

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
November 21, 2017

**Gino 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 and The Courier News and providing 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:**

**Gino Leonardis, Chairman**  
**James Gustafson, Vice Chairman**  
**Maria Campagna**  
**Darlene Cullen, 1st Alternate**  
**Frank Lemos**  
**April Wasnick, 2<sup>nd</sup> Alternate**

**Absent:**

**Ken Bonanno**  
**Robert Hughes**  
**Cindy Eichler**

**Also attending:** Larry Lavender, Esq.

**MINUTES:** October 17, 2017 meeting.

Mrs. Campagna made motion, seconded by Mrs. Cullen to *accept* the above listed Meeting Minutes. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick; and Vice Chairman Gustafson. Those oppose: None.

**RESOLUTION:**

- A. Case #30-17 -- F&M Equipment Ltd (Komatsu)**  
**Block 476: Lot 6: M-3 Zone**  
**2820 Hamilton Blvd**

Mr. Lemos made motion, seconded by Mrs. Campagna to *accept* the above listed Resolution. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

- B. Case #33-17 -- Lisa & Joseph Dato**  
**Block 127: Lot 4: R-7.5 Zone**  
**182 South Madison Drive**

Mrs. Cullen made motion, seconded by Mr. Lemos to *accept* the above listed Resolution. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick and Vice Chairman Gustafson. Those oppose: None

- C. Case # 10-16 -- GMP Contracting LLC**  
**Block 297: Lot 4: M-3 Zone**  
**2240 South Clinton Avenue**

Mrs. Campagna made motion, seconded by Mr. Lemos to *accept* the above listed Resolution. Those in favor: Mrs. Campagna; Mr. Lemos; and Mrs. Wasnick. Those oppose: None

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
November 21, 2017

**HEARING(S):** (4 residential applications)

**A. Case #35-17 -- Cedarwood VP, LLC  
Block 167: Lot 35: R-7.5 Zone  
570 Franklin Avenue**

The applicant is requesting to construct an add-a-level addition and a side porch to a pre-existing non-conforming situation. Variances being requested: Lot Width: Existing 50' -- Required 75' -- Variance 25'; Side Yard Setback: Existing 5.7' -- Required 8' -- Variance 2.3'; Front Yard Setback: Existing 25.7' -- Required 30' -- Variance 4.3'; Second Front Yard Setback (corner lot): Proposed 3.8' -- Required 30' -- Variance 26.2'.

Edward Santoro, Jr., Esq – Santoro & Santoro, 304 Maple Avenue, South Plainfield, New Jersey – Attorney for the applicant addressed the Board. Have provided the Board with the Legal Notices and Certified Mails. The applicant is requesting an add-a-level onto an existing single family home located on the corner of Franklin Avenue and Baker. The home was built in the 1950's. It has two (2) bedrooms and the intention is to build onto it and over it. Mr. Santoro expected the contractor to be present. Mr. Ramos, the general contractor, is not present. Mr. Santoro asked if the Board is willing to act on this case without the general contractor present.

Mr. Lavender stated it is up to the Board.

Chairman Leonardis asked Mr. Santoro if he is able to answer any architectural questions or construction questions. Mr. Santoro stated he is unable to do so. Mr. Santoro suggested that the Board take the next case or cases and wait for a period of time in hopes Mr. Ramos arrives. The Board agreed.

***\*\*Mr. Santoro requested to have his hearing carried.\*\****

Vice Chairman Gustafson suggested that the Board advise Mr. Santoro as to the information they will be seeking when he returns to the Board.... Roof, siding, windows, distance to neighbors' homes, description of the homes next door. Mr. Santoro stated he will advise the applicant to have the architect present at the next hearing.

The Board agreed to carry the hearing to the next meeting scheduled on December 5, 2017. Notices will carry.

**B. Case # 36-17 -- Raymond Fasullo  
Block 60: Lot 9: R-7.5 Zone  
146 Fairmount Avenue**

The applicant is requesting the construction of a 10' X 8.5' deck to a pre-existing non-conforming structure. Variances being requested: Front Yard Setback: Existing 28.1' -- Required 30' -- Variance 1.9'; Lot Width: Existing 50' -- Required 75' -- Variance 25'.

Raymond Fasullo – 146 Fairmount Avenue, South Plainfield, New Jersey – applicant, is sworn in. Mr. Fasullo submitted the Affidavit of Publication and the Certified Mail receipts to Mr. Lavender for review. All is in order and the Board has jurisdiction.

Mr. Fasullo addressed the Board. He would like to put an extension on the pre-existing deck on the house which will be to code. However, was advised that the front yard setback is 28.1' and the lot is too narrow for the area. He volunteered to take extra property, but there was none. Both items are pre-existing when he bought the house and the codes have changed since the house was built.

Chairman Leonardis reiterated that the applicant is before the Board for two (2) variances... Front Yard Setback existing is 28.1' where 30' is required and the lot width is 50' where 75' is required.

Mr. Fasullo stated currently in the back of the house is a deck with a slider. The deck is so small it is unusable and would like to expand it. Existing 5.5' X 10' and would like to increase the 5.5' to 10' which would be to the end of the house and would still meet the side setback. The existing 10' side would like to increase to 14'.

Mr. Fasullo submitted to Chairman Leonardis Exhibit A-1 – drawing of the existing deck with stairs along with the expansion dated October 4, 2017.

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
November 21, 2017

Chairman Leonardis questioned Mr. Fasullo:

- How high would the deck be? *One (1) floor aligned with the existing deck and first floor of the house.*
- Will it be enclosed? *It will have a railing.*
- Will it have any walls? *No... an open deck.*
- Will there be a roof on top? *No... there is an overhang on the existing part but is not expanding it.*

Joanne, the Board Secretary makes a copy of the plans for the Board Members.

Chairman Leonardis reiterates... small deck that will align with the right side of the house taking on the same distance to the property line. It does not have a roof. An extension of the existing deck.

Chairman Leonardis asked Mr. Fasullo if he is doing the work himself. Mr. Fasullo stated yes.

Mrs. Campagna questioned Mr. Fasullo:

- What type of material will the deck be constructed with? *Pressured treated wood.*
- There is a concrete sidewalk... where is the deck is going? *There is a pad at the bottom of the steps.*
- What about the porch? *Currently, it is pressure treated wood. It will be expanded with pressure treated wood. The area where it will overlap, will have new boards the full length. It will look like the existing deck but expanded.*

Chairman Leonardis opens the discussion to the audience. No comments or concerns.

Chairman Leonardis stated that the addition has no bearing on the front. Lot width is the other variance. Since it will be aligned with the house and existing property line, does not see any detriment.

Chairman Leonardis advises Mr. Fasullo that the Board is not approving the drawing.

Vice Chairman Gustafson requested as a condition of approval, that there would be no enclosed deck or porch. Board Members agreed.

Chairman Leonardis calls for a motion of *approval*. Mr. Lemos made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

Mr. Lavender explained the resolution, notice in the paper and 45-day wait period process to Mr. Fasullo.

**C. Case # 38-17 -- Michael A. Gregov**  
**Block 166: Lot 17: R-7.5 Zone**  
**1934 Grant Avenue**

The applicant is requesting the construction of a 10' X 20' sunroom to a pre-existing non-conforming structure. Variances being requested: Front Yard Setback: Existing 25, -- Required 30' -- Variance 5'; Lot Width: Existing 50' -- Required 75' -- Variance 25'

Allastair Cornell – 8 Mulberry Court, Monroe, New Jersey – the builder and Michael Gregov – 1934 Grant Avenue, South Plainfield, New Jersey – applicant / owner are sworn in.

Mr. Cornell stated that there are two (2) variances they are seeking. The first is the front yard setback and the rear. The front has a pre-existing porch approximately 6' X 8' which has been there since the house was built. It is an enclosed area with Jalousie Windows. The objective is to remove those windows and replace them. The rear of the property has an existing deck. The house is 'L' shaped. There is an existing deck to square off the house that is 10' X 20'.

Chairman Leonardis stated there are no drawings or survey. Mr. Gregov stated he does not have it with him but he believes it was submitted with the application. Joanne, Board Secretary, reviews the entire file, there is no survey or drawings. Mr. Gregov offers to run home and retrieve the survey.

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
November 21, 2017

Therefore, while Mr. Gregov retrieves his survey, the Board continued to the next case... Case # 37-17 -- Dave Spaydor.

**\*\*Mr. Cornell asked if he can email the survey. Joanne, Board Secretary, advised Mr. Cornell to send it to her email address and will print copies for the Board Members. Copies are made and distributed to the Board Members.**

With copy of the survey before each Board Member, the hearing continued.

Mr. Lavender advised Mr. Cornell that the windows that are being replaced in the front porch do not need Board approval. The variances are pertaining to the rear of the building. Chairman Leonardis explained that since the applicant is before the Board, all the variances are addressed and included.

Mr. Cornell stated that in the rear on the wood deck, the applicant is proposing to install an enclosed sunroom. Enclosing the existing area... deck. The applicant has owned the house for over ten (10) years and the deck was there... pre-existing. Not looking to increase the square footage. The deck will be brought to code.

Mrs. Cullen asked if it will be an all-season room. Mr. Cornell stated yes.... It will have heat.

Mr. Cornell stated the deck is 10' X 20' and the room will be 10' X 20'.

Mrs. Cullen asked if this is pre-constructed sunroom. Mr. Cornell stated it is built onsite but is pre-manufactured. The deck will be strengthened.

Chairman Leonardis asked Mr. Cornell to describe the construction of the room. Mr. Cornell stated that the framing material is made from aluminum. Insulated material. The windows are double paned and insulated. The roof is engineered.... It is 4" thick pre-engineered system with high density foam with an aluminum skin – top and bottom. The height will be a little taller than existing house. Therefore, will build a small dormer or 'cricket'. The sunroom will have gutters and leaders. There will be a door to get outside from the sunroom.

Chairman Leonardis asked if there is a brochure. Mr. Cornell stated his brochure is his website... [simplythebestconservatories.com](http://simplythebestconservatories.com). Mr. Cornell passes his phone around with a picture of a sunroom.

Mrs. Campagna stated there will be windows on three (3) sides. Mr. Cornell stated two (2) sides. It will be connected to the house on two (2) sides. Mrs. Campagna asked where the door will be. Mr. Cornell stated where the steps are currently. Mrs. Campagna continued... can you go from the room to the cellar? Mr. Cornell stated absolutely not.

Mrs. Campagna asked if the shed is pre-existing. Mr. Gregov stated he had to get a separate variance for it.

Mr. Lemos asked what is the shed made from. Mr. Gregov stated wood with a shingle roof. It was determined that the shed was approved in 2007 per building property record card.

Chairman Leonardis reviews the variances. The sunroom is to be built on the existing deck. The construction of the sunroom does not encroach on any existing setback or variances. They are all pre-existing.

Chairman Leonardis opened the discussion to the audience. No comments or concerns.

Chairman Leonardis calls for a motion of *approval*. Mr. Lemos made motion, seconded by Mrs. Cullen. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Mrs. Wasnick, Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

**D. Case # 37-17 -- Dave Spaydor  
Block 420: Lot 17: R-1-2 Zone  
2208 Second Place**

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
November 21, 2017

The applicant is requesting the construction of a 12' X 20' deck to a pre-existing non-conforming structure. Variances being requested: Front Yard Setback: Existing 26.7' -- Required 30' -- Variance 3.3'; Lot Width: Existing 70' -- Required 75' -- Variance 5'; Side Yard Setback: Existing 5.8' -- Required 8' -- Variance 2.2'.

April Wasnick recused herself from this case.

Dave Spayder – 901 Lorraine Avenue, South Plainfield, New Jersey – the builder and son of the owner. Mr. Spayder addressed the Board. Requires variances to contract a deck to the existing home and remove the existing concrete steps that are following apart. Proposed deck expansion to be 12' X 20' deck constructed from pressure treated wood and Trex. No roof... just railings. Two (2) sets of steps.

Chairman Leonardis reiterated... extending the existing on the left side of the home towards the back and coming across the house. Chairman Leonardis asked Mr. Spaydor if there would be any coverings. Mr. Spaydor stated No... open deck. The only covering is an awning which will go back on.

Mr. Lavender asked there will be two different sets of steps. Mr. Spayder stated yes... one (1) to the garage and one (1) on the other side of the yard so she can take out her garbage. The garage is on the right. It is an attached garage.

Mrs. Campagna stated that on the survey there is a concrete patio. Is the patio being removed? Mr. Spaydor answered no. The concrete is going to stay. The deck will come out a little further then the concrete.

Mr. Lemos stated since there will be a concrete patio under the deck, where are the piles being placed. Mr. Spayder stated the piles will be just pass the concrete edging. This way the concrete does not have to be cut for the footings.

Chairman Leonardis stated the variance relief will be for three (3) different items.... Lot width 70' existing – 75' required... front yard setback 26.7 existing – 30' required.... Side yard existing 5.8 – required 8'.

Chairman Leonardis opens the discussion to the audience. No comments or concerns.

Chairman Leonardis stated these are pre-existing conditions. The addition is taking on the same distance to the property line as the existing side of the house. There is no roof or walls on the deck.

Chairman Leonardis calls for a motion of *approval*. Vice Chairman Gustafson made motion with the condition not to enclose the deck, seconded by Mr. Lemos. Those in favor: Mrs. Campagna; Mrs. Cullen; Mr. Lemos; Vice Chairman Gustafson and Chairman Leonardis. Those oppose: None

**\*\*Mr. Santoro requested to have his hearing carried. See Case #35-17 Cedarwood VP LLC above. \*\***

**\*\*Mr. Cornell asked if he can email the survey. Joanne, Board Secretary, advised Mr. Cornell to send it to her email address and will print copies for the Board Members. See Case #38-17 Michael Gregov above. \*\***

**INFORMAL HEARINGS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**CORRESPONDENCE:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** 7:50 PM

Respectfully Submitted,  
Joanne Broderick  
Recording Secretary