MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
June 5, 2024
7:00 P.M. REGULAR MEETING

COMMISSIONERS PRESENT:
AVRAHAM EISENMAN (2A)
DAVID BRAID (1A)
ALESSIA ERAMO
MAUREEN O'CONNOR
SCOTT SOCHON
MICHAEL MOLNER
GEORGE FOUKAS
VICE CHAIRMAN SCORZIELLO
CHAIRMAN ZECCHINO

ALSO PRESENT:
Nicholas Graviano, P.P., Board Planner
Brian Intindola, P.E., Board Engineer
Liana Bolcato, Asst. Zoning Officer
Jessica Sweet, Esq., Counsel/Secretary

Chairman Zecchino called the Meeting to Order at 7:03 p.m.; he led the entire assembly in the Pledge of Allegiance to the Flag of the United States of America. Pursuant to the "Open Public Meeting Law" public notice of the Board's 2024 regular meeting schedule was published in the Herald News on December 24, 2023. All notice requirements were satisfied. Chairman Zecchino announced the time, place, and form of notice as well as advising all applications that formal action may be taken on the matters set forth on the Agenda. Said opening statement is incorporated herein by reference and made a part hereof.

CONTINUED HEARINGS

1. **GEELAND, LLC 811-813 Rt 46, Block 34.03, Lots 75 and 77 – R-A2**
   The applicant is requesting preliminary and final site plan approval, with use and bulk variances to raze the existing commercial building and construct a 4-story 125,200 sq ft self-storage facility, parking, lighting, landscaping, stormwater management, and related site improvements.
   Chairman Zecchino announced that this application has been continued to June 19, 2024.

Chairman Zecchino states that the agenda will be taken out of order, as not all parties/applicants were ready to proceed at the beginning of the hearing.

2. **STELMACH AUTO CARE, 1 Grove St. & 1425 Broad St.; Block: 27.13 & 76.02, Lot: 1; Zone: RA2 & BA**

CONTINUED FROM 5/1/24 (Present: Eisenman, Eramo, O'Connor, Sochon, Molner, Zecchino); Vice Chair Scorziello confirms that he watched the video of the May 1, 2024 hearing on this application. Commissioner Braid is ineligible to vote.

Commissioner Foukas recused himself; Commissioner Eisenman is taking his place.

Dominic Iannarella, Esq., entered his appearance on behalf of the Applicant. Applicant is requesting a D(1) use variance to expand the pre-existing nonconforming use of the auto repair shop in the RA-2 district to include City towing as an additional use, neither of which are permitted in the RA-2 Zone. This application was previously heard by the Board on May 1, 2024, and initially proposed to include a separate property, located at 1425 Broad Street, as an overflow lot for storage of towed vehicles; the applicant has removed that property from the proposal and now requests approval to use the 1 Grove Street property exclusively for both the existing auto repair use and the newly proposed towed vehicle storage use. The applicant submitted a landscaping plan, fencing plan, and vehicle stacking plan prepared by Donohue Engineering, dated May 24, 2024. The stacking plan depicts proposed parking for 40 vehicles on the site, together with proposed landscaping and shrubbery at the front of the existing building, and a new 6' chain link fence to surround the site on three sides.

Engineer Thomas O'Donohue testified regarding the revised plans. He described the subject property and the existing conditions. The existing use is an auto repair shop. The applicant is proposing to use a portion of the property for storage of towed vehicles. A 6' chain-link fence will enclose the storage area; the plan depicts a 10' wide gate (5' double gate) from Grove Street. Not a public lot, it will be used for storage of towed vehicles brought to the site by a flatbed truck. There will be a 10' wide aisle way used by the applicant for access to the towed vehicles. There is additional storage space inside the building for up to 12 vehicles. Once cars are removed from the flatbed truck, there will be sufficient area to maneuver. The applicant will provide building-mounted light fixtures for security lighting; the site will be landscaped as depicted on the plan. The dumpster area will be enclosed within the fence and will have a gate that will open outwards near the gate/driveway/garage bay area.

Chair asked where the tow trucks will be stored; Mr. Donohue stated that he can store the truck in the garage itself once it is empty. Mr. Donohue understands that there is space for 12 vehicles within the garage. Mr. Iannarella stated that as Mr. Stelmach testified last time, the applicant has another lot in West Milford where he can store his auto repair cars if necessary.

Commissioner Molner asked for clarification as to the location of the dumpster; Mr. Donohue clarified that it will be located adjacent to Grove Street entrance.

Mr. Donohue indicated that he reviewed the Neglia report; his only concern was the fact that the location of the gate does not have a depressed curb (it is approximately 1"-2"), so they would have to cooperate with the County to get the curb cut modified. Mr. Eisenmann asked if the site will continue to be used as an auto repair facility, it appears that the vehicles would block the openings; Mr. Donohue testified that the plan is depicting a maximum number of parking capacity and the garage can be accessed through both sides; cars can drive straight through from one side to the other. This is a theoretical drawing. Mr. Donohue testified that it would not be striped.

Mr. Molner asked if the proposed storage needs to hit a magic number of 40 parking spaces/storage capacity. Mr. Iannarella advised that this is necessary for the City Tow ordinance.

Chair stated that there can be no parking of tow trucks or other vehicles on the street.

Vice Chairman Scorziello said that the applicant has addressed the concerns raised by the board at the prior hearing and made a motion to approve the application subject to the stipulation that there be no parking on the street, and subject to compliance with the Board professionals' reports. Commissioner O'Connor seconded the motion; voting in favor are Commissioners Eisenman, Eramo, O'Connor, Sochon, Vice Chair Scorziello, and Chairman Zecchino. Voting against: Commissioner Molner, who stated that the proposal will block traffic. The motion carries, the application is approved.

Chairman Zecchino states that the Board will move on to New Hearings, as the Vargas application was not yet ready to proceed.

NEW HEARING

1. **DURANGO SISTERS LLC,** 363 Lakeview Ave., Block 1.27, Lot 9, Zone: B-C

Glenn Peterson, Esq., entered his appearance on behalf of the applicant. Witnesses: Thomas E. Donohue, PE; William J. Martin, RA, PP. Conditional use variance existing bar/restaurant to new restaurant/bar. Proposing a total of 114 seats in the existing 3,236 SF restaurant + 10 employees, requiring a total of 53 parking spaces, where 3 spaces are proposed. Restaurants are a conditional use in the B-C district, provided the parking is met, and provided that the restaurant provides a 10' wide landscaped strip to any adjoining residential lot line (RB-1 zone to the east/rear; neither requirement is met by this application.

Mr. Peterson stated that the site contains an existing building, which was previously used as a bar/restaurant for 47 years, Fitzgerald's Bar. He distributed to the Board a packet of photographs, depicting the prior restaurant use, which was marked as Exhibit A-1 in evidence. Mr. Mejia testified that he is the applicant and he obtained these photos from the internet. Mejia is the applicant's manager.

Mr. Peterson stated that the applicant is proposing some interior and basement renovations, they are adding seating, and there will be no change to the existing building footprint; there will be substantial changes to the site, including parking. Applicant has entered into a shared parking agreement with the property owner across the street for employee parking

Closed Mondays; open 11:45 am to 2 am. Kitchen will be closed at 11 pm. Deliveries once a day, at rear of the property. No plans to have any entertainment or bands, even though live music was provided at the previous bar.

Planner not in attendance but will be there next meeting.

Mr. Donohue was called; he prepared the engineering plans. He described the plans dated 9/27/23 and the subject property in the BC zone at the corner of lakeview avenue and east 7th street. Existing condition plan; property contains a former bar/restaurant one story, with a rear parking lot accessed by East 7th Street. The applicant is proposing to renovate the existing structure, remove the entrance canopy shown on sheet 3 of 5; will put in a new canopy. Existing asphalt area will be removed and replaced with a new parking area. Dumpster in the rear of the parking lot. ADA parking space as required. Water service line will have to be replaced and upgraded to 1" service line. Parking – they are required to provide 43 spaces for customers and 10 for employees, totaling 53; they are providing 3 as shown on the plan. Deliveries will be by box truck via the East 7th St. entrance.

Sheet 3 of 5 shows the grading/utility plan. Mr. Donohue testified regarding the stormwater improvements, a seepage pit to be installed underground to catch any runoff from the parking area. Soil testing will be conducted.

Applicant will be putting in two wall-mounted fixtures to light the parking lot. Landscaping- 26 boxwood shrubs to be planted along the east 7th Street frontage

Variances: parking within 10' of lot line; no interior parking lot landscaping proposed; front yard setback to canopy, 5' required/0' existing/proposed. Side yard setback- existing nonconforming condition. Parking- conditional use variance for number of spaces. 10' landscaped strip to adjacent residential use; not being provided.

Chair Zecchino asked if the applicant would comply with the Planner's report requesting the exterior of the building be

Arranged to have 10 employee parking spaces across the street; Commissioner Eramo asked if it always had 3 parking spaces. Mr. Peterson said yes.

Shared parking agreement- executed with the beauty salon across the street. Only available after 5 pm for employees only. Mr. Peterson provided a copy of the lease agreement, which was marked as exhibit A-2. Mr. Martin will testify at the June 19 hearing; continued with no further notice.

CONTINUED HEARING

3. **TERESA VARGAS**, 1084-1088 Main Ave., Bl. 8.01, Lot 29; Zone: BC
   CONTINUED FROM 4/3/24: Commissioners present: Eisenman, Braid, Eramo, Molner, Sochon, Vice Chairman Scorziello, and Chairman Zecchino. Commissioners O'Connor & Foukas are ineligible to vote.

Glenn Peterson, Esq. entered his appearance on behalf of the Applicant, Theresa Vargas. Mr. Peterson stated that since the prior April 3, 2024 hearing, the applicant revised the plans, bearing a revision date of May 7, 2024, to remove three of the proposed multifamily dwelling units, one on the first floor and two on the second floor. They are now proposing two commercial spaces on the first floor of the proposed mixed-use building and two one-bedroom residential units on the second floor.

Mr. Peterson appeared and introduced Architect Matthew Evans, who was sworn in, and qualifications accepted by the Board, he testified that he has been before this Board and others within Passaic County, he's a licensed architect in good standing; qualifications accepted by the Board. Mr. Evans testified that based on the comments provided at the prior meeting, they have reduced the number of proposed apartment units; the size of the building has been reduced to provide parking in the back. Two retail storefronts on the first floor; two residential units on the second floor.

Chair stated that if the 2-family dwelling were to be removed to provide for additional parking, then the Board would let her have 5 units in the new building. Mr. Evans stated that they reduced the size of the existing building to provide additional parking; he said that the client is very passionate about maintaining the existing 2-family. Chair asked again if the site would work better if they removed the 2-family. Mr. Evans stated that he believes it will work well as proposed. Mr. Peterson said that the applicant is very reluctant to tear down the $850,000 2-family building.

Commissioner Eramo asked for specifics on the parking deficiency; Mr. Evans stated that they require 53 (50 with the EV credit); 14 are proposed. Mr. Evans stated that the proposed design will be consistent with the Main Ave streetscape. He stated that there is parking across the street; Commissioner Eramo noted that the Main Ave lot cannot be used for residential parking; it is there for downtown shoppers.

Mr. Graviano testified that he believes that the applicant has miscalculated the parking requirements because the parking calculation provided for the retail spaces does not include the large storage areas. Mr. Evans stated that there was an existing building there; and they are removing a portion of the first floor from what was previously there. Mr. Evans testified that the net increase in parking is the two one-bedroom apartments. The other uses are pre-existing nonconforming. Mr. Graviano stated that the importance of the parking calculation is that this is in an area where there is a parking fee imposed for the space deficiency. Mr. Evans testified that his calculation is 6 spaces for the retail area; 45 spaces for the medical use; 4 spaces for the new residential units; 4 spaces for the existing 2-family use. Minus the 9 EV space credit; for a total of 50 parking spaces. Mr. Graviano stated that the fundamental difference is that the commercial spaces include large storage areas, they calculated only the front retail floor area not the rear storage space, or the mechanical/HVAC areas. Mr. Graviano stated that he believes his position is clear; the parking for the retail use was not calculated correctly. This needs to be revised and addressed to ensure that the correct parking fee is paid.

At the conclusion of the testimony, Vice Chair Scorziello made a motion to approve, stating that the mixed use is a trend, and he thinks it works on the site and in this area, despite the parking shortage, and notes further that there is also a housing shortage. Vice Chair notes that his motion is subject to the stipulation that the correct parking calculation be provided by Mr. Graviano for purposes of calculating the fee. Commissioner Molner seconded the motion. Commissioner Eisenman stated that the parking in the area is terrible, and the deficiency does not help, and votes no. Commissioner Braid votes yes. Commissioner Eramo echoes the same concerns about parking and votes no. Commissioner Sochon expresses similar concerns about the parking deficiency and votes no. Commissioner Molner votes yes. Vice Chair Scorziello votes yes. Chair Zecchino addresses the parking deficiency and site circulation and votes no. The motion fails, the application is denied.

The Board then takes a 5-minute recess.

NEW HEARING

2. **TJF HAZEL LLC 252 Hazel St. & 237 West 3rd St.; Bl. 16.11, Lots 1 & 2; Zone: RB-2**
252 Hazel St. & 237 West 3rd St.; Bl. 16.11, Lots 1 & 2; Zone: RB-2

Ms. Gonchar entered her appearance and introduced her witnesses: Adrian Melia, project architect; John Corac, traffic engineer; Matthew Zyngart, site engineer; and Paul Grygiel, professional planner, all of whom were sworn in by Ms. Sweet.

Ms. Gonchar provided an opening statement in which she summarized the prior history of this application, as originally filed in 2022, heard over the course of three hearings and eventually reduced to 54 residential units with 104 parking spaces, in a 3-story building 2 stories of residential over one story of parking. The 54 units were comprised of 30 2-bedroom apartments and 24 one-bedroom units. The Board denied the application by resolution adopted on December 2, 2022. The Applicant then filed a complaint challenging the denial; after months of settlement discussions, the parties entered into a settlement agreement dated April 8, 2024; the parties and the Court then entered into a consent order remanding the application back to the Board. The settlement agreement contemplates a 40 unit mid-rise multifamily residential building, with 20 1-br units and 20 2-bedroom units. No dens, with 93 parking spaces (40 covered spaces; 53 surface parking spaces).

Ms. Gonchar then summarized the variances required:

- D1 use variance from Sec. 461-13.1E to permit mid-rise apartment building in the RB-2 zone
- D5 density variance from Section 461, Attachment 1 to permit a lot area per DU of 1,881.3 SF where minimum lot area/DU of 2,904 SF is required for garden apartments and 3,351 .SF is required for townhouses.
- C variances:
    - Minimum rear yard setback: 12.5’ proposed where 40’ is required;
    - Minimum side yard setback: 11.8' proposed to Hazel St. where 20’ is required;
    - Maximum lot coverage (per § 461-19C, supplementary regulations for Garden Apartments)
        - Principal building: 27% proposed; 25% permitted
        - Parking areas: 31.4% proposed; 30% maximum permitted
    - Parking dimensions/layout:
        - Parking in the front yard (West 3rd Street), where not permitted;
        - Parking space dimensions: 9’x 18’ proposed; 9’ x 19’ required; RSIS standards control and the proposed 9’ x 18’ dimension is consistent with RSIS.

- To permit a fence 7’ height where the maximum height is 6’; fence to be provided between the Parkway and the property; this is proposed at the request of the NJ Turnpike Authority.

Ms. Gonchar then described the procedure as a Whispering Woods hearing, in which the applicant is providing the proposed settlement plans as a full new application for a public hearing.

Applicant’s engineer addressed the review letters of the Board’s professionals in a letter dated June 3, 2024.

Ms. Gonchar identified the outside agency approvals that would be required.

Ms. Gonchar then called Mr. Zyngart, the site engineer, whose qualifications were accepted by the Board. Mr. Zyngart identified prior exhibit A-10, an aerial rendering and landscaping showing the prior plan dated 2022, which was marked as new exhibit A-1. An aerial rendering and landscaping plan depicting the revised plan dated 2024 was marked as exhibit A2. Mr. Zyngart testified regarding the existing site and building. All structures will be demolished. The proposal is to consolidate the two lots and redeveloped. The new plan appears identical to the old one; the footprint of the building has been reduced, truncated as to length and width. The current proposal depicted on A-2 is a plan prepared by Mr. Zyngart. The building will be the same from an architectural standpoint; the height will be 32.7’, reduced by about 3/10th of a foot, 2 stories of residential over a ground floor of parking. 40 units proposed, split 20/20 one-bedrooms and two-bedrooms. Mr. Zyngart then summarized the variances: density D(5), the intensity of which has been reduced from the prior plan. The setbacks have been generally increased, except to Hazel street, which has been decreased slightly. The impervious coverage has been reduced. The parking coverage is slightly increased due to the reduction in size of the building, since the building size was reduced

12 EV spaces proposed; fire official wants those moved out from under the building, they will comply. Mr. Graviano’s recommended change in item 6 re: parking island/landscaping is acceptable; they will comply. Parking requirements are met; the EV space credit reduced the RSIS requirement, 93 spaces proposed meet the RSIS requirements. The space dimensions of 9’ x 18’ as proposed satisfy the RSIS requirements. ADA space requirements are 5 total; they meet these and one will be provided as an EV space, as required. Building will be secured to allow access only by residents. Two driveways are proposed on 7th Avenue for ingress/egress and refuse collection by private hauler. Dumpsters will be inside the building; they can be rolled out for collection by hauler.

Mr. Zyngart testified as to the water/sewer and utilities service- all will comply with the ordinance requirements. All meters will be located on the building and buffered by landscaping. Electric transformer will be located on site. All comments of the fire official will be complied with. Building will be sprinklered. Lighting will be provided by pole-mounted LED fixtures with house-side shields.

Addressing landscaping, Mr. Zyngart testified that the proposed species are mostly native, noting that the Environmental Commission provided a comment that all species should be native; Mr. Z stated the applicant will work with the Environmental Commission to ensure that all species are native.

Regarding stormwater, Mr. Z testified that they are proposing a small bioretention basin to meet the stormwater regulations. Pervious pavement is provided beneath the parking spaces, but not drive aisles.

Chairman Zecchino asked about the sewer capacity and Mr. Z replied that they will agree to a condition of approval to scope the sewer to ensure capacity as recommended in the Neglia report.

Mr. Zyngart then testified that the site can accommodate emergency vehicles and that the parking area will be landscaped to screen from view.

Commissioner Molner asked about the transformer location; it is located on the southeast corner of the property; Molner noted that if it hums it should be moved away from the residential properties; Mr. Zyngart stated that they can move the transformer to a different location further from the residential. Commissioner Eramo asked about the native species; they will work out the changes with their landscape architects to meet the concerns of the Environment Commission.

Commissioner Eisenman asked to clarify that the existing building will be demolished.

Mr. Intindola stated that the site plan generally complies with their comments and asked the applicant to clarify the number of spaces under the building. Mr. Zyngart testified that ___ spaces are proposed.

No interested parties.

Ms. Gonchar then called traffic engineer John Corac, Stonefield Engineering, who provided his qualifications, which were accepted by the Board. Mr. Corac testified regarding his traffic impact study, addressing first his conclusions for the previous iteration of this project containing 60 units, which were that there would not be a significant impact on the surrounding roads. Only a minimal increase in delay- 2-3 seconds previously, now 1-2 seconds with the reduced number of units. Mr. Corac testified regarding his current traffic impact study, submitted to the Board in March, and stated that he looked at the surrounding traffic and adjacent uses, then looked at the potential peak impacts of the additional trips to be generated. This project will not have an adverse impact on the existing traffic patterns. The traffic impacts were analyzed as to the impact of multifamily units, which do not depend on the style of the multifamily development. Mr. Corac stated that this proposal would be considered a low-rise multifamily development by the ITE manual. Mr. Corac stated that he also reviewed the vehicle circulation and turning radii for fire and emergency vehicles, and the site can accommodate them. Regarding deliveries and loading, Mr. Corac stated that the site can accommodate delivery vehicles, box trucks, move-in/move-out, FedEx, Amazon and the like. Mr. Corac stated that the parking design complies with the RSIS requirements, dimensions of parking spaces and drive aisles, etc. Mr. Corac testified that they will meet the EV requirements and exceed the RSIS parking requirements. Mr.

Corac concluded that the project can be approved in its current form without any adverse traffic or parking impacts on the surrounding community, neighbors or roadway impacts.

No questions from the Board, Mr. Intindola noted that this is a relatively low trip generator.
No interested parties.

Ms. Gonchar then called project architect Adrian Melia, MVMK Architecture + Design, who provided his qualifications, identifying himself as a partner in MVMK Architecture, working in the field for over 20 years, license in good standing, has testified before other boards. Qualifications were accepted by the Board. Mr. Melia then identified four renderings, which were marked as Exhibits A-3 (showing proposed building looking west from 7th street), A-4 (showing closer view of the building looking west from inside parking lot), A-5 (showing building view looking south from the parking area) and A-6 (showing view from Hazel Street).

Mr. Melia first testified regarding the submitted plans; the first floor is mostly parking, but includes a lounge, lobby, elevator, and package room, with flex amenity space, a large trash room to be accessed from the loading area. The second and third floors are nearly identical; the units range in size, starting at 700 SF, no dens or offices, true 1-br and 2-br layouts with their own washer/dryers.

Regarding the building exterior, Mr. Melia testified that it is a contemporary/modern design primarily of red brick, windows will have black frames. Building mounted lighting will be provided to illuminate entrances. Building will be fully ADA-accessible and units will be convertible to accessible units.

Fire department concerns- Mr. Melia testified that the potential fire hazard from the EV charging spaces justifies moving them outside. The Applicant provided a letter to fire official, marked as Exhibit A-7, dated June 3, 2024, prepared by Mr. Melia, addressing comments/questions raised by fire official in report, agreeing to comply with all concerns.

No questions from the Board or public for the architect.

Ms. Gonchar then called Planner Paul Grygiel, PP, who provided his qualifications, which were accepted by the Board. Mr. Grygiel testified regarding his preparation for tonight's testimony, stating that he reviewed the application, materials, plans, master plan, ordinance, visited the site, attended all hearings; is familiar with the project and the application as it evolved. Mr. Grygiel described the property as very uniquely shaped, with multiple street frontages, including the Garden State Parkway. Mr. Grygiel noted that the ordinance permits other forms of multifamily residential apartment buildings, including garden apartments and townhouses, but not this specific form, requiring the D1 variance.

Mr. Grygiel stated that because multifamily residential use is permitted, he believes the site is particularly suitable for the proposed use. The site is large, 1.7 acres, allowing for a different type of development, more intense multifamily use. The multiple street frontages allow for varied access to the site.

The existing improvements on the site are nonconforming, not suitable for reuse; it is a better planning alternative to remove this and upgrade the site.

Garden apartments are permitted in the zone, but this is a more modern type of use that is common in the area. Elevator buildings are more appropriate now since they are fully ADA-accessible.

The Density variance is to some extent subsumed with the D1, but the site can accommodate the increased density; the parking is met, the setbacks are consistent with the area; the density is consistent with what is permitted. The impacts will not be as substantial in terms of schoolchildren.

Bulk variances all relate to the multifamily use so they can be subsumed. Most of the setbacks are improvements over existing conditions. The Hazel Street setback is an improvement over existing conditions, but slightly greater than what was previously proposed. The impervious coverage of the parking area exceeds the allowable coverage as to parking area due to the reduction in size of the building. The excess coverage is due to the additional parking provided and the building reduction (now outside); the ordinance separates the types of coverage- building vs. parking, but overall coverage meets the ordinance requirement.

Purposes G, I of MLUL advanced. Negative criteria- significantly improves appearance of site, all development impacts are being addressed by site design. No significant negative impacts to the immediately adjacent neighbors. Any redevelopment will have impacts, but these will not be substantial. Lighting and landscaping will mitigate those impacts. The building is smaller/shorter than what is currently on the site.

Re: master plan/zoning ordinance impacts- this is consistent with the intention of the master plan, removes a nonconforming obsolete industrial site, and replaces it with a well-designed plan that is more consistent with the master plan intention for this site for residential use.

Regarding the c/bulk variances- the Hazel street setback is an improvement over the existing condition, even if slightly reduced from the prior proposal. The 7’ fence was requested by the NJTA and can be justified as a C2, better planning alternative, to provide for safety and screening to the highway.

In response to a question from the Chair, Mr. Zyngart testified that the setback to the Hazel Street frontage will be measured from the property line, which is just off the sidewalk.

Mr. Grygiel testified that there will be no negative impacts from this project in comparison to the other permitted uses of garden apartments and townhouse units. He stated that the number of public-school children would be 6.8 for this project versus 3 for single family, 7 children for townhouses, 5 children for garden apartments, so less than one child per grade added to the school system, comparable to the permitted townhouse use. The number of overall residents is higher, but the traffic and other impacts will be the same. Mr. Grygiel concluded that in his professional opinion the variances can be granted in accordance with the variance criteria.

Ms. Gonchar concluded that the applicant has worked to revise the plan and meet the concerns underlying the prior denial and requested that the board grant the application.

At the conclusion of the testimony, Vice Chair Scorziello made a motion to approve, noting that the property needs to be redeveloped, this project is what the Board wants and he supports reintroducing residential uses to the site with sufficient parking, subject to the stipulations that the Applicant relocated the transformer as far as possible from the single-family homes, the Applicant work with the Environmental Commission to revise the landscaping plan to include native species as identified in their report, and compliance with the recommendations contained in the reports/review memoranda of the Board Engineer, the Board Planner, and the Fire Official. Commissioner Sochon seconds the motion. Voting in favor are Commissioners Eramo, O'Connor, Sochon, Molner, Foukas, Vice Chairman Scorziello, and Chairman Zecchino. The motion passes, the application is approved.

ADOPTION OF MEMORIALIZING RESOLUTIONS/MINUTES

1. **JOSH LOWY, 18 Conover Ct., Bl. 71.03, Lot 5, Zone: RA3**
   Approval of application for addition and alterations to a single-family home, requiring the following bulk variances: rear yard setback proposed at 28.42' where 35' required, rear intersecting gable is creating an additional ½ story where 2 stories is the maximum permitted.

Vice Chairman Scorziello made a motion to approve; Commissioner Molner seconded the motion; voting in favor are Commissioners Eisenman, Braid, Eramo, Sochon, Molner, Vice Chair Scorziello, and Chairman Zecchino.

2. **HIMANSHU PRAJAPATI 15 Runyon Rd., Bl. 41.07, Lot 23; Zone: RA3**
   Approval of application for construction of a second-floor addition and renovations which require the following bulk variances; side yard setback proposed at 4.91' where 6' is required and front yard setback proposed at 24.73' where 25' required both of which are pre-existing non-conforming.

Commissioner Sochon makes a motion to approve. Vice Chairman Scorziello seconds the motion; voting in favor are Commissioners Eisenman, Braid, Eramo, Sochon, Molner, Vice Chairman Scorziello, and Chairman Zecchino.

3. Minutes of the May 15, 2024 Regular Meeting.

Offered by Commissioner Sochon and seconded by Commissioner O'Connor. Voting in favor: Comrs. Eisenman, Braid, Eramo, Sochon, Molner, Vice Chair Scorziello, and Chairman Zecchino.

There being no further business before the Board, Commissioner Molner moved to adjourn. The motion was seconded by Commissioner Sochon, with the unanimous approval of all Board members present, the meeting was adjourned at 9:38 p.m.:

Respectfully submitted,
JESSICA L. SWEET, ESQ.,
COUNSEL SECRETARY