

Joint Land Use Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
December 14, 2022

1. Call to Order

Vice Chairperson Woska called the meeting to order at 7:04pm.

2. Open Public Meeting Act Statement

Vice Chairperson Woska read the Open Public Meeting Act Statement.

3. Roll Call

The following members were present:

CLASS IV MEMBERS:

FRANK RYAN DEC/2024 [PRESENT]	MARK KRANZ DEC/2023 [PRESENT]
JOSEPH DESCENZA DEC/2024 PRESENT]	JOE CARUSO DEC/2022 [PRESENT]
ROBERT SHERR DEC/2022 [ABSENT]	PAUL WOSKA DEC/2023 [PRESENT]
TODD NICOLAY DEC/2023 [PRESENT] ALTERNATE 1	
SPENCER DURKIN DEC/2022 [PRESENT]ALTERNATE 2	

ROBERT DESSINO DEC/2023 [PRESENT] CLASS I MEMBER
STEPHEN GRECO DEC/2022 [PRESENT] CLASS II MEMBER
JEREMIAH CARNES DEC/2022 [PRESENT] CLASS III MEMBER

ALSO PRESENT: BOARD ATTORNEY-MR. BILL ROBERTSON
ZONING OFFICER-MR. JOE COSTA

4. Approval of minutes

Member Descenza made a motion to approve the November 9, 2022 meeting minutes, seconded by Member Greco. Vote: All in favor. Motion passed.

5. Old Business

JLUB 2022-008

Memorialize Resolution

T- Mobile Northeast LLC

730 South Ave

Block 267 Lot 3

Member Greco made a motion to approve the Resolution, seconded by Member Caruso. Vote: Member Descenza-yes, Vice Chairperson Woska-yes, Member Ryan-yes, Member Kranz-yes, Member Caruso-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Nicolay-yes, Member Durkin-yes. Motion passed.

6. New Business

JLUB 2022-009
MACIK INC
603 Lincoln Blvd.
Block 314 Lot 3

Certificate of Non-Conformity
(Single Family Home in General Business Zone)

Mr. Robertson duly swore in Mr. Andre Logan, Realtor representing MACIK for the certificate of non-conformity.

Mr. Robertson explained that Mr. Logan obtained statements from the two properties that were examined from the list to possibly be deficient and provided statements from the property owners that they had received notice. He was comfortable that the Board could hear the application.

Mr. Robertson stated that the applicant would need to prove that this property has always been used as residential not business.

The Board reviewed the documents that were copied from the construction file:

- A certificate dated 1977 stated that property location is the GB (General Business) zone and was listed as a single-family dwelling.
- 1986 UCC certificate stating that the house was a two family
- 1972 contract for a residential sale

Mr. Logan stated that the house for sale as a single-family dwelling; there has been some confusion as to whether the property has been a single-family or two-family dwelling.

Mr. Costa stated that the applicant must prove that the property has been a single-family dwelling prior to 1975 which there is documentation.

Mr. Costa stated that even though the property has been used as residential he felt there wasn't enough proof to have classified as two-family dwelling. He recommended issuing a certificate of non-conformity for a single-family dwelling in the General Business zone.

Mr. Costa stated that the applicant or future owners wouldn't be able to use residence as a two-family dwelling or convert to a two-family dwelling. The only use would be a single family.

Mr. Costa stated that if a new owner wanted to use the garage for business that would be a D (1) use variance.

Mr. Costa stated that owners would not be able to expand. He stated that they would only be able to rebuild to the original size and footprint.

Member Descenza made a motion to approve the certificate of non-conformity for preexisting residential use, always to be used for a single-family residential use, seconded by Member Dessino. Vote: Member Descenza-yes, Vice Chairperson Woska-yes, Member Ryan-yes, Member Kranz-yes, Member Caruso-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Nicolay-yes, Member Durkin-yes. Motion passed.

7.Ordinance Review #2077-22 Changes to Chapter 420 Zoning- Minimum Habitable Space and Re-Zone Block 219 Lot 1

Mr. Roberston stated that the Governing Body had forwarded the ordinance to be reviewed. He stated that the Planning Board is required to review for consistency with the Master Plan and make recommendations to the Governing Body as per MLUL.

Mr. Robertson stated that there are two parts to the ordinance change:

- the minimum apartment size for a one-bedroom apartment would be 1,000 sq.ft. and 1,500 sq.ft for a two-bedroom
- Block 219 Lot 1 (Presbyterian Church) would be moved to a municipal zone.

The Board reviewed the Ricci Planning memo which references the Lincoln Blvd Redevelopment Plan: does not permit 3 and 4 bedroom units.

Mr. Robertson added the language consistent with the Borough's June 8, 2022, Master Plan and finds no inconsistencies with the intent of the Master Plan.

Member Descenza made a motion to approve the Master Plan Consistency Review of Proposed Ordinance#2077-22 Resolution, seconded by Member Kranz. Vote: Member Descenza-yes, Vice-Chairperson Woska-yes, Member Ryan-yes, Member Kranz-yes, Member Caruso-yes., Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Nicolay-yes, Member Durkin-yes. Motion passed.

8. Correspondence

A. PSEG- Extension of NJDEP Wetlands Permit (000-02-0031.1)

No Action Required by the Board.

B. NJDEP-Letter of Interpretation- Block 267 Lot 2

No Action Required by the Board.

9. Board Comments

The Board extended their condolences to Chairperson Sherr on the passing of his brother.

Member Ryan commented on the inspection paperwork that was in the Board packet. Mr. Costa explained that this is not the annual registration inspection that was discussed at previous meetings. The paperwork was the Resale Residential/ Leased Certificate Inspection. The annual inspection discussed would be an additional inspection. Member Ryan congratulated Member Durkin on his promotion (Cranford Police Dept.)

A. JLUB Annual Report

Member Descenza made a motion to adopt the 2022 Annual JLUB Report, seconded by Member Greco. Vote: Member Descenza- yes, Vice-Chairperson Woska-yes, Member Ryan-yes, Member Kranz-yes, Member Caruso-yes, Member Carnes-yes, Member Dessino-yes, Member Greco-yes, Member Nicolay-yes, Member Durkin-yes. Motion passed.

B. Subcommittee Formation for RFP's

Members Woska, Greco and Descenza volunteered for the committee.

C. Nomination Committee for 2023 Officer(Chairperson, Vice-Chairperson, Secretary)

Members Woska, Greco and Descenza volunteered for the committee.

Mr. Costa asked Mr. Robertson about the cannibas letter. Mr. Robertson will re-send the email with revisions.

Mr. Costa stated the property 172-176 Baekeland Ave had been issued a zoning permit for vehicle and non-hazardous good storage but there are 200-300 vehicles on the lot. Mr. Costa wants the applicant to get approval from the Board.

Mr. Costa stated that he has issued summons for a non-permitted use and wants the applicant also to register as a junkyard. The Board would review the application for lighting, security, and hours of operation.

Member Dessino stated that the vehicles are being picked up from a forklift and are being placed in shipping containers (sea boxes)

Mr. Costa stated that he has revoked the zoning permit that was issued.

Members Dessino and Carnes stated that this was their last meeting and the Board thanked them for volunteering.

There being no further business Member Descenza made a motion adjourn the meeting at 8:00pm, seconded by Member Greco. Motion passed. Meeting adjourned.

Respectfully submitted,


Karen Wick, Board Clerk