

REGULAR MEETING OF THE EAST NEWARK PLANNING BOARD
COUNCIL CHAMBERS
BOROUGH HALL
34 SHERMAN AVENUE
EAST NEWARK, NEW JERSEY 07029
March 3, 2022

MINUTES

PUBLIC STATEMENT

ADEQUATE NOTICE OF THIS MEETING BEING HELD ON THIS 3rd DAY OF MARCH, 2022 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 #2021-03
414 JOHN STREET
BLOCK 10, LOT 31
EAST NEWARK, NJ 07029
OWNER: ISAAC MORADI
2. Approval of Minutes for January 6, 2022, Reorganization Meeting:
APPROVED
3. Approval of Minutes for January 6, 2022, Regular Meeting: APPROVED

SECRETARY CALLED MEETING TO ORDER AT 7:05 P.M. THE PLEDGE OF ALLEGIANCE WAS RECITED. THE SECRETARY CALLED THE ROLL CALL.

MEMBERS	PRESENT	ABSENT
MAYOR DINA M. GRILO	X	
COUNCILMEMBER CHRIS REIS	X	
DAVID WOZNIAK	X	
BILLY EREZUMA		X
ROSANGELA ZAYAS	X	
CARLA FERNANDES	X	
RAY GRAHAM		
MIKE GUERRIERI	X	
KELLY CORBLIES	x	

As eight (8) 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 MARCH 3, 2022.

MOTION BY BOARDMEMBER REIS
SECONDED BY BOARDMEMBER FERNANDES

ALL IN FAVOR VOTING AYE, MOTION WAS CARRIED

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:

Reorganization and Regular Meeting JANUARY 6, 2022

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 GRAHAM

Grilo-Aye; Reis-Aye; Zayas-Aye; Graham-Aye; Fernandes-Aye; Corblies-Aye, Gurrieri-Aye; Wozniak-Aye.

MOTION CARRIED

RESOLUTIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

CASE 03-2021: ISAAC MORADI FOR 414 JOHN STREET, BLOCK 10, LOT 31

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 dated December 16, 2021.
- A-2, Proof of publication and service of notice of the hearing.
- A-3, Denial Letter dated October 26, 2021
- A-4, Omitted
- A-5, Architectural Plans prepared by Neves dated October 8, 2021.
- A-6, Neves amended plans dated March 2, 2022.
- A-7, Survey by Borrie McDonald and Watson.
- B-1, Report of RVE, Board Engineer dated January 21, 2022
- B-2, Report of Heyer, Gruel and Associates, dated February 24, 2022.

An overview of the application was presented by Gary D. Bennett, Esq. Stating that this is a property with insufficient lot depth of 85.11 feet 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.

Mr. Bennett also stated that upon adoption of new zoning ordinance regulations, they revised plans to conform to as many requirements as possible in order to eliminate need for variances, such as the following:

1. Elimination of bedroom on the lower level.
2. Add 2 car tandem parking in garage instead of 1 space and reducing the driveway to provide the 5 foot buffer.
3. Eliminate full bathroom on lower level and only have a powder room.

4. Reduce the curb cut to 10 feet.

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

Mr. Juchnik reviewed the plans and changes with the Board starting with the second and third floors. The front stairway leads to the apartments. Question was raised about the reason for the long stairway. Mr. Juchnik explained that there is no common foyer or the building would have to be fully sprinklered. 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.

Mr. Juchnik described the various architectural features. He explained that the site is 25 feet wide by 85.11 feet deep. Current side yard is 1.6 feet and it will now be 3.08 feet. There will be a curb cut of 10 feet and the building will be set back 20 feet in the front. Revised plans show a two car tandem parking garage, recreation room, ½ bathroom and a stairway connecting the ground floor to second floor level. The exterior shows front elevation with brick and coins on the sides with Juliet balcony projecting 8 inches Sides are plaster on block on main level and siding. One side of building is paved and the other is landscaped with a 5 foot. Windows are provided on side which allows for natural light, walls are fire rated. The driveway has a 10 foot wide curb cut. Rear yard is 10.13 feet with cantilever.

Mayor Grilo wanted to confirm location of driveway and size and stated that there have been issues with people parking on the sidewalk.

Mr. Bennett stated that the configuration of the ground floor will dramatically restrict the ability to have an illegal use. We will eliminate 3 of the variances: the 5 foot buffer, 10 foot curbcut and tandem internal parking.

Review of Leigh Fleming's of Heyer, Gruel & Associates comment regarding lighting. Mr. Juchnik stated that there will be no glare from the lighting onto neighboring properties.

Review of Don Norbut of Remington Vernick comment regarding grading and requesting a couple of spot shots be provided. Also, requesting to see existing utililities.

Comment about fencing. Mr. Juchnik stated that it will be PVC fencing and it will be and that it will be 2 foot 10 inches from the sides of the building.

Swearing in and testimony of Isaac Moradi, 28 Cunningham Drive, West Orange, NJ, owner of property.

Mr. Moradi stated that he is the owner of the property and that renovations to the existing property would be difficult to bring to a livable condition.

Mr. Wozniak asked if anyone from the public had any questions or comments. There were none.

Mr. Reis stated that he appreciates the efforts that the applicant went to comply with the changes to the ordinances.

Mayor Grilo commented that on future applications, you may want to consider the front stairs. Mr. Reis added stating that when apartments are rented out to students and there is snow, the stairs are not cleared and poses a dangerous condition.

Mr. Cucchiara stated that if any Board member has a conflict with this application or are located within 200 feet and have received a notice or has a personal or financial interest in this application, they should recuse themselves.

Mr. Guerrieri recused himself since he is on the list of residents within 200 feet of property

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

Grilo-Aye; Reis-Aye; Zayas-Aye; Graham-Aye; Fernandes-Nay; Corblies-Aye; Wozniak-Aye

Motion Carried.

OPEN TO PUBLIC PORTION:

Motion made by Board Member Graham
Seconded by Board Member Reis

ALL IN FAVOR SAID AYE, **MOTION WAS 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, **MOTION WAS 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 7:50 P.M.

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