

City of Englewood Zoning Board of Adjustment

Minutes

Regular meeting

Monday April 24, 2023 8:00 p.m.

REMOTE MEETING/ZOOM MEETING

Members present: Chairman Adam Brown, Ayala Geva, Juanita Harris, Dr. Thom Kelly, Angelina Rivera, Mateo Duque, Kenneth Senkyire. David Maron arrived at 10:15pm, Uri Moche arrived at 10:45 pm, and Theresa Thomas arrived at 9:20 pm.

Members absent: Marc McDonald

Attorney Present: Matthew Earle, Esq., Michael Kates, Esq. arrived at 10:45 pm

Advisors Present: Frantz Volcy P.E., John Szabo, Jr., PP, AICP

Certified Court Reporter: Laura Carucci, CCR, RPR

Certified Court Reporter: Donna Lynn Arnold, CCR, RPR

Meeting called to order at 8:05 p.m.

Roll call, reading of open public meeting statement

New application

File 2022-22, Daniel and Jessica Sultan, 95 Dana Place, Englewood, NJ 07631, Block 3201, Lot 1 C(1) and C(2) variances are requested to permit the construction of an in-ground pool, garage, and covered front porch. Relief sought for side and front yard setbacks, as well as the building maximum coverage.

As per completeness review, the application was deemed incomplete by the Board Planner, John Szabo.

Matthew Capizzi, attorney representing the applicant addressed the Board and gave the summary of the application.

Mr. Szabo made comments about his report dated 02/10/23 stating that the applicant had submitted revised plans with a revision date of 03/28/23 where the concerns raised by Mr. Szabo had been addressed. However, there was one item left where the applicant had requested a waiver. Mr. Volcy made a short comment.

Motion to accept the application as complete: Ms. Rivera, Second: Ms. Geva

Approved by a vote of 7 yes (Rivera, Harris, Senkyire, Duque, Kelly, Geva, Brown), 0 no

Sean McClellan, the engineer for the applicant, was called to give his testimony. Site plan dated 11/18/22, last revised 3/28/23 was submitted as evidence.

Mr. McClellan answered questions raised by Board Members and Professionals.

The meeting was opened to the public for questions. The following persons came forward:

Reena Forst, 146 Van Nostrand Ave., Englewood NJ 07631

The public portion of the meeting for questions was then closed.

Edmund Yu, the architect for the applicant gave his testimony. Architectural drawings dated 11/1/22 were submitted as evidence.

The meeting was opened to the public for questions. No one came forward.

The public portion of the meeting for questions was then closed.

Chris Karach, the landscape architect for the applicant was called to give his testimony. Landscape plan dated 4/3/23 was presented as evidence.

Mr. Karach answered questions raised by Ms. Rivera and Ms. Geva

Mr. Szabo and Mr. Volcy made comments.

The meeting was opened to the public for questions. No one came forward

The public portion of the meeting for questions was then closed.

David Spatz, the planner for the applicant was called to give his testimony. Google aerial and 4 photographs of the property were submitted as evidence.

Mr. Spatz answered a question raised by Ms. Harris

Mr. Capizzi answered a question raised by Mr. Duque

Mr. Spatz answered questions raised by Mr. Szabo

The meeting was opened to the public for questions. The following persons came forward:

Reena Forst, 146 Van Nostrand Ave., Englewood NJ 07631

The public portion of the meeting for questions was then closed.

Mr. Capizzi stated that he had spoken to the applicant and would like to present modifications agreed to by the applicant.

Mr. McClellan was brought back to give his testimony regarding the modifications to the site plan.

The meeting was opened to the public for questions. No one came forward

The public portion of the meeting for questions was then closed.

The meeting was opened to the public for comments. The following persons came forward:

Victoria Shulman, 105 Dana Place, Englewood NJ 07631

Dr. Malkamalka, 238 Mountain Rd., Englewood NJ 07631

Reena Forst, 146 Van Nostrand Ave., Englewood NJ 07631

The public portion of the meeting for comments was then closed.

Mr. Capizzi made final comments.

Mr. Szabo answered questions raised by Mr. Senkyire

The Board members expressed their thoughts pertaining to the application.

Motion to approve: Mr. Duque, Second: Ms. Rivera

Approved by a vote of 7 yes (Rivera, Harris, Senkyire, Duque, Kelly, Geva, Brown) 0 no

New application

File ZBA 2023-5 15 S Dean St LLC, 20 Grand Ave., Block 2404, Lot 23.01

D (1) variance is requested to permit a use of a first floor of a commercial building to operate as a medical spa office in a zone where it is not a permitted use

Jason Tuvel, attorney representing the applicant, addressed the Board and gave the summary of the application.

Chris Pereira, the architect for the applicant, and Nena Kallopoulos, the owner of the business, gave their testimony. Site plan dated 3/29/23 was submitted as evidence.

Ms. Kallopoulos and Mr. Tuvel answered questions raised by Board Members.

The meeting was opened to the public for questions. No one came forward

The public portion of the meeting for questions was then closed.

Thomas Ricci, the planner for the applicant, gave his testimony.

Mr. Ricci answered questions raised by Board Members.

The meeting was opened to the public for questions. No one came forward

The public portion of the meeting for questions was then closed.

The meeting was opened to the public for comments. No one came forward

The public portion of the meeting for comments was then closed.

Members of the Board expressed their opinions and made comments.

Motion to approve: Ms. Harris, Second: Ms. Rivera

Approved by a vote of 8 yes (Rivera, Harris, Senkyire, Duque, Kelly, Geva, Maron, Brown) 0 no

Resolutions

File 2022-17 Our Home Adult Daycare 1 LLC, 535 Grand Ave., Block 3007, Lot 56

Motion to adopt: Mr. Maron, Second: Ms. Rivera

Approved by a vote of 7 yes (Rivera, Harris, Senkyire, Duque, Kelly, Maron, Brown), 0 no

File 2022-21 Esther Chouake, 245 Hutchinson Rd., Block 3301, Lot 16

Motion to adopt: Ms. Harris, Second: Mr. Kelly

Approved by a vote of 6 yes (Harris, Senkyire, Duque, Kelly, Maron, Brown), 0 no

Mr. Brown requested to pause the meeting and enter into a closed session.

Closed session began at 11:10 pm

Public meeting resumed at 11:30 pm

Mr. Brown made comments regarding the matter that was discussed during the closed session:

File 2022-19, 93 Tracey Place LLC, 93 Tracey Pl., Englewood NJ 07631, Block 2701, Lot 5

The application had been denied on 03/27/23, then the request to re-consider the application with revised plan was approved on 04/20/23.

Mr. Kates made comments regarding the case.

Mr. Brown asked if there were any comments from the Members of the Board. No comments were made.

Motion to rescind the motion taken at the meeting on 04/20/23 to re-open the application for purposes of continuing on the revised plan basis: Ms. Rivera, Second: Ms. Harris

Approved by a vote of 9 yes (Rivera, Harris, Duque, Kelly, Moche, Geva, Thomas, Maron, Brown), 1 abstained (Senkyire) 0 no

Motion to adjourn the meeting: Mr. Maron, All agreed.

Chairman Brown adjourned the meeting at 11:35 pm.

Respectfully submitted,

Oksana Leonovich

Board Secretary