

**MINUTES  
TOWNSHIP OF WEST ORANGE  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
February 20, 2014**

The West Orange Zoning Board of Adjustment held a regular meeting on February 20, 2014 commencing 8:00 PM at 66 Main Street, West Orange, N.J. in Council Chambers.

Chairwoman Gabry called the meeting to order at approximately 8:00 P.M. It was announced that notification of this meeting was given to the Township Clerk, the West Orange Chronicle, and posted on the Township Bulletin Board on November 21, 2013 in accordance with the "Open Public Meetings Act."

Chairwoman Gabry asked everyone to stand for the Pledge of Allegiance.

Alice Beirne, Esq., Board Attorney, read the Opening Statement.

**PRESENT:** G. Bullock, B. Buechler, D. Gabry, W. Merklinger, P. Neuer, B. Quentzel (8:05), W. Steinhart, M. Sussman

**ABSENT:** A. Weiss (excused absence)

**ALSO PRESENT:** Paul Grygiel, Consulting Planner [arrived at 8:35 PM]  
Eric Keller, Consulting Engineer  
Board Attorney, Alice Beirne, Esq.  
Board Secretary, Rose DeSena  
H. Grossman, Public Advocate  
D. Dillon, Audio-Digital Transcription Service

**ANNOUNCEMENTS**

**Future Meetings:** March 20, 2014 (Regular Meeting) – 8:00 PM  
April 17, 2014 (Regular Meeting) – 8:00 PM  
May 15, 2014 (Regular Meeting) – 8:00 PM

- Chairwoman Gabry announced that application ZB-13-19/ Amanuel Ethiopian Orthodox Tewahedo Church, scheduled to be heard at this meeting, has requested to be carried to the next Zoning Board of Adjustment meeting to be held on March 20, 2014. No further notice will be given.
- Chairwoman Gabry announced that Greg Bullock was recognized at the West Orange Chamber of Commerce's annual breakfast in January as Citizen of the Year. She congratulated Mr. Bullock. All members of the Board joined in the congratulatory wishes.

## MINUTES

**Adopt Minutes:** January 16, 2014 (Regular Meeting)

Chairwoman Gabry asked for a motion to approve the minutes from the regular Zoning Board meeting held on January 16, 2014 as submitted to the Board members.

Mr. Bullock made a motion to approve the minutes; Mr. Steinhart seconded the motion and all were in favor.

Chairwoman Gabry noted for the record that Mr. Buechler was not in attendance at the January 16, 2014 meeting and therefore did not vote. She also noted that Mr. Neuer was present at the January 16, 2014 meeting but was recused from hearing the Schinman application.

## SWEARING IN

Consulting Engineer for the Township, Eric Keller was sworn under oath.

## RESOLUTIONS

**1. ZB-13-18/Schinman**

**Approved 1/16/14**

Block: 104; Lot: 10; Zone: R-1

45 Mountain Avenue

Two "C" variances for the height of an accessory structure to be constructed.

Robert C. Williams, Esq., attorney for the applicant, reviewed the resolution and requested a minor modification for a "C2" variance for height not to exceed 35 feet of an accessory recreational building when only 15 feet in height is permitted. He said that the height of the building will be reduced by 18". Ms. Beirne had no objection to his modification.

Chairwoman Gabry asked for a motion to adopt the resolution as amended. Mr. Merklinger made a motion to adopt as amended; Mr. Sussman seconded the motion.

The vote was as follows:

Buechler:	-	Steinhart:	Yes
Bullock:	Yes	Sussman:	Yes
Merklinger:	Yes	Weiss:	-
Neuer:	Recused	Chairwoman Gabry:	Yes
Quentzel:	Yes		

Chairwoman Gabry noted for the record that Mr. Neuer was recused from hearing this application and Mr. Buechler was not present at the last meeting when this application was heard and they did not participate in this discussion.

### **APPLICATION(S)**

**1. ZB-13-11/Gavilanez**

Block: 89; Lots: 32, 33; Zone: OB-1

134 Main Street

Two "D" use variances and several bulk variances to convert the first floor of an existing two family dwelling to a hair salon

### **EXHIBITS**

A-1 – Colored Site Plan

A-2 – Architectural Plans – 4 sheets

Savino Russoniello Jr., Esq., attorney for the applicant, approached the podium.

Mr. Russoniello detailed the application stating that the applicant's mother owns and operates a hair salon currently located on Washington Street and would like to move her business into her daughter's two-family home. Mr. Russoniello said that this would be an owner occupied situation; the hair salon would be on the first floor and the second floor would remain residential.

Chairwoman Gabry asked Mr. Russoniello what is currently on the third floor of the home; he said that there is a bedroom on the third floor. Mr. Russoniello said that the second and third floors of the home are occupied by the owner and family members as one residence.

Mr. Russoniello called his first witness, Anthony Marucci. He said that Mr. Marucci will be testifying as the Professional Engineer first and as the Professional Planner second.

Anthony Marucci approached the podium and was sworn under oath. Mr. Marucci detailed his professional background as both a Professional Planner and a Professional Engineer in the State of New Jersey. He stated that he has testified before this Zoning Board many times before.

Chairwoman Gabry accepted Mr. Marucci as an expert in both Professional Planning and Engineering.

Mr. Marucci presented the site plans stating that they are the same plans that were submitted with the application except the set to which he is testifying is in color.

Chairwoman Gabry asked to have the site plans marked as Exhibit A-1 for identification.

Mr. Marucci referred to the site plans and began detailing them. He said that the property is located in an OB-1 zone and is used as a two-family residence as are most of the other properties on Main Street. Mr. Marucci said that they are proposing to take the first floor and turn it into a hair salon. He said that the applicant's mother is the owner of the salon and has been established in West Orange for awhile. Mr. Marucci said that she wants to move the business there so that she can have the business in her own family's property and not have to worry about losing a lease.

Mr. Marucci described the property, noting that the site is a little elevated and that you would have to climb a number of stairs if entering the salon from the street. He said that the applicant obtained an egress/ingress easement from the neighbor and is providing for a handicap parking spot so that someone can access the salon without having to climb the stairs.

Mr. Buechler referred to the key map on the site plan and asked Mr. Marucci to explain how to access the O'Reilly property behind the proposed site. Mr. Marucci said that the O'Reilly property is accessed from lot 34.

Mr. Buechler asked Mr. Marucci how wide the driveway is. He said that when Mr. O'Reilly came before this Board a few years ago, his recollection was that there was a problem with the width of the driveway. Mr. Marucci said the driveway is approximately 16' wide and there is room for two way traffic.

Mr. Buechler asked Mr. Marucci if landscaper trucks are parked on the O'Reilly property; he replied yes.

Mr. Marucci stated that there are a number of "C" variances being requested for side yard, front yard, maximum lot coverage and parking. He said that this application also requires two "D" variances; one "D" variance for the conversion of the residence into a hair salon because it is not permitted in this zone and the other "D" variance for two principal uses on one property.

Mr. Russoniello asked Mr. Marucci to detail any engineering issues. Mr. Marucci said that the engineering issues are minimal. He said that there will be sufficient lighting in the rear parking lot and that they will not be changing the grading because it is fairly flat in the rear. Mr. Marucci said that the only change will be in the front of the property.

Mr. Neuer asked Mr. Marucci to define the distance from the curb to the front of the building; Mr. Marucci said approximately 60'.

Mr. Neuer asked Mr. Marucci if the handicap parking space, that is 60' from the building, is ADA compliant; he replied yes.

Chairwoman Gabry asked Mr. Marucci if the existing chain link fence will remain along the handicap ramp; he replied yes.

Mr. Neuer asked Mr. Marucci if he addressed the Township Engineer's comments regarding installing a new curb and sidewalk in the front of the property; he replied yes. Mr. Marucci said the applicant will comply.

Mr. Neuer asked Mr. Russoniello if the Board was to approve this application would the applicant agree to replace the curbs and the sidewalk as a condition; he replied yes.

Mr. Russoniello asked Mr. Marucci if he saw any problem with the driveway in regard to ingress and egress; he replied no. Mr. Marucci said that he has entered and exited this driveway many times and has never had a problem. He said that the traffic movements are minimal and he does not see any problem adding three parking spaces.

Chairwoman Gabry stated that Mr. Marucci is not a traffic expert.

Mr. Marucci stated that the applicant is proposing three parking spaces when eight parking spaces are required.

Mr. Neuer asked Mr. Marucci if they calculated how many parking spaces are needed for the two existing apartments. Mr. Marucci said that they need 4 parking spaces for the two-family but there are no parking spaces provided for them currently.

Mr. Russoniello stated that his client informed him that most of their clients walk to the salon.

Mr. Merklinger asked Mr. Marucci where the residents currently park; he said they currently park on the street.

Chairwoman Gabry noted for the record that consulting Planner for the Township, Paul Grygiel, arrived at the meeting at 8:35 pm. Mr. Grygiel was sworn under oath.

Mr. Buechler asked Mr. Marucci if the owner of the property lives in the top section of the home; he replied yes.

Mr. Buechler asked Mr. Marucci how many customers and chairs the salon will have; Mr. Marucci said that there will be three chairs in the salon but he will defer that question to the Architect.

Mr. Buechler asked Mr. Marucci how many employees there will be at the salon; Mr. Marucci said that he will defer that question to the applicant.

Mr. Buechler asked Mr. Marucci if on-street parking is permissible in the front of the building on Main Street; he replied yes.

Mr. Buechler asked Mr. Marucci if the rear yard is currently grass; he replied yes.

Mr. Buechler asked Mr. Marucci what type of material they will be using for the parking lot; he replied asphalt.

Mr. Buechler asked Mr. Marucci if they could use a pervious material for the parking lot. Mr. Marucci said that if he means stone then no they cannot use that. He said wheelchairs cannot move on stones.

Mr. Buechler asked Mr. Marucci if there is a feasible pervious material that they can use; he said that he will talk to Mr. Lepore and ask if there is a safe one.

Mr. Sussman asked Mr. Marucci if the entry door from the ramp is raised; he replied no and said the door was flush.

Mr. Marucci stated that he will now give his Planning testimony and began detailing the land uses. He said that the property is in an OB-1 zone and is currently used as a two family dwelling. Mr. Marucci said that Mr. O'Reilly's property is on the south side of the site and he has agreed to give the applicant an easement to provide access to the parking area for them. He referred to the photographs in his Planner's report describing the surrounding properties and stated that this application is in compliance with the character of the neighborhood. Mr. Marucci said that this application meets the criteria for special reason in accordance with the Municipal Land Use Law. He said that there is no land to increase the building size, there is no detriment to the public good and it is compatible to the general area.

Chairwoman Gabry asked if any members of the Board had any questions for Mr. Marucci.

Mr. Buechler asked Mr. Marucci if he read the report that was submitted by the West Orange Downtown Alliance. Mr. Neuer stated that for this report to be entered as evidence, someone from the Alliance has to be present to testify.

Megan Brill, Director of the Downtown Alliance, approached the podium and stated that the Downtown Alliance has concerns about the variances and the handicap ramp being ADA compliant.

Mr. Marucci said that he did read the report and he disagrees with their first point in the report regarding new or existing businesses acquiring existing store fronts in the downtown. He said that, in his opinion, he would rather be in his own building rather than leasing a space. Mr. Buechler stated that this is the mother's business and the daughter owns the property. He said that the mother does not own the building.

There were no further questions for Mr. Marucci from the Board or the Professionals.

Chairwoman Gabry asked if any members of the public had any questions for Mr. Marucci.

David Owen, Esq. approached the podium stating that he is here representing Donna Uher, who lives at 14 Edgehill Road, and the Llewellyn Park Committee of Managers.

Mr. Owen asked Mr. Marucci if the current use for the property is a two-family use or more than two families; he replied it is a two-family use.

Mr. Owen asked Mr. Marucci if the applicant's mother owns the hair salon on Washington Street; he replied yes. He asked Mr. Marucci if the hair salon is a permitted use in that zone; he replied yes.

Mr. Owen asked Mr. Marucci if the hair salon has to move from their present location. Mr. Marucci said he defers that question to the owner.

Mr. Owen asked Mr. Marucci if it would be convenient for the applicant to move the business to this property; he replied yes.

Mr. Owen stated asked Mr. Marucci if a hair salon is not permitted in an OB-1 zone and is prohibited from this district and requires a use variance; he said yes and that is why they are here before the Zoning Board.

Mr. Owen asked Mr. Marucci if they require a second use variance because there are two principal uses on this site, retail and residential; he replied yes.

Mr. Owen asked Mr. Marucci if he is familiar with the proposed floor plan for the hair salon; he replied yes.

Mr. Owen asked Mr. Marucci how many seats in the waiting area; he replied one or two seats.

Mr. Owen asked Mr. Marucci if there will be a seat at the front counter where the receptionist will sit; he replied yes.

Mr. Owen asked Mr. Marucci if there will be six chairs in the salon.

Mr. Neuer said that Mr. Marucci testified to the salon having three chairs and if the applicant testifies to six chairs then Mr. Marucci's testimony is based on false information. He asked Mr. Owen to save that question for the applicant or the architect.

Mr. Owen asked Mr. Marucci how many parking spaces they are proposing; he said they are proposing three parking spaces and currently they have no parking spaces. Mr. Marucci said that three parking spaces is an improvement.

Mr. Owen asked Mr. Marucci if there is any ordinance in the Town regarding walk-in traffic; he said yes. Mr. Owen asked Mr. Marucci if anywhere in that ordinance says that you receive a credit for walk-in clients; he replied no.

Mr. Owen asked Mr. Marucci if they will need a variance for the trash container; he said that they are proposing a trash container in the rear and if it requires a variance they will ask for it.

Mr. Owen asked Mr. Marucci if he was aware of the Township ordinance that requires one square foot of open space must be provided for every square foot of a building; Mr. Russoniello said that the ordinance that Mr. Owen is talking about is an office building requirement. He said that the applicant is not putting up an office building.

Mr. Owen asked Mr. Marucci if a lot size variance is required for this application; he replied no because it is an existing condition that cannot be changed.

Mr. Owen asked Mr. Marucci if they are expanding the building; he replied no. He said that they are just renovating the interior.

Mr. Owen asked Mr. Marucci if there are any requirements for a two-way driveway; Mr. Marucci said that depends. He said that it is a driveway, not a roadway.

Mr. Owen asked Mr. Marucci if there was any reference to the Master Plan in his report; he replied no.

Mr. Owen had no further questions for Mr. Marucci.

Chairwoman Gabry asked if there were any further questions for Mr. Marucci.

Mr. Grossman approached and asked Mr. Marucci if the plan makes any provisions for parking; he replied yes.

Mr. Grossman asked Mr. Marucci if the plan makes any provisions for the delivery of supplies for the business; he replied no. He said there is no need for a delivery truck.

Mr. Grossman asked Mr. Marucci if they will need a truck to deliver the equipment to the site; he said yes but that would only be a one-time set up. He said no customers will be in the salon when they set up the operation.

Mr. Grossman asked Mr. Marucci if multiple uses are depicted in the architectural plans; he said he defers that question to the Architect.

Chairwoman Gabry asked if any other members of the public had any questions for Mr. Marucci.

Richard Koehler approached the podium and stated that he lives at 136 Main Street.

Mr. Buechler asked Mr. Koehler if he lived next door to the property; he replied yes.

Mr. Koehler asked Mr. Marucci if the lot is a flat area; he said it is essentially flat.



Mr. Koehler asked Mr. Marucci what direction the grade goes; he said from the rear of the property towards the house.

Mr. Koehler asked Mr. Marucci if the grade goes diagonally towards his property; he replied no.

Mr. Koehler asked Mr. Marucci if they intend to plow the snow against his property; he said no. He said they will pile the snow along the rear of the property.

Mr. Koehler asked Mr. Marucci if the tenants will be placing their garbage in the garbage container; he replied yes.

Mr. Koehler asked Mr. Marucci if there is a tenant living on the third floor; he replied no.

Mr. Koehler stated that he will be testifying that there is a tenant living on the third floor.

Mr. Koehler asked Mr. Marucci if the tenants on the second floor will be utilizing the parking spaces; he replied yes. He said that during the evening hours when the salon is closed the parking spaces will be free for their use.

Mr. Neuer asked Mr. Marucci if there is a tenant currently living on the first floor; he replied yes.

Mr. Neuer said that if the application is approved and there are two different families living in the house then one will have to vacate.

Chairwoman Gabry asked if any other members of the public had any questions for Mr. Marucci.

Gerome Eben approached the podium. Mr. Neuer asked Mr. Eben if he is a current member of the West Orange Planning Board; he replied yes. Mr. Neuer advised Mr. Eben that he cannot appear at the Zoning Board meeting as a professional acting on behalf of a client because he is a current member of the West Orange Planning Board. Mr. Eben said that he is appearing as a representative of the West Orange Downtown Alliance and not in his professional capacity.

Mr. Eben asked Mr. Marucci if the ramp is at grade; he replied yes.

Chairwoman Gabry asked if any other members of the public had any questions for Mr. Marucci.

Juliann Vindigni approached the podium and stated that she lives at 140 Main Street. She said that she wanted to state something. Chairwoman Gabry told Ms. Vindigni that this portion of the meeting is just to ask questions now. Ms. Vindigni said that she can make her statement later in the meeting.

Mr. Steinhart asked Mr. Marucci how many parking spaces are required for a two-family house; he said two spaces per unit which would be four parking spaces.

Mr. Steinhart asked Mr. Marucci with the proposed new use, how many parking spaces are required; he said eight parking spaces. He said they are proposing three parking spaces and would be deficient of five parking spaces.

Mr. Buechler asked if the second D variance would be limited just to a hair salon or for any retail use if the Board does grant the two D variances. Mr. Neuer said that the application is for a hair salon and he sees no basis for any other use then a hair salon.

Mr. Neuer asked Mr. Grygiel if Mr. O'Reilly does not grant the applicant an easement, is there any basis for granting this application. Mr. Grygiel said no; they would lose the parking and the ADA accessibility.

Chairwoman Gabry called for a recess at 9:31 pm.

Chairwoman Gabry resumed the meeting at 9:45 pm.

Chairwoman Gabry noted for the record that, because of the time, application ZB-13-13 for Jason Alvarez that was scheduled to be heard at this meeting tonight will be carried over to the March 20, 2014 regular Zoning Board meeting. She announced that no further notice will be necessary.

Chairwoman Gabry stated that James Pryor, attorney for ZB-14-01/Communication Infrastructure, submitted a letter to the Board requesting a special Zoning Board meeting on behalf of his client. Mr. Neuer stated that the consulting Planner for the Township, Paul Grygiel and the Board Attorney, Ms. Beirne, should review the application first and determine if this application should be heard by the Zoning Board or the Planning Board. The Board agreed to hear this application at a special meeting that would be held tentatively on March 27, 2013 subject to their determination.

Mr. Russoniello called his second witness.

Claud Jones approached the podium and was sworn under oath. Mr. Jones detailed his professional and educational background as a licensed Architect in the State of New Jersey. He said that he has testified before many Boards in Newark, East Orange, Orange, Irvington and Hillside New Jersey.

Chairwoman Gabry accepted Mr. Jones as an expert in Architecture.

Mr. Jones referred to the architectural plans and noted for the record that the signature on the plans is the signature of his Principal, Albert Birch Jr. He said that Mr. Birch assigns different architects to different projects.

Chairwoman Gabry asked to have the Architectural Plans, consisting of four sheets, marked as Exhibit A-2 for identification.

Mr. Jones referred to Exhibit A-2 and detailed the existing conditions. He said that the only changes being made are on the first floor.

Mr. Russoniello asked Mr. Jones if he inspected the property; he replied yes.

Mr. Russoniello asked Mr. Jones if this is a two-family house; he replied yes. He said that there is a kitchen on the first and second floor and there is only a bedroom on the third floor.

Mr. Jones referred to page three of Exhibit A-2 and detailed the proposed renovations to the first floor.

Mr. Jones referred to page four of Exhibit A-2 detailing the elevations and the new window design. He said that the windows on the first floor will be replaced in order to accommodate the work stations. Mr. Jones said that the windows on the second and third floor will remain the same. He also said that they will install new siding on the exterior of the entire house.

Mr. Russoniello asked Mr. Jones what other upgrades are being proposed. He said that they will be upgrading the electrical, the plumbing and fire safety. Mr. Jones said they will also be reinforcing the walls and floor joists on the first floor. He said that they are proposing to install a non-illuminated metal sign over the handicap ramp with lights over the sign.

Mr. Jones detailed the stations being proposed stating that there will be two shampoo stations, an office, an area to mix the hair coloring, a pedicure area, a handicap bathroom and a relaxation area for the staff.

Mr. Merklinger asked Mr. Jones if there will be another way to enter and exit the salon besides the one being proposed; he replied no. Mr. Jones said they will only be able to enter and exit from the front. He said that there is only one exit because they are below the number that would require a second exit. Mr. Jones stated that there is a fire escape on the second floor.

Mr. Russoniello asked Mr. Jones if the basement will be utilized for the business; he replied no.

Mr. Neuer asked Mr. Jones if there will be eight to ten employees in the salon at one time; he replied no. Mr. Jones stated that the majority of the time there will be six employees in the salon and two employees on the weekend.

Mr. Neuer asked Mr. Jones if there is a possibility that there could be ten customers in the salon at one time; he replied yes.

Mr. Grossman approached the podium and asked Mr. Jones if it would be possible that they could have six customers in the salon at one time. Mr. Jones said that he testified that there could possibly be ten customers in the salon at one time.

Mr. Grossman asked Mr. Jones if he thinks that the parking is inadequate for the six stations being proposed; he replied no.

Chairwoman Gabry asked if any members of the public had any questions for Mr. Jones.

David Owen, Esq. approached the podium and asked Mr. Jones if the changes being proposed would significantly change the front of the house; he replied no.

Mr. Owen asked Mr. Jones to detail the signage being proposed; he said that the lettering will be in gold and silver and include the business name, address and telephone number.

Mr. Owen asked Mr. Jones if they are proposing four new lights to illuminate the parking lot; he replied yes.

Mr. Owen questioned Mr. Jones about the three parking spaces they are proposing and asked if there could possibly be a total of sixteen employees and customers at the salon at one given time; Mr. Russoniello interjected and said that the Township Ordinance does not require parking for hypothetical figures.

Mr. Owen asked Mr. Jones if there is access to the basement from the lounge area; he replied yes. He said that they need access to the basement.

Chairwoman Gabry asked Mr. Jones what the basement will be utilized for; he replied that the utility meters will be located in the basement, the furnace and storage space.

Mr. Neuer stated that he did not see a place for storing the supplies on the plans; Mr. Jones said that the supplies are normally stored at the work stations.

Mr. Neuer asked Mr. Russoniello if the applicant would accept the condition that no supplies would be stored in the basement, if the application is approved; he replied yes.

Gerard Eben approached the podium. Mr. Eben questioned the title block on the architectural plans and asked Mr. Jones where the Architectural firm is located and who signed the plans. Mr. Jones noted the location of the architectural firm and said that the owner signed the plans. He said that the owner assigns different architects to different projects.

Mr. Eben asked Mr. Jones to explain how, according to his testimony, replacing the double hung windows in the front of the building to a store front window is not a substantial change to the architecture of the building. Mr. Jones said that the installation of the new window changes less than 1/3 of the façade of the building.

Mr. Eben asked Mr. Jones what siding materials are being proposed to use on the exterior; he said they have not decided yet but they will probably use vinyl siding.

Mr. Neuer said that the Board is concerned about the aesthetics of the building and that before any vote is taken they must determine the color and type of siding that they are proposing to use.

Richard Koehler approached the podium and asked Mr. Jones if the entrance to the basement is from the vestibule; he replied yes.

Mr. Koehler asked Mr. Jones where the air conditioner compressor is located on the outside of the house; he replied it is on the side of the house.

There were no further questions for Mr. Jones.

Mr. Russoniello called his next witness.

Laura Gavilanez, applicant, approached the podium and was sworn under oath.

Mr. Russoniello asked Ms. Gavilanez when she purchased the property; she replied approximately three or four years ago.

Mr. Russoniello asked Ms. Gavilanez if she lives at the house; she replied yes that she lives on the second floor.

Mr. Russoniello asked Ms. Gavilanez if she owns any other property in town; she replied yes. She said that she owns a residential two-family house located at 127 Main Street as an investment property.

Mr. Russoniello asked Ms. Gavilanez if the hair salon is her mother's business; she replied yes.

Mr. Russoniello asked Ms. Gavilanez where her mother lives; she replied 495 Valley Road in West Orange. Mr. Russoniello asked Ms. Galvilanez if her mother owns that property; she replied yes.

Mr. Russoniello asked Ms. Gavilanez if her mother owns and operates a current business on Washington Street in town; she replied yes.

Mr. Russoniello asked Ms. Gavilanez if the space that her mother leases now is similar in size to the space she is proposing to put in her house; she replied yes.

Mr. Russoniello asked Ms. Gavilanez how many employees are at the Washington Street space; she replied two employees.

Mr. Russoniello asked Ms. Gavilanez what services are provided at the salon; she said that they provide hair care and have a pedicure area. She said that they also will do manicures occasionally.

Mr. Russoniello asked Ms. Gavilanez what the hours of operation are at the salon; she said that the salon opens up at 9 am and closes at 8pm from Monday to Saturday. She said that they are closed on Sunday.

Mr. Russoniello asked Ms. Gavilanez to describe the typical client; she said that her typical customers walk to the salon or take a bus to the salon. She said sometimes they will pick a client up and drop them off after their appointment.

Mr. Russoniello asked Ms. Gavilanez to explain why they would like to move the salon to her two-family house. Ms. Gavilanez said that by putting her mother in her house she would feel safer and more secure. She said at her current location, her mother has been met with some resistance by her landlord when she wanted some changes made.

Mr. Russoniello asked Ms. Gavilanez who currently lives in the house; she said a family lives on the first and second floor and her personal living space is on the third floor in the attic. Ms. Gavilanez said there is not a tenant on the third floor and only one residential tenant will remain on the second floor if the application is approved.

Mr. Russoniello asked Ms. Gavilanez if she saw any problem with the three parking spaces; she replied no. She said that their customers park on the street at their current location on Washington Street.

Mr. Russoniello asked Ms. Gavilanez if she is willing to make this investment to get her mother into this space; she replied yes.

Mr. Russoniello asked Ms. Gavilanez if she thinks the business will be successful at this location; she replied yes.

Chairwoman Gabry asked if any members of the Board have any questions for Ms. Gavilanez.

Mr. Bullock asked Ms. Gavilanez if the employees have licenses for all of the services they will be providing; she replied yes. She said that only one license for cosmetology is required for all of the services.

Mr. Neuer stated that he is concerned if only two employees will be able to handle six hair care stations and one facial area. He asked Ms. Gavilanez if the Board does approve this application, would they accept the condition that there are only two employees; she said sometimes there are four employees.

Mr. Neuer said that the plan does not have a place for laundry and asked Ms. Gavilanez how they currently do the laundry for the business; she said that her mother takes the laundry home and does it.

Mr. Merklinger asked Ms. Gavilanez if they could put a washer and dryer in the basement so that they can do the laundry onsite; she said yes.

Mr. Bullock asked Ms. Gavilanez what the total number of people living in the house is; she replied six people.

Mr. Bullock asked Ms. Gavilanez how many people will live in the house after the salon goes in; she replied three people.

There were no further questions for Ms. Gavilanez from the Board or the Board's professionals.

Chairwoman Gabry asked if any members of the public had any questions for Ms. Gavilanez.

Jerome Eben approached the podium and asked Ms. Gavilanez if she is aware that she will now have to pay a special improvement district tax for the business use on Main Street; she said yes she understands that.

David Owen, Esq. approached the podium and asked Ms. Gavilanez if the current location of the salon is a month to month lease; she replied yes.

Mr. Owen asked Ms. Gavilanez if the business has to leave their current location; she replied no.

Mr. Owen asked Ms. Galvilanez if they sell any products in the salon; she replied sometimes a customer will ask to buy a product but their products are just to use on their customers in the salon.

Mr. Owen asked Ms. Gavilanez why they are building so many stations when not all of them will be used; she replied that they get busy during the holiday season. She said that there are different chairs for different services.

Mr. Owen asked Ms. Gavilanez if they are planning on putting a washing machine and a dryer in the basement; she replied possibly.

Mr. Owen asked Ms. Gavilanez where they expect the customers to park their cars; she said that their customers generally walk to the salon, take a bus or they will pick them up.

Richard Koehler approached the podium and asked Ms. Gavilanez how many people currently live in the house; she replied ten. She said four live on the first floor and six on the second floor. She said that all of them are related to her.

Mr. Koehler asked Ms. Gavilanez if they purchase their products by the case or by single containers; she said they purchase small boxes of hair color individually.

Mr. Koehler asked Ms. Gavilanez if any of their products are flammable; she said she is not sure if the hair color is flammable.

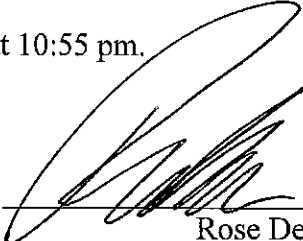
Chairwoman Gabry asked Ms. Gavilanez if her testimony regarding how many people live in the house is that four people live on the first floor, six people live on the second floor and that three will remain after putting the salon on the first floor; she replied yes.

There were no further questions for Ms. Gavilanez.

Chairwoman Gabry noted for the record that it was almost 11:00 pm and that the Board adjourns at that time. She said that this application will be carried over to the next Zoning Board meeting on March 20, 2014 and that no further notice will be required.

The meeting was adjourned by Chairwoman Gabry at 10:55 pm.

Adopted: March 20, 2014

 3/21/14  
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Rose DeSena  
Zoning Board Secretary