

**MINUTES  
REGULAR MEETING  
CITY OF ELIZABETH ZONING BOARD OF ADJUSTMENT  
THURSDAY, MAY 12, 2022**

**MEETING OPENING**

Chairman G. Castro, called the meeting to order at 7:37 p.m.

**SUNSHINE ACT**

Chairman G. Castro announced that this meeting had been duly advertised in accordance with provisions of the Open Public Meetings Act, (N.J.S.A. 10:4-6 et. seq.) as a regularly scheduled meeting. Notice of the hearing was published in the **Star Ledger and Worrall Community Newspaper on Thursday, January 20<sup>th</sup>, 2022**. Chairman G. Castro asked everyone to stand for the flag pledge; the Board stood and recited the Pledge of Allegiance.

**ATTENDANCE**

**Present:** Chairman G. Castro, Vice-Chairman J. Nunes (came @ 7:44 pm), Commissioners F. Fernandez, F. Horta, E. Cano, E. Falcon, Dr. J. K. Donahue, Patrick McNamara, Esq., Board Attorney, Anthony Gallerano, PP, City Planner, E. Fishman, Court Reporter, and Monae Whitehead, Board Secretary.

**Absent:** Commissioners M. Silva-Afonso, Y. Eady-Perkins, A. Goncalves, and R. Sosa.

**MINUTES**

The minutes of **April 14<sup>th</sup>, 2022**, regular meeting was presented for action. A motion to **approve** the minutes was made by Commissioner J. Donahue and was seconded by Commissioner E. Falcon and the tally was 3-0.

**RESOLUTION**

**Z-01-22, 636-642 Pearl Street, 200-238 S. Pearl Street, & 200-260 Williamson Street, Trinitas Regional Medical Center. (“c” and “d” variance, major sub-division, and final major sub-division)**

On a motion to **approve** this resolution was made by Commissioner J. Donahue and seconded by Commissioner E. Falcon, and the motion was carried three-zero.

**Z-22-17, 233 Broad Street, 233 Broad, LLC. (one year extension)** On a motion to **approve** this resolution was made by Commissioner J. Donahue and seconded by Commissioner E. Falcon, and the motion was carried three-zero.

**DEVELOPMENT REVIEW HEARING**

**Z-10-21, 316-318 & 320-324 South Fifth Street, Armando & Paola Muscaritolo. (“c” & “d” variance, preliminary & final site plan)** S. Hehl, Esq., came forward for the application and called Mr. Anthony Kurus, PE, who duly sworn. He testified on the existing site and what’s proposed, including parking, setbacks, drainage, variances that are being seek for approval. He then called Mr. Ivan Marulanda, RA, who duly sworn. He testified on how the layout will be for each floor for residential and commercial uses, and showed the revised plans for how the building will look on each façade. He then called Mr. Nicholas Graviano, PP, who duly sworn. He testified that this application is not a deterrent to the site or the public good, this will help the health and general standards and need of the people. He then called Mr. Armando Muscarotolo and Mr. Mario Santagata, applicants, who duly sworn. They testified that they agree with any changes the commissioners have made and don’t have a problem complying. A Gallerano, PP, City Planner, who duly sworn, made comments on how he like the changes suggested and agreed with the commissioners.

**DEVELOPMENT REVIEW HEARING FOR Z-10-21 CONT'D**

Chairman Castro 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 Vice-Chairman J. Nunes and seconded by Commissioner E. Cano and the motion was carried seven-zero. Exhibits presented; A-1: revised G-100, first floor, A-2: colorized pictures of dwelling elevations, A-3: rear & right elevations, A-4: Area Conditions, Map & Image Source: Google Maps.

**Z-13-21, 1370-1372 Fremont Place, Cecilia and Manuela Merino Morales. (“d” variance, preliminary & final site plan)** R. Donat, Esq., came forward for the application and called Mr. Christopher Dougherty, RA, who duly sworn. He testified on the plans and explained the layout of the existing apartments and how nothing is changing. He then called Ms. Cecilia Morales, applicant, who duly sworn. She testified on why they are attending the board. They have been taxed as a 3-family dwelling but only been using it as a 2-family and would like to legalize the third apartment. He then called Mr. John McDonough, PP, who duly sworn. He testified on why they need the variance that is being seek and how this building was made for 3 families and the client just wants to bring it up to code. A Gallerano, PP, City Planner, who duly sworn, made comments on the parking and how it’s the boards discretion. Chairman Castro opened the floor for public comment, and no one came forward for or against the application. A motion to **adjourn** the application to the June 9<sup>th</sup> regular hearing, was made by Vice-Chairman J. Nunes and seconded by Commissioner E. Falcon and the motion was carried seven-zero. Exhibits presented; A-1: Neighborhood Compatibility Map, # of dwellings & Density.

**Z-03-22, 20-52 Butler Street, Elizabeth Industrial Center, LLC. (“c” & “d” variance, & minor sub-division)** S. Hehl, Esq., came forward for the application and called Mr. Daniel Miola, PE, who duly sworn. He testified on the subdivision plan and explained the 3 lots that exist, and the lot line adjustments proposed. He then called Mr. Sean Moronski, PP, who duly sworn. He testified the variance of expanding the non-conforming use is happening because of the lot line adjustments and how it makes the lots a more conventional shape. A Gallerano, PP, City Planner, who duly sworn, made comments. Chairman Castro 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 Vice-Chairman J. Nunes and seconded by Commissioner E. Cano and the motion was carried seven-zero. Exhibits presented; A-1: existing of lots that comprise the property, A-2: Aerial exhibit with proposed lots.

**ADJOURNMENTS- A request to Adjourn to the June 9<sup>th</sup>, regular ZBA meeting for:**

**Z-02-22, 100-122 Division Street, St. Joseph Social Services, Inc.** A proposal to construct 2 new 1 story pole barns as an accessory use, in a Public zone, Ward 6. (**preliminary and final site plan**) A motion to **adjourn** this application by Commissioner J. Donahue and seconded by Commissioner E. Cano, and the motion was carried 6-0.

**MEETING ADJOURNED**

On a motion by Commissioner F. Horta and seconded by Commissioner E. Falcon, the meeting was adjourned at 10:26pm., there was no other business.

**GOOD NITE!!!**