

Borough of Lodi
Zoning Board Minutes
May 28, 2009

The meeting was called to order by Chairperson Mr. Inserra at 7:30 p.m.

Members Present: Mr. Paladino
Mr. Bene
Mr. Staine
Mr. Gilson
Mr. Gaciofano
Mr. Schrieks
Mr. Avola
Mr. Inserra

Also Present: Zoning Board Attorney – Marcel Wurms (arrived 7:40 p.m.)
Zoning Board Secretary – Marlene Muska

Members Absent: Mr. Pinto

Also Absent: Zoning Board Planner Gary Pappozzi
Zoning Board Engineer Thomas Solfaro

Mr. Inserra advised the board application 050709Z – Dunkin Donuts – 179 Route 46 will not be heard this evening, as per our attorney Mr. Wurms, he requested our planner look at the application and submit a report, prior to the board hearing this case. It is our request to cancel; therefore there is no additional advertising or notice that has to be done.

Mr. Inserra made an announcement that if there was anyone in the audience that wished to be heard for or against the application, the application will be carried over to the June 25, 2009 meeting.

Mr. Inserra advised the board the application pertaining to Charlton Avenue will also be heard at the June meeting. Mrs. Muska advised the board members this application did not make the formal agenda.

Resolution: 020609Z
Chabuel / Emmanouilidis
11 Avenue E
Lodi, NJ 07644

The board members overturned the zoning officers decision the board feels this is not expanding the

, regarding the first part of this initial application.

Mrs. Muska read from the resolution all the waivers and conditions set forth by the members at the April 23rd meeting.

There was a motion by Mr. Staine, seconded by Mr. Avola to approve the resolution.

Mr. Gaciofano questioned #4 letter B of the resolution which he feels the car wash, stereo place and deli would have the bollards and the front door and chains would be removed.

Mr. Avola stated the above mentioned work is already complete.

Mr. Avola questioned the greenery again. He feels it is not feasible to put greenery in between the fence (Mr. Noreika's fence) and the slab of concert.

Mr. Gilson also agreed not a large amount of space, but Mr. Gilson stated the applicant said he would do the best he could, maybe using hanging pots or smaller pots. The applicant stated he would do something.

Mr. Bene questioned the board members and asked why no one mentioned all the signs that are on this building.

Mr. Inserra stated the signage on the building is the jurisdiction of the building department, not members of the zoning board.

Mr. Staine state there is a new signage ordinance that the mayor and council is working on.

Mr. Avola would like to go back to the greenery and he would like the resolution to read "Greenery will be **placed** along the fence if feasible"

Mr. Avola stated the door is fixed at the deli, the bollards supersede the striping.

Mr. Schrieks questioned according to the minutes did the fire department check the site as there is no exit in the rear of the building?

Mr. Avola stated letter g in the resolution has to deal with the dumpster, and as the board members remember Mr. Mileto stated the dumpster would be placed in space 11 close to the building.

Again, Mr. Inserra reminded the board there was a motion and second on the floor pertaining to this resolution.

Mr. Staine made the motion, it was seconded by Mr. Avola and the following members voted in favor of the resolution with the above mentioned changes:

Mr. Staine

Mr. Avola

Mr. Gilson

Mr. Inserra

The only other eligible voter was Mr. Pinto and he was absent.

Mr. Inserra advised the board members to remember what they heard at the seminar recently. "Anything said during the application testimony is part of the resolution, even if it is not stated in the resolution. The tapes and minutes are part of the resolution. Nothing can be put into the resolution if it was not discussed at the application meeting."

There was a motion by Mr. Gilson seconded by Mr. Avola to accept the minutes of April 23, 2009. All members present voted in favor of the motion.

Motion to adjourn by Mr. Schrieks, seconded by Mr. Gilson.

Respectfully submitted,

Marlene Muska