

## MINUTES OF THE PLANNING BOARD FROM 12/21/23

The in person meeting was called to order at 7:00pm by Dean Doukakis.

Present: Dean Doukakis, Michael Madden, Christopher Morgan, Jennifer Bonaccorsi, Mayor Houck, John Schmidt, Michael Famular, and Brian Shannon

Excused: Jeff Hanson

Also Present: Alena Hyatt; Solicitor, Suzanne Ritter; Secretary, Steve Bach; Engineer/Planner

The meeting was called to order by Dean Doukakis at 7:00pm.

The November 16, 2023 minutes were approved with a motion by John Schmidt; Seconded by Michael Madden. Jennifer Bonaccorsi and Brian Shannon abstained from voting. All members present last month approved the minutes.

### New Business:

#### **CS#23-12-104 Ninth Avenue, B-45, L-3 Michael Kuzniar**

Mr. Kuzniar was sworn into the record. Mr. Steve Bach of Bach Associates was sworn into the record. Applicant wants to add an addition onto the back of his house to accommodate his growing family. Lot is 50 x 200 on Ninth Avenue. Applicant is seeking two variances tonight. The current enclosed front porch would be opened up to have an open front porch instead. Side entrance would be removed and instead be a mud room entry would go there keeping the setback the same size. There would be a front door added when the porch gets opened up. There is no drainage issues with the current lot coverage.

Mr. Bach discussed the comments mentioned in his December 18 review letter. Rain barrels and any new downspouts to drain to the rear of the property would be sufficient. All of the work is addition work and a grading plan review is not needed. Sill fencing will need to be installed during the construction process. Mr. Kuzniar's neighbors were in favor of the addition.

Jeff Gelay of 100 Ninth Avenue was sworn into the record. Mr. Gelay is in favor of this addition and wants to keep the Kuzniars in town.

Summation: Two C-1 variances are being sought tonight.

Motioned by Michael Madden to approve the variances subject to the comments in Mr. Bach's letter; Seconded by Councilman Morgan. Passed with a 7-0 yes vote.

#### **CS#23-12-2P Gabriel & Elise Leenman, 712 Station Avenue, B-51, L-11**

Mayor Houck and Councilman Morgan recused themselves from this case.

The applicants are being represented by Charles Licata. The owners of the property want to continue to use the property as a duplex. Gabriel & Elise Leenman were sworn into the record. Mr. Licata discussed the exhibits in the application. The information presented walked through the history of the home for the last 30 to 40 years.

Comments from the public: Carol Renford 205 Eighth Avenue. Her property is in the rear of this property. She was the executor of the former owner of this property. For the last 25 years she can testify that the property was a rental. Both of the units are separate and not connected internally.

Ms. Renford is okay with this property staying as a duplex.

Summation: Non-conforming use is being sought tonight.

Motioned by John Schmidt; seconded by Michael Madden to approve the certification of this property as a duplex. Passed with a 6-0 Yes vote.

**CS#23-11-1P NCPG 1500 Kings, LLC (Nick Curiale) B-80, L-1**

Mayor Houck and Councilman Morgan recused themselves from this case.

Applicant is being represented by Mr. Charles Oppermann. They will keep the residential unit on the 2nd floor. Exhibits Company, Auto Detailing Company, and Lunacy Brewing have or are in the process of moving out. Storage of construction equipment will be stored inside the building with the exception of one vehicle. Not making any physical changes to the structure itself.

Nick Curiale, Joe Mancini, Vince Ceroli, and Ken Richardson were sworn into the record.

Mr. Nick Curiale owns a commercial construction company. He wants to purchase this building to secure his equipment inside and a flatbed trailer and a tractor will be stored outside.(Exhibit A) Mr. Curiale's company is a concrete company building flat work and foundations only. The hours of 8-3 there will be 2 to 3 mechanics trucks parked in the parking lot. There is a fence in the back of the building with a fence around it. Some lumber forms will be stored on the inside of the property. No mixers. Lots of small tools. Some equipment is rented for 2-3 months at a time.

Tractor Trailer would be moved twice a day every day at this facility. The tractor trailer can be moved onto site without having to back into the area. Shared easement for the driveway area. 15 parking spaces will remain. No changes to the exterior property except proposed by the Borough Engineer for esthetic reasons. The applicants are here tonight for a use variance. A truck turning report was presented and submitted tonight for a WB40, a forwarding pulling type truck. Tractor would be about 40-42 long. If the use variance is approved tonight the applicant would need to come back before planning board for site plan approval. The driver of the tractor, his vehicle to get to the rig and 2 mechanics would be parking there. No office staff would be parking there. The residential unit would get 2 parking spaces. Hours of operation; mechanics 6am until 3pm. No weekend work. No other tractor trailers would be coming to this location. In the rear of the building from time to time something could be sitting out there on a temporary basis. Storage outside could be presented at the site plan application. No construction waste will be stored at this site. Clean Harbor is the facility for any oils that would be located inside of the building. Tractor trailer would arrive at 6am and then come back to the facility by 4pm. Movement of the fork lift equipment in the common easement of the driveway needs to be discussed. Applicant is proposing a forklift to be stored at the back of the facility. One K turn will be used by the tractor trailer to get to the back of the building. The K turn will not impact the Sherwin Williams parking spots. The tractor will park in the back corner of the building at night. Cellphone Tower access might be needed for this site plan and the access needs to be maintained for the cellphone tower work to be completed.

Real Estate Marketing efforts were presented for commercial real estate by Vince Ceroli and Ken Richardson. Since 2022 they have marketed this building. There was one housing developer who was interested in developing the property but the math didn't work out to have 40 rental units at this

spot. They had multiple developers show interest in this building but they weren't a good fit for the town.

Mr. Bach talked through his review letter of November 9. No maintenance of any equipment will be performed outside. Existing apron out front will be repaired.

Comments from the public:

Adriana Corso of Wayne Avenue was sworn into the record.

Rebecca Alper of 1400 Kings Highway was sworn into the record.

John Smaldore 1834 Wayne Avenue was sworn into the record.

Donald Marshall at 405 W. Kings Highway of Audubon was sworn into the record.

Pamela Adams of 1326 Keswick Avenue was sworn into the record.

Rosalie Hudson 1308 and 1312 Sylvan Drive was sworn into the record.

Rich Rys 1322 Kings Highway was sworn into the record.

Paul Aylman of 1832 Kings Highway was sworn into the record.

Howard Emerson of 5 St. Martins Avenue was sworn into the record.

Stanley of Audubon was sworn into the record.

Summation by the applicant's attorney. The Sherwin Williams truck is larger in length than the applicant's tractor trailer of 52 feet via a digital photo. No consumer use of the building will not happen at this location.

Summation: Use variance to prove the positive and negative criteria.

Motioned by Michael Madden to deny the application; seconded by Brian Shannon. Vote was 5 yes to deny and 1 no to approve.

**Adjourn:**

Motioned by Michael Madden; Seconded by Brian Shannon to adjourn at 9:22pm. All members approved.