

Borough of Lodi
Zoning Board Minutes
June 26, 2008

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

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

Also Present: Zoning Board Attorney Marcel Wurms
Zoning Board Secretary Marlene Muska

Members Excused: Mr. Bene

Members Absent: Mr. Pinto

Motion by Mr. Avola seconded by Mr. Schrieks to approve the minutes of the May 22, 2008 meeting. Mr. Paladino questioned the noise level testing and Mr. Wurms stated that PSE&G is working on it and Mr. Wurms is content with the fact that it is in the works. Mr. Wurms also stated he received a letter from PSE&G that they could not run a gas line because there would not be enough pressure in the line. All members voted in favor of the motion – Mr. Gilson and Mr. Inserra abstained.

Resolution: 031208Z: Metro PCS
101 Route 46 West
Block 122.01 Lot 96

There was a motion by Mr. Avola and seconded by Mr. Staine for the approval of this resolution, granting the antenna site on the location at Lackland Storage this application was in compliance with the master plan and site plan approval was met. The following members voted in favor of the resolution: Mr. Avola, Mr. Staine, Mr. Paladino, Mr. Schrieks.

There were a few housekeeping items to clean up prior to this meeting. Mr. Avola made a point that the November 27, 2008 meeting date is Thanksgiving. Therefore, Mr. Avola made a motion to change the meeting date to November 20, 2008 seconded by Mr. Paladino, all members in attendance voted in favor of the change. Mrs. Salvacion will now re-advertise the date change.

Mr. Avola made a point to remind the board members that we usually do not have a meeting during the month of August. Mr. Wurms made a point to advise the members that he does not think anything is on the agenda at this time. Mr. Avola made a motion that we do not have a

meeting August 28, 2008, the motion was seconded by Mr. Paladino, all member voted in favor of the motion – Mr. Inserra abstained.

Application: 061008Z Stephen and Cheri Jefferson
 570 Main Street
 Block 172 – Lot 27

Mr. Gaciofano excused himself from this application as he is within 200 feet of the applicant. The applicant was made aware that there are six voting members, however a simple majority of the voting members is required for this application (4 voting members is required).

Mrs. Jefferson stated that they applied for permits for a second floor addition to their home and their architect spoke to Mr. Lavin before the plans were complete and Mr. Lavin stated that set backs that were noncompliant were preexisting and would be exempt. The applicant submitted completed plans in January and in April received a letter stating the permit was denied because of the preexisting rear and side setbacks.

Mr. Wurms stated to the applicant that any applicant is required to come before this board due to the fact that when you put a second floor on you can be infringing on your neighbors by blocking their windows and lighting.

Mr. Gilson questioned the four bedrooms – there are five people living in the home. There were no parking issues at all. Under the RSIS four bedrooms requires 2.5 parking spaces dropping the .5 the required parking spaces is 2 as per Mr. Wurms. There is no kitchen area in the basement. Mr. Avola stated this will still be considered a 1 family home and Mr. Gilson questioned if a sealed survey was available, Mr. Inserra had a sealed survey. Mr. Gilson advised that there should be no debris and the applicant stated there will be a dumpster on site not on the street. Mr. Inserra questioned the new addition will be no higher then the existing building and it stated that on the plans. The maximum permitted height is 26 feet and the existing height is 30 feet, therefore they will continue with the addition being the 30 feet. An amendment will be made regarding the height of the addition verses the height of the existing home. Mr. Wurms will clarify prior to making the resolution. Mr. Wurms advised the board members that proof of publication and mailing all in order.

There was no one in the audience that wished to be heard regard this application.

There was a motion from Mr. Staine and seconded by Mr. Avola all members voted in favor of the resolution. Point of order by Mr. Avola that the clarification must be made by Mr. Wurms.

New Business:

There was a discussion regarding the fact that all members did not receive the new meeting dates, Mr. Avola explained that the meeting dates will be given to all members at the reorganization meeting.

Mr. Gacifano questioned a few resolutions:

159 Garibaldi Avenue – the resolution states approval for 2 bedroom addition not a complete demolition and reconstruction. Mr. Gacifano would like our attorney to look into this matter.

Mr. Wurms states as long as the new footprint is the same as the previous footprint it is really not a zoning issue. Mr. Gacifano questioned the ordinance and there was a discussion if it goes higher than the existing footprint he did not comply. Mr. Staine clarified that there was a fire and demolition was necessary. Mr. Wurms could not make a determination with the resolution, but if the applicant had to knock down the existing structure to get to where the applicants plans were approved then it really isn't a zoning issue.

The other resolution in question is 541 Westminster Place – Lodi Physic the sign. Mr. Gacifano stated that Mr. Wurms report this to the building department and have them look into this as the sign does not conform to the resolution.

Mr. Staine brought to the board a list of businesses using storage containers that affects the building and lot coverage. The list was turned over to Mr. Melfi and he advised Mr. Staine that he would look into it. Mr. Staine stated Meadowlands Tire he feels is the one business with the most violations. At the advice of the attorney we will give Mr. Melfi 30 days to see if he does something regarding this list.

Mr. Gacifano suggested a work session be held. Mr. Avola suggested that this is not a good practice as even though the work sessions will be advertised, the public may get the feeling a certain member may not be in favor of the application. All necessary information that needs to be discussed regarding other matters other than applications can be brought up at a meeting under "New Business".

Mr. Avola stated that the Master Plan has to be looked into again, as we are well overdue. He brought it up to the prior administration, they had one meeting and that was it. He brought it up to the new administration and he hopes it will get started again.

Mr. Wurms will bring a "new" application for the applicants to file; the members will either make additions or deletions or approve the new application that the building department will use.

There was a motion by Mr. Staine seconded by Mr. Schrieks to adjourn.

Respectfully submitted,

Marlene Muska