank Graziano via Zoom webinar. Roll was called and the Sunshine Notice was read.

PRESENT: Tammy Rossi, Patricia Doherty, Joseph Battaglia Daniel Tolve, Theresa Sullivan Duva, John Cafone, Gregory Tolve, , Frank Graziano-Chairman, Diana Powell McGovern, Esq.

EXCUSED: Peter Scirica, Suzanne Brown-Vice Chairwoman

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No. 1: 109 King Street : ADJOURNED

Applicant: Mr. & Mrs. Maurizio Turano

Application: to convert the existing two (2) family dwelling into a three (3) family dwelling, in an R-2 zoning district, as shown on the plans prepared by Dassa-Haines Architectural Group, LLC, dated April 22, 2019, along with the applicant's letter of intent, and to leave as erected masonry columns constructed in the side yard along Wesley place.

Appearances: Mr. Tom DiBiasi, DiBiasi & Rinaldi, LLC

Letter of Denial: was previously read

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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No. 2: 367 Franklin Avenue - ADJOURNED

Applicant: Franklin Realty LLC

Application: for a construction permit, at the above referenced premises, to alter the existing ground floor area, and construct a 2,530 square foot restaurant with a drive-thru, and to make site improvement to the existing site, as shown on the plans prepared by Stonefield Engineering and Design, dated November 4, 2019, and building signage plan along with architectural plans, dated October 22, 2019, prepared by Kimmerle Newman Architects

Appearances: None

Letter of Denial: was previously read

Diane Powell McGovern, Esq will reach out to Gaccione Pomaco to request plans to be sent electronically. Diane will also ask if traffic studies and stacking studies were done. Robert Battaglia requested that the board should have a special meeting due to the complexity of the application.

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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No. 3: 789 Bloomfield Ave -Adjourned

Applicant: Mr. Khrisopher Reina, 789 Bloomfield Avenue

Application: to construct a terrace on the second floor to be utilized as an outdoor dining area, and to add 225.5 square feet of signage on the building, as shown on the plans prepared by Dassa-Haines Architectural Group LLC, revised July 29, 2019, is denied for the following reasons:

This property is located in an B-2 district as shown on the Nutley Zoning Map.

Appearances: Mr. Tim Valliere, Valliere LLC, 610 Franklin Avenue

Letter of Denial: was not read

Diana Powell McGovern advised Tim that architect plans to be electronically submitted.

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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No. 4: 3 Cathedral Avenue – Adjourned

Applicant: Mr. Luis Cruz

Application to construct a new roof canopy over the existing patio in the rear yard, on the existing non-conforming property, located in a B-1 district, as shown on the plan prepared by Architect, Salvatore Corvino, dated September 20, 2019, is denied for the following reason:

This property is located in an B-1 district as shown on the Nutley Zoning Map.

Appearances: Salvatore Corvino Architect, 11 Bloomfield Avenue, Mr. Cruz, Anthony Catalano-Project Manager

Letter of Denial: not read

Sal Corvino to send plans electronically

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

No. 5: 40 Colonial Terrace – Adjourned

Applicant: Mr. Carmen Alvarado

Application to install a 12' by 24' semi in ground pool having a seven (7') foot side yard setback, a four (4') foot rear yard setback and an eight (8') foot setback to the main dwelling, as shown on the survey by Nutley code enforcement received, December 12, 2018 is denied for the following reason:

This property is located in an R-1AA district as shown on the Nutley Zoning Map.

Appearances: Mr. Alvarado

Letter of Denial: not read

Tammy Rossi recused for subject property.

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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No. 6: 156 Rhoda Avenue – Adjourned

Applicant: Greg Palmieri

Application to add to the existing 14' X 16' deck, a 6' X 8' section, having an approximately 14' rear yard setback, as shown on the property survey prepared by James Pica, dated February 22, 2017, and plans prepared by Architect, Jeffery A. Fleisher, dated September 10, 2019, is denied for the following reasons:

This property is located in an R-1 district as shown on the Nutley Zoning Map.

Appearances: Greg Palmieri

Letter of Denial: not read

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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No. 7: 29 Edison – Adjourned

Applicant: Ms. Jacqueline Loparo

Application to construct a 2nd floor rear dormer addition, having a 1.89' side yard setback, as shown on the plan prepared by Architect, Joseph M. Donato, AIA, dated February 18, 2020, and property survey prepared by GB Engineering, dated January 15, 2020 is denied for the following reasons:

This property is located in an R-1 district as shown on the Nutley Zoning Map

Appearances: Ms. Jacqueline Loparo

Letter of Denial: not read

Request for plans to be sent electronically

With no further questions from the members and no one in the audience with questions or comments, a motion has been made to adjourn the application to the May 18, 2020 regular meeting

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BOARD COMMENTS/DISCUSSION:

Discussion to hold a special meeting for 367 Franklin Avenue. Board to request special meeting for June 1st if they are ready to proceed.

Discussion for Zoom training seminar session for Monday, April 27, 2020 @ 7:30

MINUTES: February 10, 2020 approved

RESOLUTIONS MEMORIALIZED: 146 Hancox Ave Block & Lot 9404/3;
39 Oak Crest Place Block & Lot 2903/4

INVOICES: Pennoni and Associates 367 Franklin Avenue \$2,500.00

NEW BUSINESS: None

LITIGATED MATTERS: None

**NOTE: THE PROCEEDINGS IN THIS MATTER WERE VOICE RECORDED.
THE RECITAL OF FACTS IN THE MINUTES IS NOT INTENDED TO BE ALL-
INCLUSIVE, BUT IS A SUMMARY AND HIGHLIGHT OF THE COMPLETE
RECORD MADE BEFORE THE ZONING BOARD.**

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Respectfully submitted,



Lisa Zitola-McGuire