

REGULAR MEETING OF THE EAST NEWARK PLANNING BOARD
COUNCIL CHAMBERS
BOROUGH HALL
34 SHERMAN AVENUE
EAST NEWARK, NEW JERSEY 07029
NOVEMBER 4, 2021

MINUTES

PUBLIC STATEMENT

ADEQUATE NOTICE OF THIS MEETING BEING HELD ON THIS 4th DAY OF NOVEMBER, 2021 HAS BEEN PROVIDED BY THIS BOARD TO ALL APPLICABLE PARTIES, AGENCIES AND AUTHORITIES. THIS MEETING IS BEING HELD AND CONDUCTED IN ACCORDANCE WITH P.L. 1975, CHAPTER 231 OF THE LAWS OF THE STATE OF NEW JERSEY.

AGENDA

1. Hearing:
CASE #2021-02
331 JOHN STREET
BLOCK 7, LOT 10
EAST NEWARK, NJ 07029
OWNER: EN INVESTMENTS, LLC
2. Review of changes to the Zoning Ordinance presented by Leigh Fleming.
3. Approval of Minutes for JuLY 7, 2021: APPROVED

SECRETARY CALLED MEETING TO ORDER AT 7:00 P.M. TGE PLEDGE OF ALLEGIANCE WAS RECITED. THE SECRETARY CALLED THE ROLL CALL.

MEMBERS	PRESENT	ABSENT
MAYOR DINA M. GRILO	X	
COUNCILMEMBER ROSE M. EVARISTO	X	
DAVID WOZNIAK	X	
BILLY EREZUMA	X	
ROSANGELA ZAYAS	X	
CARLA FERNANDES	X	
CHRISTOPHER REIS	X	
RAY GRAHAM	X	
DONNA O'DONNELL		X
Filip Uscilowicz, Alt BM		X
Mike Gurrieri, Alt BM	X	

As nine(9) members of the East Newark Planning Board are Present, a QUORUM was established.

ALSO PRESENT: GARY CUCCHIARA, ESQUIRE, BOARD COUNSEL; LEIGH FLEMING, BOARD PLANNER; DONALD NORBUT, BOARD ENGINEER AND MARY C. GAINES, SECRETARY TO THE PLANNING/ZONING BOARD.

MOTION TO ACCEPT AGENDA FOR THE REGULAR MEETING OF JULY 7, 2021

MOTION BY BOARDMEMBER FERNANDES
SECONDED BY BOARDMEMBER REIS

Evaristo-Aye; Wozniak-Aye; Erezuma-Aye; Zayas-Aye; Fernandes-Aye; Reis-Aye; Graham-Aye; Alt Member Gurrieri-Aye; Grilo-Aye

MOTION CARRIED

CASE 02-2021: EN INVESTMENTS, LLC FOR 331 JOHN STREET, BLOCK 7, LOT 10

At this time it is noted that Board Member Fernandes is recusing herself due to a conflict.

Applicant's Counsel: Gary D. Bennett, Esq., Attorney at Law, 70 Midland Avenue, Kearny, NJ 07032

The following exhibits are marked into record:

- A-1, Application submitted
- A-2, Proof of publication and service of notice of the hearing.
- A-3, Denial Letter dated July 29, 2021.
- A-4, Survey dated April 11, 2007
- A-5, Architectural Plans dated June 11, 2021.
- A-6, Deed submitted dated June 25, 2007
- B-1, Report of Heyer, Gruel and Associates, dated October 28, 2021.
- B-2, Report of Board Engineer dated October 29, 2021.

An overview of the application was presented by Gary D. Bennett, Esq. Stating that this is a property with insufficient lot depth and they would like to demolish existing structure and construct a new two-family dwelling. Seeking C1 and C2 variances for size of lot, depth of lot and rear yard setback.

Swearing in and testimony of Chritopher Juchnik of Neves Architecture and Design, 405 Kearny Avenue, Kearny, NJ 07032

Mr. Juchnick reviewed the plans with the Board and described the various architectural features. He explained that the site is 25 feet wide by 97.75 feet deep. There will be a curb cut of 12 feet and the building will be set back 20 feet in the front. Plans show 3 levels with a single car garage, bedroom, closet, ½ bathroom and a stairway connecting the ground floor to second floor level. Apartment #1 on the second floor has a living room/dining room/kitchen combination with an open plan. Bedroom #2 and #3 and 2 full bathrooms. The third floor is similar to second floor.

The exterior shows front elevation with brick and stucco and rear elevation siding with plaster over block. Bay window with picture window. 3.08 feet side yard in order to have windows on the sides. One side of building is paved and the other is landscaped. The driveway would be 18 feet with a 12 foot wide curb cut and a dry well will be installed under the driveway for drainage.

Swearing in and testimony of Licinio Silva, Owner of EN Investments, LLC, 6 Healey Terrace, Kearny, NJ 07032.

Board Discussion. Mr. Reis asked if they considered reducing the building in order to meet the rear yard requirement. Mr. Juchnik responded that that would result in reducing the bedroom sizes which are on the small side as it is.

Question was raised regarding possibility of converting the ground floor into an illegal separate apartment. Mr. Juchnik stated that they only have a ½ bath on ground floor and a stairway interconnecting the ground floor to the upper floor which would deter illegal occupancy.

Meeting opened to the Public by the Chairman. Seeing none, public portion was closed.

Motion made by Boardmember Graham, seconded by Boardmember Erezuma, to grant application as presented with any changes or stipulations made during this meeting.

Evaristo-Aye; Wozniak-Aye; Erezuma-Aye; Zayas-Aye; Reis-Nay; Graham-Aye; Alt Member Gurrieri-Aye; Grilo-Aye

Motion Carried.

It is noted that Boardmember Fernandes rejoined the Planning Board.

REVIEW OF ZONING CHANGES PRESENTED BY LEIGH FLEMING FROM HEYER, GRUEL AND ASSOCIATES.

Board Discussion

PUBLIC PORTION:

Motion made by Board Member Fernandes
Seconded by Board Member Reis.

Evaristo-Aye; Wozniak-Aye; Erezuma-Aye; Zayas-Aye; Fernandes-Aye; Reis-Aye; Graham-Aye; Alt Member Gurrieri-Aye; Grilo-Aye

MOTION CARRIED

No members of the public came forward to comment.

MOTION TO CLOSE PUBLIC PORTION OF MEETING:

Motion by Board Member Fernandes
Seconded by Boardmember Reis.

ALL IN FAVOR SAID AYE

APPROVAL OF MINUTES

WHEREAS, copies of the minutes of the following meeting has been provided to the members and reviewed by the members of the East Newark Planning Board:

Regular Meeting JULY 7, 2021

NOW THEREFORE, BE IT RESOLVED, that all of the aforementioned minutes of said meeting be and are hereby approved.

MOTION BY BOARDMEMBER FERNANDES
SECONDED BY BOARDMEMBER EREZUMA

Evaristo-Aye; Wozniak-Aye; Erezuma-Aye; Zayas-Aye; Fernandes-Aye; Reis-Aye; Graham-Aye; Alt Member Gurrieri-Aye; Grilo-Aye

MOTION CARRIED

MOTION TO ADJOURN MEETING

MOTION BY BOARDMEMBER FERNANDES
MOTION SECONDED BY VICE CHAIR REIS

ALL IN FAVOR SAYING AYE.

MOTION CARRIED

MEETING WAS ADJOURNED AT 8:45 P.M.

RESPECTFULLY SUBMITTED, MARY C. GAINES, SECRETARY TO THE EAST NEWARK
PLANNING/ZONING BOARD