

BOROUGH OF SOUTH PLAINFIELD
ZONING BOARD OF ADJUSTMENT MINUTES
June 7, 2016

Chairman Leonardis opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

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

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

ROLL CALL:

Present:

**Gino Leonardis, Chairman
Kenny Bonanno
Maria Campagna
Cindy Eichler
Frank Lemos, 1st Alternate**

Absent:

**David Miglis, Vice Chairman
James Gustafson
Darlene Cullen, 2nd Alternate
Robert Hughes**

Also attending: Larry Lavender, Esq.;

MINUTES: May 17, 2016 Meeting.

Mr. Lemos made the motion, seconded by Mrs. Campagna, to accept the above stated Meeting Minutes. Those in Favor: Mr. Bonanno, Mrs. Campagna, Mr. Lemos, and Chairman Leonardis.

RESOLUTIONS: None

HEARING: (1 homeowner application)

**A. Case # 9-16 -- VANESSA LONDONO
Block 147: Lot 13.01: R-7.5 Zone
1554 Dumont Avenue**

The owner is appealing the Zoning Officers decision for occupancy of the accessory structure (detached garage as living space) and a variance for side yard setback. Required five (5) feet -- Existing three and a half (3.5) feet -- Proposed three and a half (3.5) feet .

Vanessa Londono -- 1554 Dumont Avenue, South Plainfield, NJ -- is sworn in. Ms. Londono addresses the board. She purchased the home with the garage converted into an apartment. She would like to keep the apartment. Currently living on Clinton Avenue with her husband and children. She would like to live in the detached garage apartment while the main home is being renovated. Upon having the structure inspected, she was told by the inspector to remove the apartment in the garage.

Pictures are being presented to the board for review.

Exhibit A1 -- Detached garage as purchased

Exhibit A2 -- New windows -- Chairman Leonardis questioned why windows were changed... they were in bad shape. Were they changed do to esthetics or to meet a code. Ms. Londono states the purpose of it was to live there with her kids until the main house was renovated.

Exhibit A3 -- Gas and water pipes in the ground when the property was purchased

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- Exhibit A4 -- Progression of work
- Exhibit A5 -- The view down the driveway showing the detached garage
- Exhibit A6 -- Back and side of the detached garage
- Exhibit A7 -- Completely sided
- Exhibit A8 -- Showing the main house and detached garage
- Exhibit A9 -- Progression of work

Chairman Leonardis continues to question Ms. Londono. Upon purchasing the home, the detached garage had existing power, water and gas. It had a bathroom and kitchen. The home was purchased October 2015.

The Board members are reviewing the building property card.

Chairman Leonardis asks Ms. Londono to describe the inside of the garage when she purchased it. Were pictures taken... no pictures were taken. Front door.... To the right side a little bathroom.... Infront of you is a kitchen... left side a living room... go to the kitchen on the right is a bedroom... small attic. Chairman Leonardis asks where the bathroom goes... septic tank or sewer line. Ms. Londono does not know. Ms. Londono translates to her husband Wilfredo Elias if he knows where the line goes... sewer line. He does not know where it is connected except that it's a sewer line.

Wilfredo Elias -- 1554 Dumont Avenue, South Plainfield, NJ 07080 -- is sworn in. Ms. Londono translates for Mr. Elias. Mr. Leonardis re-confirms with Ms. Londono that the bathroom was existing and that there is a sewer line but do not know where it connects. Ms. Londono states that the inspector did take pictures. Through translation, Mr. Elias states that the detached garage had hot water heater and boiler for heat.

Chairman Leonardis asks Ms. Londono for what purpose is she looking to use the detached garage.... To live in. Where they are currently living has mold, no insulation in walls and at times no heat -- 1536 Clinton Avenue. Her children have been getting sick. The detached garage is livable. Ms. Londono understands that the Board is not hear to determine if a structure is to code or safe. The Board is here to determine the temporary use permit and set back. Ms. Londono would like to leave the detached garage as permanent structure and use. Chairman Leonardis explains to Ms. Londono that if she is looking to keep the structure and use permanently, that will require a different application. The property will require to be reevaluate as a permanent livable structure. Mr. Lavender explains to Ms. Londono that the Board has to look at the temporary use of the livable space in the garage differently than a permanent livable space with a possibility of being a rental.

Ms. Londono would like it permanently... would like to live in it during construction... does not want to rent it because they have four (4) children... would like to use it when gather as a family or for occasions but do not want to rent it.

Mr. Lavender addresses Ms. Londono that if she would like this to be a permanent livable space, that she is should consider taking an adjournment, hire an attorney and complete a new application. The current application is for temporary use.

Ms. Londono addresses the board... her neighbor has the same type of property with a detached garage with livable space and received a municipal compliance for two (2) non-conforming single family homes. She would like to do the same.

Chairman Leonardis asks who the architect for the house is... through translation -- Charlie.

Ms. Londono requests an adjournment.

Mr. Lavender states that the notice for this application was in good standing. However, if she submits a new application she will need to re-notice.

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INFORMAL HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS: None

CORRESPONDANCE: None

EXECUTIVE SESSION: None

ADJOURNMENT: 7:30 PM.

Respectfully Submitted,
Joanne Broderick
Recording Secretary