

**BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
August 15, 2023**

Chairman Leonardis opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer, The Courier News and The Star Ledger providing the same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustments not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

ROLL CALL:

Present:

Kenneth Bonnano
April Wasnick
Gino Leonardis, Chairman
James Gustafson, Vice Chairman
Cindy Eichler
Joseph Scrudato, 1st Alt.
Scott Miller, 2nd Alt.

Absent:

Darlene Cullen

Also in Attendance: Matt Flynn, Esq.

RESOLUTIONS: None.

HEARING:

Chairman Leonardis reads into the record a letter from James Clarkin, Esq., regarding case #25-21 JMSM, LLC, Block 528: Lot 46.06: M-2 Zone, 4001-4081 Hadley Road, requesting this matter be carried to September 19, 2023, with no further notice or publication be required. Applicant extends the boards time of decision to September 30, 2023. Mr. Flynn confirms 7:00PM in this room, same time, same location. No further notice will be provided.

**Case #17-23 – Bernice Marshall
Block 354: Lot 14: R-10 Zone
318 Belmont Avenue**

The applicant is requesting a lot width variance to build a new home on an existing undersized lot. The lot width is 93.40 feet where 100 feet is required.
Required – 100' Proposed – 93.40' Variance – 6.6'

Bernice Marshall, the owner of the property, was sworn in. Ms. Marshall stated that she was in front of the Board due to her property having a deficient lot width of 93.4 feet, whereas 100 feet is required in the R-10 zone, thus a 6.6-foot variance. The applicant currently resides outside the Borough but is purchasing the subject property, located at 318 Belmont Avenue, with the intention of building a new home. Using the architectural plans provided to the Board, the applicant testified that the new dwelling will be 2,636 square feet and conform to all necessary setbacks and other bulk requirements. Demolition of the existing structure is required due to it no longer being in a livable condition.

MS. Marshall is widowed and has several colleagues and friends in South Plainfield and wants to make the Borough her new principal residence. The square footage, according to the applicant, is justified by the large family of daughters, grandchildren, nieces, and nephews who frequently visit. The structure itself will have vinyl siding and a stone veneer in front, together with an attached three-car garage. The home will have four bedrooms, an unfinished basement, and no attic, but the applicant has not yet chosen a

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color for the siding. The proposed circular driveway has two curb cuts, and the applicant requested the within variance pursuant to the (c)(1) hardship criteria. Ms. Marshall agreed to the following conditions: Any proposed attic shall not be finished, nor constitute additional living space, the proposed walkout entrance shall not be enclosed, nor constitute additional living space and, the applicant shall not reconfigure the design of the home to provide for a mother-daughter or in-law suite arrangement. The circular driveway shall not be changed to provide two separate driveway entrances leading up to two separate dwelling units. In addition, there shall be no walkway leading up to a secondary entrance in the front yard. Chairman Leonardis opened the discussion to the Public. No comments or questions. With no contributors, Chairman Leonardis closes the public portion.

Chairman Leonardis calls for a motion of approval. Ms. Eichler made motion, seconded by Ms. Wasnick. Those in favor: Mr. Bonanno; Mrs. Eichler; Mr. Miller; Mrs. Wasnick; Mr. Scrudato; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

Case #18-23 – Angelo Angelini
Block 124: Lot 3: R-7.5 Zone
59 Leeds Drive

The applicant is requesting a side yard variance for a deck.
Required – 8' Proposed – 6' Variance – 2'

The owner of the property, Angelo Angelini, together with his wife Sharon Angelini, were sworn in. Mr. Angelini stated that they closed on their home at 59 Leeds Drive and discovered that the existing deck, which sits off the side and rear of the home, was built without proper permits. The applicant has owned the property since May and is now asking the Board to grant variance relief to allow them to obtain after-the-fact permits. The applicants supplied a survey indicating the deck sits approximately 4.96 feet from the side lot line, and the existing fence encroaches approximately two additional feet into their neighbor's yard. The deck is just used for typical outdoor entertainment, and the applicant agreed to the following conditions: The deck shall not be enclosed as living space, and this variance is only granted up to the existing condition of the deck. Any addition or expansion shall require additional relief from the Board. Chairman Leonardis opened the discussion to the Public. No comments or questions. With no contributors, Chairman Leonardis closes the public portion.

Chairman Leonardis calls for a motion of approval. Ms. Eichler made motion, seconded by Ms. Wasnick. Those in favor: Mr. Bonanno; Mrs. Eichler; Mr. Miller; Mrs. Wasnick; Mr. Scrudato; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

B. Case #36-18 – 1335 Associates, LLC
Block 3: Lot 29: R-7.5 Zone
1335 West 7th Street

The applicant is requesting a 1-year extension of approval to September 15, 2024.

Joseph A. Paparo, Esq., appeared for the applicant. Explained that an applicant may, pursuant to N.J.S.A. 40:55D-52(a), apply for up to three (3) one-year extensions of time to preserve the applicable zoning requirements and protect the rights conferred to it by way of Board approval. The applicant previously applied to the Board and received a one-year extension to September 15, 2023, at the Board's August 16, 2022, meeting. Mr. Paparo, Esq. Is requesting an additional 1-year extension due to ongoing litigation.

Chairman Leonardis calls for a motion of approval. Mr. Scrudato made motion, seconded by Vice Chairman Gustafson. Those in favor: Mr. Bonanno; Mrs. Eichler; Mr. Miller; Mrs. Wasnick; Mr. Scrudato; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None.

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ADJOURNMENT: 7:44PM

Respectfully Submitted,
Stephanie Merola
Recording Secretary