

**BOROUGH OF JAMESBURG
LAND USE BOARD – VIRTUAL MEETING
MINUTES
April 8, 2021**

Chairman John Walker called the meeting to order at 7:03 pm and announced that the same was being held pursuant to the Open Public Meetings Act and that all the provisions of the Act had been met.

Flag Salute

Roll Call: Present:

Joseph Howard
Susan Kozar
Mayor Lowande
Joseph Maccaro
Peter Shaughnessy
Shannon Spillane
John Walker
Brian Wright

Alt: Robert Boulogne

Absent; Roseanna Davino, Alt: Patrick Connelly

Approval of Minutes March 11, 2021:

Motion: Kozar

Second: Howard

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Spillane, Wright, Walker

Approval of Executive Session Minutes March 11, 2021:

Motion: Wright

Second: Spillane

Roll Call: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Spillane, Wright, Walker

INTERPRETATION: Alla Krutyansky – 79 East Railroad Avenue

The applicant did not show up to the scheduled meeting. The Board Secretary will reach out to the applicant to attend the May 13th meeting.

Zoning Officer Bill Maresca explained to the Board the lettering on the door exceeds the 10% that is in the sign Ordinance.

There was discussion amongst the Board members and Board Attorney regarding the sign Ordinance.

PUBLIC HEARING – NJ House Flippers – 49 Pergola Ave. – Block 19, Lot 1.01

The owner of the property is NJ House Flippers. The property is located at 49 Pergola Avenue. He applicant is requesting a Use variance to legalize an existing mother/daughter house.

Mario Apuzzo, Attorney for the applicant introduced the speakers for tonight's hearing. The property was purchased in September 2020. The home is a bi-level with existing kitchens on the 1st and ground floors. The house is currently a mother-daughter. The owner has twin sons who he would like to have live in the home with their families.

Zoning Officer Bill Maresca advised the home is a 5-bedroom home, but the applicant has it as a 3-bedroom. The 2nd kitchen, pool and parking area are not on record. A Use Variance is required to legalize what is already existing.

The applicant removed the pool. Oil tank, shed, added central air and remodeled the top floor. There will be no external changes.

Nazir Afamougat – Designer – Renovations were done inside, no changes to the outside. There are 2 kitchens, the garage will be turned into a bedroom.

Board Attorney Mike Balint explained there were several modifications done inside. A header was added after walls were removed to make an open floor plan, 2 gas meter – 2 zoned heat, 2 electric meters, 2 bedrooms were added.

Several Board members had questions regarding doors and ways of egress, 2 electric meters would mean a 2-family home. There is no 2nd kitchen allowed in a single-family home. A mother/daughter can have 2 kitchens, but requires approval.

Frank Antisell – Planner - The existing home is on a corner lot in the R75 Zone We are requesting a Use Variance to legalize a mother/daughter with no changes to the exterior of the home. The appraisal shows 2 kitchens which the applicant thought was permitted. The tax bill shows it as a 5-bedroom, but is actually a 3-bedroom.

4 Bulk Variances for existing conditions.

- 1. Rear Setback
- 2. Max lot – impervious coverage (Patio is over impervious coverage)
- 3 & 4. No fence in front of house – fence along George Street/front and along back of property

4 Design Waivers:

- 1. Site Plan approval.
- 2. Existing driveway – doesn't allow 4 parking spaces, but is large enough for them
- 3. Street trees to be added – 8 mature trees on George Street
- 4. Sidewalks on all streets - no other sidewalk.

Several Board members had concerns about the property. Below are some of them:

- The brick wall in the front of the house encroaches on right of way, should be removed. Needs county approval.
- The house is listed on tax bill as a 5-bedroom but is listed as a 3-bedroom
- Renovations were done without permission
- Replacing garage door with a door and window would make 2 separate entrances
- Concerns eventually down the road this will become a 2-family home

Board Attorney Mike Balint would like a deed restriction, the 2nd kitchen removed and the garage door to stay. The applicant and his attorney are willing to do a deed restriction and whatever else the Board would like them to do.

Motion to Open Public Comment:

Motion: Howard

Second: Spillane

In Favor: All

Motion to Close Public Comment:

Motion: Howard

Second: Maccaro

In Favor: All

Motion to Approve with stipulations:

Motion: Maccaro

Second: Howard

In Favor: Howard, Kozar, Maccaro, Spillane Wright, Walker, Boulogne

STIPULATIONS:

- Single meters for electric and gas
- Garage door stays
- Interior door at front entrance leading to basement remains
- Deed restriction – no 2-family, only mother/daughter

DISCUSSION ITEM:

Zoning Officer Bill Maresca discussed an area on Duane Street just before the recycling center that is located in Monroe Township with a small area of the driveway being in Jamesburg. He is asking the Board if they will approve transferring this small triangle of property to Monroe. After discussion with the Board members, they agreed to vote for the transfer of property.

Motion To Transfer:

Motion: Kozar

Second: Maccaro

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy, Spillane, Wright, Walker

There was a brief discussion regarding a former Board member who is looking to apply for a variance. Due to conflict, he was instructed to go to Monroe to be heard. Monroe turned him away. Board Attorney Balint will discuss the procedure with Borough Attorney Fred Raffetto.

Motion To Adjourn:

Motion: Lowande

Second: Spillane

In Favor: All