

NUTLEY ZONING BOARD OF ADJUSTMENT

Public Session Meeting Minutes

April 20, 2015

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. The Pledge of Allegiance was recited. Roll was called and the Sunshine Notice was read.

PRESENT: Suzanne Brown, Lou Fusaro, Gary Marino, Mary Ryder, Serge Demerjian, Chairman Graziano, Diana McGovern, Esq., Board Attorney, Peter Sirica

ABSENT: None

EXCUSED: None

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No. 1 Yeamans on behalf of Nutley Board of Education: CONTINUED

Applicant: Mrs. Karen Yeamans on behalf of the Nutley Board of Education, 90 Msgr. Blake Plaza, Block-Lot: 9205-11, 10 Msgr. DiLuca Plaza, Block-Lot: 9205-16

Application: request for a permit to utilize a portion of the Holy Family existing parking lot for the parking of the school bus fleet, and to install a 10' high privacy fence, located in a residential zoning district

Appearances: None

Letter of Denial: not read

Mrs. Diana McGovern advised the board that a letter from Mr. Thomas DiBiasi, a lawyer representing the Nutley Board of Education, was received. The letter stated that they were requesting an adjournment for this application because one of their witnesses had a prior obligation.

A motion to grant the continuance of this matter was made by Mr. Gary Marino, seconded by Mr. Thomas DaCosta Lobo. The continuance was granted by a vote of 7-0

No. 2 Reid APPROVED 7-0

Applicant: Mr. and Mrs. Robert Reid, 483 Prospect Street Block-Lot: 4800-22

Application: request for a relief of condition requiring the applicant not to apply for plumbing permits to convert the garage to a pool house as a condition to the memorialized resolution dated September 15, 2014.

Appearances: Robert Reid, Paulina Reid-Garcia

Letter of Denial: read by Mr. Thomas DaCosta Lobo.

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

Applicants Robert Reid and Paulina Reid-Garcia ask the board to focus on the plumbing part of the application.

Mrs. Diana McGovern stated that plumbing in pool houses is allowed under the code.

Mr. Gary Marino questioned the applicants whether or not there is access to the garage from the street and the applicants stated that there is not. Ms. Mary Ryder is curious to whether there will be a sink and a toilet in the garage. The applicants stated that there will be.

Mr. Thomas DaCosta Lobo is confused by the applicants plan. Applicant advises the board to focus on the sewage part of the plans and not the other parts of the plans. Applicants state that they are not pursuing a wet bar as the plans show. The corrected plans that were approved at the variance hearing did not have a wet bar and those are the plans that the Board approved at the Variance application previously granted.

Chairman Frank Graziano wants to make sure that the applicants are not using their garage as a residence. Applicants advise Mr. Graziano and the board that it is not going to be a residence and they are not requesting heat. The Applicants assured the Board that the space would not be used as a residential space and noted that the structure will not be heated so that the pipes will be drained each winter so nothing freezes.

With no further questions from the members and no one in the audience with questions or comments, a motion to grant the variance was made by Ms. Mary Ryder, Seconded by Mr. Gary Marino. The variance was granted by a vote of 7-0.

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BUSINESS:

The board discussed potential guidelines for videotaping board meetings and will vote at May 18th, 2015 meeting.

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RESOLUTIONS:

26 Wilmington Drive

40 Milton Avenue

304 Walnut Street

MINUTES:

March 16, 2015 minutes approved

INVOICES:

Pennoni invoice for Passaic & Kingsland Application in the amount of \$1180.00 was approved. Also approved was a refund to Mr. Carmen Florio, Washington Avenue, of escrow funds.

LITIGATED MATTERS: None

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Respectfully submitted,

Anjelica L. Mitchell

Minutes Approved NPM 5/18/2015