

**MINUTES
REGULAR MEETING
CITY OF ELIZABETH ZONING BOARD OF ADJUSTMENT
THURSDAY, DECEMBER 11, 2014**

MEETING OPENING

Chairman Goncalves, called the meeting to order at 7:34 p.m.

SUNSHINE ACT

Chairman Goncalves announced that the requirements of the Sunshine Act were met by submission of a notice to the Star Ledger, which was published on **Friday, January 17, 2014**. Chairman Goncalves, asked everyone to stand for the flag pledge; the Board stood and recited the Pledge of Allegiance.

ATTENDANCE

Present: Chairman A. Goncalves, Vice-chairman F. Fernandez, and, Commissioners E. Cano, G. Castro, O. Galvez, J. Nunes, (came in @ 7:46 p.m.), R. Sosa, and A. Gallerano, P.P., PE, Consultant City Planner, Marta Rivera, Secretary/Board Clerk, F. Wolff, C.S.R., & S. Siegelbaum, Esq., Board Attorney.

Absent:, Commissioners Y. Eady-Perkins, M. Silva-Afonso, S. Coppa.

MINUTES

The minutes of October 09, 2014, a regular meeting, were presented for action. A motion to approve the minutes was made by Commissioner Castro, and was seconded Commissioner Cano, and the motion was carried unanimously.

RESOLUTION

Z-05-14, 239-243 Union Street, Union Street, Associates. On a motion by Commissioner Castro, and seconded by Commissioner Cano, the wording of the resolution was memorialized, and the tally was 4-0.

Z-11-14, 146 Stiles Street, 146 Stiles Street, LLC. On a motion by Commissioner Castro, and seconded by Commissioner Cano, the wording of the resolution was memorialized, and the tally was 4-0.

Z-16-14, 900 Fairmount Avenue, E & A Ventures, LLC. On a motion by Commissioner Castro, and seconded by Commissioner Sosa, the wording of the resolution was memorialized, and the tally was 4-0.

Z-57-07, 1112 Magnolia Avenue, 1107-1115 Chestnut Realty, LLC, Louis Renzo. On a motion by Commissioner Castro, and seconded by Commissioner Sosa, the wording of the resolution was memorialized, and the tally was 3-0.

DEVELOPMENT REVIEW HEARINGS-OLD & NEW

Z-05-14, 239-243 Union Street, Union Street, Associates. Al Andril, Esq., came forward for the application, and called Mr. Eran Shamesh, applicant, who duly sworn, he testified, was examined and excused. He then called Mr. Chris Zhender, RA, who duly sworn, he testified, and was examined, and excused. Anthony Gallerano, PP, PE, Consultant City Planner, was duly sworn, he testified, made comments. Chairman Goncalves opened the floor for public comment, and no one came forward for or against the application. A motion to approve the application was made by Commissioner Castro, and was seconded by Commissioner Silva, and the tally was seven, zero, and conditioned upon Planner's report, and all Department Recommendations.

DEVELOPMENT REVIEW HEARINGS-OLD & NEW Cont'd.

Z-26-13, 521-523 Jersey Avenue, Melsey Builders, LLC. Manuel Sanchez, Esq., came forward for the application, and called Mr. Fernando Luis, applicant, who duly sworn, he testified, was examined and excused. He then called Mr. Chris Zhender, RA, who duly sworn, he testified, and was examined, and excused. Anthony Gallerano, PP, PE, Consultant City Planner, was duly sworn, he testified, made comments. Chairman Goncalves opened the floor for public comment, and no one came forward for or against the application. A request to table the application for revisions, was made by M. Sanchez, Esq., and everyone agreed.

Z-15-14, 803-809 Bond Street, Fast Builders, LLC. Al Andril, Esq. came forward and called Mr. Cesar Moreira, applicant, who duly sworn, he testified, was examined and excused. he then called Mr. Chris Zhender, RA, who duly sworn was examined and excused. Chairman Goncalves opened the floor for public comment, and Jessica Moreira, came forward for the application. A motion to approve the application was made by Commissioner Castro, and was seconded by Commissioner Nunes, and the tally was seven, and conditioned upon Planner's report, and all Department Recommendations.

The following application was withdrawn by the applicant's attorney, by letter dated : Z-19-00, 737-745 North Broad Street, T & M Properties of NJ, LLC, North South Group, LLC. A request to extend the Site Plan Approval, **pursuant to the Permit Extension Act**, by letter dated October 10, 2014. **(M. Sanchez, Esq.)**

****Commissioner Fernando Fernandez, excused himself from participating on the next case.**

A Request for an extension of time for the Use, and Bulk Variance, and Minor Sub-division approval, dated September 20, 2007 for:

Z-36-07, 317 Rahway Avenue, Fernando Fernandez, by letter dated, 12/04/14. A request for an extension of time to file for Final Site Plan. Sheri Siegelbaum, Esq. Consultant Board Attorney made comments. Chairman Goncalves opened the floor for public comment, and no one came forward for or against the request. A **motion to extend** the time of approval for a year, was made by Commissioner Castro, and was seconded by Commissioner Cano, and the tally was five, to zero.

A REQUEST TO ADJOURN TO THE January 15, 2015, A REGULAR MEETING, for revisions; no fees, was granted for the following:

Z-18-14, 648 Third Avenue, 640 Third, LLC. A proposal to convert the existing retail building into a mixed use residential/commercial by adding eight apartments on the second floor, one one-bedroom, and seven two bed-room, with parking for twelve, in an MRC zone. **(“c” and “d” variance preliminary & final site plan)** **(J. Paparo, Esq.)**

OTHER BUSINESS-

The Calendar of meeting dates for the year 2015-2016 was presented by the clerk, for review, and approval. A motion to extend the time of approval for a year, was made by Commissioner Nunes, and was seconded by Commissioner Cano, and the tally was seven to zero.

A request from Raymond Bolanoswki, Esq., to increase \$5,000.00, of the cap for litigation fees, from \$30,000 to \$35,000.00, for all legal services to the ZBA, by Sarinci & Hollenbeck, "the Firm" for the year 2014, Jan-Dec. 31, by Resolution. A motion to approve the request for an increase in the cap for legal services, was made by Commissioner Castro, and was seconded by Commissioner Castro, and the tally was six to zero.

ZBA Minutes-December 11, 2014

pg. 3

ADJOURNMENT

On a motion by Commissioner Cano, and seconded by Commissioner Castro, the meeting was adjourned at 10:00 p.m., there was no other business.

GOOD NITE!!! ☺