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**METUCHEN ZONING BOARD OF ADJUSTMENT
AGENDA**

December 09, 2021

PUBLIC MEETING BOROUGH HALL

CALL TO ORDER 7:45pm

OPENING STATEMENT (Pursuant to the Open Public Meetings Act)

RESOLUTION:

20-1268 **A&G Renovations LLC** – *(Applicant is seeking major site plan and variance approval to demolish existing single-family house and construct an eight-unit apartment building).*
Appv. 11/11/21

434 New Durham Road

Block 72

Lots 48-52

21-1303 **51 Holly Road Associates** – *(Applicant is seeking major site plan approval, variances, and waiver to convert existing three-story commercial building to a three-story mixed-use building).*
Appv. 11/11/21

195 Main Street

Block 158

Lots 1.01 & 1.02

NEW BUSINESS:

Iron & Pine Tattoo Company – Applicant is seeking use variance approval to operate a body art studio in a B-2 Zone.

279 Central Avenue

Block 49

Lot 32.6

PUBLIC PORTION:

CORRESPONDENCE:

Minutes for November 11, 2021

ADJOURNMENT:

The Borough of Metuchen does not discriminate against persons with disabilities. Those individuals requiring auxiliary aids and services where necessary must notify the ADA Coordinator of the Borough of Metuchen at least seventy-two (72) hours in advance of the meeting or scheduled activity.

**METUCHEN ZONING BOARD OF ADJUSTMENT
MINUTES
December 9, 2021**

The meeting was called to order at 7:45pm by Daniel Topping, Chairman, who read the statement in accordance with the Open Public Meetings Act.

Present: Catherine McCartin
Judith Sisko
Byron Sondergard
Brian Tobin, Vice Chairman
Jonathan Rabinowitz
Daniel Topping, Chairman

John Schumann, Alt I
Robert Renaud, Esquire
Robert Mannix, Engineer
Patricia Kaulfers, Zoning Official
Denise Hamilton, Secretary

Late: Iris Delgado, Alt. II 7:52pm

Absent: Angela Sielski
Christopher Cosenza, Planner

RESOLUTIONS:

20-1268 A&G Renovations LLC – (*Applicant is seeking major site plan and variance approval to demolish existing single-family house to construct an eight (8) unit apartment building*). Appv. 11/11/21
434 New Durham Road Block 72 Lots 48-52

Motion to approve the resolution was made by Mr. Sondergard and seconded by Ms. Sisko. Ms. McCartin, Ms. Sisko, Mr. Sondergard, Mr. Rabinowitz, Mr. Schuchman, and Topping voted yes. Motion was approved.

21-1303 51 Holly Road Associates – (*Applicant is seeking major site plan approval, variances, and waiver to convert existing three-story commercial building to a three-story mixed-use building*). Appv. 11/11/21
195 Main Street Block 158 Lots 1.01 & 1.02

Motion to approve the resolution was made by Mr. Sondergard and seconded by Mr. Rabinowitz. Ms. McCartin, Ms. Sisko, Mr. Sondergard, Mr. Rabinowitz, Mr. Schuchman, and Topping voted yes. Motion was approved.

NEW BUSINESS:

21-1310 Iron & Pine Tattoo Company – Applicant is seeking use variance approval to operate a body art studio in a B-2 Zone.
279 Central Avenue Block 49 Lot 32.6 & 33

Mr. Brain Schwartz, Applicant's Attorney, stated that Applicant/Principal Owners, Carolina Alvarado and Shawn Hannon would be providing testimony, along with the planner.

Mr. James Watson, Planner and Land Surveyor was sworn in by Mr. Renaud. He is licensed in New Jersey, had previously appeared before the Board, and was accepted as an expert witness. He responded to the Zoning Official's letter dated December 8, 2021. The intent is to change the lettering to the new business name. They are in agreement with bulk requirements mentioned. The impervious coverage is not in compliance and approval for that condition is being requested under C1 Hardship. The application also

qualifies under the D1 Variance for the special reasons A, E, I and M. There are no negative criteria. The use is similar to personal services use already permitted in the zone. The business will be operated by appointment only. There should be no detriment to the Master Plan. Rules for this type service are regulated under the New Jersey Department of Health.

Mr. Schwartz screen shared Exhibits A-5 and A-3.

Mr. Watson discussed Parking Lot Exhibit A-3, offering 32 spaces where 31 is required. The application is in compliance with parking spaces required.

Mr. Topping opened the floor to the public for questioning of the witness. No one responded. The floor was closed.

Ms. Carolina Alvarado and Mr. Shawn Hannon were sworn in by Mr. Renaud.

Ms. Alvarado mentioned that both Principals are professionals and are looking to open their own business. Each has completed the mandatory 2000 hours of training required to be a licensed tattoo artist.

Mr. Schwartz screen shared a picture of the front of the building.

Ms. Alvarado stated that the space was previously used by a hair salon and is approximately 1000 square feet. Minimum changes are being proposed to front section to create a waiting area and two work stations. Intent is to hire at least one additional artist. Goal is to make the experience pleasant and maintain cleanliness. Consultations are required and bookings about four months in advance. There will be one to two appointments per day.

Mr. Schwartz displayed body art by Mr. Hannon, labeled Exhibit A-7.

Ms. Alvarado said the machines used are quiet and do not produce an odor. Each Principal must be comfortable with client's skin appearance prior to doing any art work.

Mr. Schwartz. screen shared rules, 'Body Art: New Jersey Regulations'

Ms. Alvarado confirmed that they will adhere to these regulations.

Exhibit A-2, a free standing sign at the front of the building was displayed by Mr. Schwartz.

Ms. Alvarado responded that no signage would be added, however, there would be change of lettering for the window and the free standing sign.

Mr. Schwart displayed the Parking Lot, Exhibit A-1.

Ms. Alvarado confirmed that there are a total of 32 spaces, including three that were not striped. Hours of operation will be 12:00p – 8:00p, Tuesday – Sunday. Building owner is in agreement to stripe the spaces and place a sign by the handicapped space.

Board questioned the suitability of Metuchen for a body art studio.

Ms. Alvarado confirmed that both Principals are familiar with the are and find the business suitable. Art is their career.

Ms. Kaulfers confirmed that striping of the spaces is permitted.

Mr. Topping opened the floor to the public for questions/comments. No one responded. He closed the floor.

Mr. Renaud stated there are two issues; 1) a waiver granting approval without a formal site plan where the supporting materials are accepted, and 2) allowing the D1 Variance for the special reasons presented. There were no negative criteria. The pre-existing condition for the impervious coverage would not change and should not require a variance. Conditions include requiring approval by the Board of Heath for the initial opening of the studio, striping of the parking spaces, and signage for the handicapped space.

The Board agreed that the materials presented was sufficient and relief being asked was reasonable.

Motion to approve was made by Mr. Sondergard and seconded by Ms. McCartin. Ms. McCartin, Ms. Sisko, Mr. Sondergard, Mr. Tobin, Mr. Rabinowitz, Mr. Schuchman, Ms. Delgado, and Mr. Topping voted yes. Motion was approved.

CORRESPONDENCE:

Minutes for November 11, 2021

Motion to approve was made by Ms. Sondergard and seconded by Ms. Sisko. Voice vote, with all in favor, the minutes were approved.

ADJOURNMENT:

Motion to adjourn was made by Mr. Rabinowitz and seconded by Ms. Sisko. Voice vote, with all in favor, meeting was adjourned at 9:50pm.

Respectfully submitted,



D. Hamilton