ZONING BOARD MINUTES APRIL 19, 2023

The meeting of the Zoning Board of the Borough of Somerville was called to order by Chair Arthur Adair at 7:00 p.m. and stated that adequate notice of this meeting had been provided in accordance with the "Open Public Meetings Act".

Board Members Present: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Richard O'Neill, Ed Allatt, John Flores, Eric Alvarez

Board Members Absent: Dan Radziewicz, Morgan McLachlan

Professionals Present: Clifford Gibbons, Esq., Board Attorney and Michael Cole, Board Planner and Engineer

APPROVAL OF MINUTES

Upon a motion by Brian Vadimsky, seconded by Ed Allatt, the regular and executive minutes of March 15, 2023, were approved upon a roll call vote.

Roll Call Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Richard O'Neill, Ed

Allatt, John Flores, Eric Alvarez

Nay: None

LETTER OF RETIREMENT

Chairman Arthur Adair addressed the letter of retirement from Board Member Dan Radziewicz and thanked him for his quarter of a century of service and leadership to the Zoning Board of the Borough of Somerville.

Chairman Adair then opened nominations for the next vice chair to the board. Roberta Karpinecz nominated Ed Allat, Richard O' Neil seconded the nomination.

Upon a motion by Richard O'Neill, seconded by Roberta Karpinecz, the appointment of Ed Allatt as Vice Chair of the Zoning Board of the Borough of Somerville, was approved upon a roll call vote.

Roll Call Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Richard O'Neill, John

Flores, Eric Alvarez

Nay: None

Abstain: Ed Allatt

RESOLUTION

22-018Z Ken Kaufman & Antonette D'Orazio 60 Mercer B109 L4

Upon a motion by Roberta Karpinecz, seconded by Ed Allatt, the resolution for application # 22-018Z, was approved upon a roll call vote.

Roll Call Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Ed Allatt, John Flores,

Eric Alvarez

Nay: None

Abstain: Richard O'Neill

LAND USE

22-019Z Suresh Kumar Anbazhagan 10 Coddington Place B66 L4

Steve Gorin, Esq. filing in for applicant's attorney Lawrence A. Calli, Esq, advised that application was for the conversion of an existing one family residence to a two-family residence in a professional office/single family residential zone district with no exterior improvements.

Architect for the applicant Ashraf M. Ragab was sworn in by Board Attorney Clifford Gibbons, Esq. and provided his credentials and professional background to the Board.

Mr. Ragab provided testimony regarding the property from a one family residence to a two-family residence consisting of 2.5 stories and unfinished basement. 1st floor be converted into one unit and 2nd floor + attic will be converted into the other unit – each dwelling consisting of 3 bedrooms.

Mr. Ragab provided additional testimony that no exterior work would be done other than a walkway for rear entrance to stairs for the upstairs unit. He also addressed the concerns of heating and cooling in the attic, fire escape to 2nd floor landing, and utilities split. Michael Cole, Board Planner and Engineer inquired concerning roof leaders and storm additional stormwater drainage. Attorney to the applicant Steve Gorin, Esq. stated that they will submit video footage of the lateral sanitary sewer as a part of the conditions for approval along with sidewalk leveling so that there are no tripping hazards and in compliance with ADA.

Chairman Adair opened questions to the board as well as the public.

Public attendee Steward Daniels was sworn in by Board Attorney Clifford Gibbons, Esq. and provided testimony of his 18 years of residency on Coddington street as well as expressed his preference to allow more two-family dwellings and less commercial occupant as they are a tight knit community and look forward to welcoming new neighbors.

Attorney Steve Gorin, Esq. called for professional planner Paul Ricci, who was sworn in by Board Attorney Clifford Gibbons, Esq. and reviewed the variance requests, highlighted his opinion that the use was well suited for the area and stated that there is less of a need now for commercial offices in this zone than there was previously. He also identified negative criteria.

Chairman Adair opened questions to the board as well as the public.

Upon a motion by Richard O'Neill, seconded by Roberta Karpinecz, Zoning Board application 22-019Z – 10 Coddington Place, B66 L4, was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Richard O'Neill, Ed

Allatt, John Flores, Eric Alvarez

Nay: None

See transcript.

22-016Z Harshit Patel 151 – 159 N. Adamsville Rd. B27 L3

Marcia Zalewski, Esq, attorney for the applicant Harshit Patel advised that the applicant is requesting to amend the 1977 resolution to allow a bagel shop to occupy the former subway location and will include a commercial kitchen and necessary venting. The applicant is also requesting to amend the opening hours to 6AM.

Architect for the applicant Deborah D'Amico was sworn in by Board Attorney Clifford Gibbons, Esq. and provided his credentials and professional background to the Board.

Mrs. D'Amico provided testimony regarding the property and stated that no improvements were to be made to the site. Additionally, Mrs. D'Amico provided updates to the performance standards in Michael Coles report including items such as ADA ramps and striping being in compliance, repairs to fence, dumpster enclosure repairs, and landscaping considerations including adding treats along union frontage.

Chairman Adair opened questions to the board as well as the public.

Michael Cole, Board Planner and Engineer for the borough asked several questions from Mrs. D'Amico including exhaust noise as well as grease trap and for waste oil. Mrs. D'Amico responded explaining that she does not foresee any issues associated with the noise from the exhaust fans however if there were they would address them and add additional damping. She also addressed the grease traps and explained that based on their operation there was little not no use of cooking oils and removal of waste oil would be minimal and had no issue with these items being included under compliance.

Marcia Zalewski, Esq called for professional planner Paul Ricci, who was sworn in by Board Attorney Clifford Gibbons, Esq. to provide his recommendations on the site stating that the bagel shop would be a well-suited use. Providing commentary that at this is the only parcel on the 4 corners that is not zoned for commercial purposes and that allowing for the variance would complement the services already being provided and help to eliminate vacancies in the plaza while also creating new jobs. He also identified negative criteria.

Chairman Adair opened questions to the board as well as the public.

Upon a motion by Richard O'Neill, seconded by Roberta Karpinecz, Zoning Board application 22-016Z – 151 – 159 N. Adamsville Rd., B27 L3, was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Richard O'Neill, Ed

Allatt, John Flores, Eric Alvarez

Nay: None

See transcript.

EXECUTICE SESSION

The board held an executive session regarding resolutions.

AJOURN

The meeting was adjourned at 8:44 p.m.