

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
August 20, 2025
7:00 P.M. REGULAR MEETING

COMMISSIONERS PRESENT:

NOEL PEREZ (2A)
DAVID BRAID
ALESSIA ERAMO
MAUREEN O'CONNOR
GEORGE FOUKAS
VICE CHAIRMAN MOLNER
CHAIRMAN ZECCHINO

COMMISSIONERS ABSENT:

GRACE ROBOL (1A)
AVRAHAM EISENMAN

ALSO PRESENT:

Nicholas Graviano, P.P., Board Planner
Anthony Kurus, P.E., Board Engineer
Liana Bolcato, Asst. Zoning Officer
Joseph M. Wenzel, Esq., Counsel/Secretary

Chairman Zecchino called the Meeting to Order at 7:01 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 2025 regular meeting schedule was published in the Herald News on December 11, 2024. 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.

NEW HEARINGS

1. Jahin Amin & Viral Patel, 15 Albury Road, Bl. 46.05, Lot: 19, Zone RA2

Applicant, **Jahin Amin & Viral Patel**, appeared with their architect and general contractor to present the application.

Applicant's architect, **Prital Shukla**, was called forward, sworn in and qualified as an expert in the field of architecture. Shukla provided an overview of the plans for the project. She explained that purpose of the addition is to meet their family needs. The project will include the remodeling of a current sunroom on the first floor. This will be fully enclosed and used for living space. The second floor will be able to access the roof over the former sunroom and use same as outdoor seating. The second-floor roof deck will not be enclosed and only have railing for safety purposes.

Shukla states that this will have minimal impact on neighboring properties. There is a pre-existing rear yard setback violation caused by the current sunroom. The second floor roof deck is within the same footprint and will require a variance. Shukla stated that the current variance is de minimus and the addition does not exacerbate it.

No interest parties appeared on this matter.

Commissioner Foukas moved to approve. Commissioner O'Connor seconded the motion.

Commissioners Perez, Braid, Eramo, O'Connor, Foukas, Vice-Chair Molner, and Chair Zecchino voted in favor. Motion passed 7-0 and the application was approved.

2. **Aaron Silberberg**, 33-35 Ravona Street, Bl. 57.07, Lot: 8, Zone RA3

Applicant, **Aaron Silberberg**, appeared and presented the application. He and his wife were sworn in to testify as lay witnesses.

Applicant read into the record correspondence from their architect, Stephen V. Carrozza, explaining the project and the intent of the addition.

Chairman Zecchino inquired as to whether the architect would be coming to testify, and the Applicant indicated that he was not. Chairman Zecchino inquired about the need for the three stories. Applicant explained that the home is a split level so that the 3rd story is not fully across the entire home. The first story is a garage level with a small interior space and the second floor are bedrooms. The stairs to the 3rd story come from the other side of the split level so it is only a few stairs to reach the next level. Applicant maintained that the impact is not overbearing and will fit in with the neighborhood. Chairman Zecchino asked about the dormers and whether they could be removed. Applicant responded that the dormers were necessary to allow sufficient sunlight. The dormers also served to breakup the effect of the third story from the exterior. Otherwise, the addition would have a monotonous tone.

Commissioner Braid asked about the height of the third story and Applicant indicated that the height was about 6'6" to the roof line. Architect tried to keep the roof as low as possible. Applicant also noted that the addition will close off an outside door from the basement level of the home. All other improvements in the home are allowed.

Vice-Chair Molner inquired whether the Applicant wished to speak with their architect about the Board's concerns over the dormers and the third story before proceeding forward. Applicant indicated that they did want to make any changes to the application as they felt the 3rd story was needed and that the dormers were a positive to their application. **Board Counsel Joseph Wenzel** then suggested that the architect may assist with insight into options based on the Board's concerns and that a decision by the Board is final. Applicant reiterated that they wished to have the Board vote on the application as is.

No interest parties appeared on this matter.

Vice-Chair Molner moved to deny. Commissioner Perez seconded the motion.

Commissioners Perez, Braid, Eramo, O'Connor, Foukas, Vice-Chair Molner, and Chair Zecchino voted in favor of motion to deny. Motion passed 7-0 and the application was denied.

3. **Peoples Baptist Church, Inc.**, 51 Hepburn Road,
Bl. 66.02, Lot: 26,27,35 & 36, Zone RA3

Applicant attorney, Arthur Hopkins, Esq., came forward and explained the general purpose of the application as conversion of former residential building into a religious activities center. Hopkins noted that this is a conditional use in the zone and that the Applicant does not meet all the criteria in the ordinance. The Applicant is deficient in parking spaces and violates a rear yard setback.

Applicant's representative, **Pastor Michael Dinges**, was called forward, sworn in to testify as a lay witness. Dinges stated that the Applicant had received approval to renovate the site in 2017. However, those plans were not acted upon at the time. At this time, in reviewing the congregation's needs, the building is currently too small. A third floor is necessary to allow full practical use of the building. There is no basement. There will be no changes to any of the other church buildings other than the restriping of the parking lot. Dinges agreed on behalf of the Applicant, as a condition of approval, to remove the current trailer on site once the building is renovated and that there will be no construction trailers on site.

Commissioner Foukas inquired as the intended schedule for the building. Dinges noted that the purpose is religious education during Sunday worship events. There will be conferences and other related services during the week but the attendance will be lower. The new building will relieve pressure on the current church building which is undersized.

Commissioner Eramo asked about the need for the lot consolidation and how worshipers would move about from the church to the renovated religious education building. Dinges noted that due to the proximity of the buildings, people would park in the current lot and walk to the buildings. Lot consolidation is needed to place all properties under one ownership.

Chairman Zecchino then opened the floor to questions.

Jenny Gutierrez was sworn in and asked whether the religious education building and the church had the same owner. Dinges replied in the positive. She also asked about the building aesthetics and was told to wait for the architect.

Applicant's engineer, **Thomas E. Donahue**, was called forward, sworn in and qualified as an expert in the field of engineering. Donahue provided an overview of the plan. He explained that a bulk variance is needed for the rear yard as the addition to the property had to be slightly bigger than the current footprint. Donahue noted that it was better to expand to the rear than the front. Impervious coverage is decreased, and new landscaping is added as a result of the renovation. This also allows for the installation of stormwater controls such as drywells to the betterment of not only the site but to reduce impacts on neighbors.

Board Engineer Anthony Kurus asked about ADA parking, drainage rates, landscaping and driveway conversion. Donahue stated there will be three (3) ADA compliant spaces, soil testing will be employed to determine drainage rates and type of stormwater systems, landscaping will be increased, and that the driveway will become lawn in this plan.

Board Planner Nicholas Graviano noted that the Applicant should plant continuous line of mature (at least 6 foot height) evergreen trees to block visual impact on adjacent properties. Applicant agreed, as a condition of approval, to work with the Board professionals to ensure that evergreen buffer meets those standards.

Vice-Chair Molner asked about parking on Joyce Lane. Pastor Dinges responded that worshipers are discouraged from parking on Joyce Lane. Dinges also noted that the 2017 resolution prohibits through traffic from Joyce Lane onto the church site. This will be honored in the new application. **Commissioner Perez** inquired whether the walkway from Joyce Lane to the building could be eliminated to further discourage parking on Joyce Lane. Dinges indicated that could be reviewed. **Commissioner Eramo** confirmed with Donohue that no trees are being removed as part of this application.

Donohue stated that the Applicant would comply with the comments in the Board Engineer and Board Planner reports. Donohue also confirmed that if any performance or maintenance bonds are required by the City for this project, the Applicant will obtain them. Donohue also consented on behalf of the Applicant, as a condition of approval, to relocate a shed which lies within the Right of Way of Route 3.

Applicant's architect, **Kevin Aslanian**, was called forward, sworn in and qualified as an expert in the field of architecture. Aslanian provided an overview of the plan. Aslanian presented Exhibit A-1, which was a series of aerial photos of the current site. Aslanian also presented Exhibit A-2, which is a colorized version of the architectural renderings and elevations of the proposed building. Both were admitted into evidence. Aslanian walked the Board through the addition and the floor plans. Aslanian specifically noted that the third story had been stepped back. This reduces the visual massing of the building and also makes it look more like other residential homes in the area.

Commissioner Foukas inquired about the design choices and Aslanian responded that the building is intended to appear as any other residence. **Zoning Officer Bolcato** and **Board Planner Graviano** advised the Board that three stories are permitted for this type of application and no relief is required.

Chairman Zecchino opened the floor to the public for questions.

Kathy Austin, was sworn in and asked about the basement, whether the third level was necessary, and screening the new building from the neighbors. Aslanian noted there is no basement and that it is financially and technically infeasible to add a basement. Aslanian stated that the Applicant needs the third floor for classroom space as their current site is not big enough and the building layout does not allow for full functional use. Aslanian also noted that there are already a number of trees screening the property.

Vice-Chair Molner inquired about the visual from the side that faces the neighbor, Aslanian added that the impact is minimal. **Commissioner Foukas** asked if the buildings toward Hepburn Road could instead be expanded. Aslanian noted that the Joyce Lane building is the most logical place for the renovation and that they took into account residences surrounding the site. **Chairman Zecchino** noted that the current structure is 2 ½ stories and that the resulting third story only raises the building by five (5) feet. **Board Planner Graviano** clarified that the project is within the height restrictions for the area.

Applicant's planner, **Anthony Marucci**, was called forward, sworn in and qualified as an expert in the field of planning. Marucci stated that houses of worship are conditional uses in the zone. This application cannot meet all conditions so it must request relief as a d(3) use variance. Marucci noted that the site received approval in 2017 for same use but Applicant did not go forward with plans at that time. Marucci shared that the rear yard setback variance is de minimus and can be granted without concern of negative impacts. Marucci added that parking spaces will be enhanced by the realignment and restriping of lot. This is an inherently beneficial use so the positive criteria for use variance and bulk variance is met. There is no negative impact on the zone or the City's Master Plan by this application. Lot consolidation makes sense to place entire premises under same use and owner under one lot designation. Marucci added that the refuse enclosure should be solid fence and similar style to the building, as a condition of approval. Otherwise, Marucci agreed with the comments in the Board Planner report and the conditions of approval stated earlier.

Board Planner Graviano concurred that this is an inherently beneficial use and that there is no negative aspect or detriment to the public. As the religious education facility will be part of the current church functions, the parking requirement is not increased. The site remains underparked but the new alignment will be a benefit to the parking situation.

The matter opened to the public for questions.

Kathy Austin, previously sworn, asked about noise control. She was advised that any noise violations in the future would be addressed to code enforcement or law enforcement as applicable. Pastor Dinges added that all of the conditions imposed in the 2017 resolution would, as a condition of approval, continue to apply to the current application. This would include access to the site from Joyce Lane.

Counsel provided a closing statement and the matter was opened to public comments.

Jenny Gutierrez, previously sworn, worried about the safety of her family with unknown persons using the church's facility. Pastor Dinges noted that the church has cameras and its own security team to secure the site.

Irene Ruz, sworn in, believed that the third story is unnecessary and should not be allowed. It is too large and an eyesore. She stated that the current building on Hepburn should be renovated to meet the congregation's needs. **Board Planner Graviano** noted that the 3rd story was not subject to the Board's approval as it allowed by ordinance.

Kathy Austin, previous sworn, felt that the Hepburn Road side should have been renovated and this will negatively impact residences on Joyce. She worried about persons parking on Joyce and the inability of the church to stop that.

Michael Ibrahim, sworn in, spoke in favor of the church's expansion.

Board Planner Graviano asked if the Applicant would, as a condition of approval, agree to work with the Board professionals a revised design of the building to make it as residential looking as possible. Applicant consented.

Vice-Chair Molner moved to approve. Commissioner O'Conner seconded the motion.

Commissioners Perez, Braid, Eramo (acknowledging concerns of the neighbors but accepting that is an inherently beneficial use), O'Connor, Foukas (stating that the decision is not easy but the church is already in the area), Vice-Chair Molner, and Chair Zecchino voted in favor of motion to approve. Motion passed 7-0 and the application was approved.

ADOPTION OF MEMORIALIZING RESOLUTIONS/MINUTES

1. Resolution memorializing the approval of the application by Cheesesteak Kings LLC, 304 Clifton Avenue, Bl. 12.05, Lot: 20, Zone RB1 to undertake interior renovations to fit out the existing structure previously used as a martial arts school for a restaurant use which is a conditional use in the zone.

Commissioner O'Connor made a motion to memorialize the Resolution. Commissioner Eramo seconded the motion; voting in favor are Commissioners Braid, Eramo, O'Connor, Foukas and Vice-Chair Molner. Motion passed 5-0.

2. Resolution memorializing the denial of the application by Kenneth Milgrum, 14 Alvin Court, Block 60.11, Lot 2, Zone RA3 to demolish existing single-family home and replace with a new single family home where bulk variances are required.

Commissioner Eramo made a motion to memorialize the Resolution. Commissioner Foukas seconded the motion; voting in favor are Commissioners Eramo, O'Connor, Foukas, and Vice-Chair Molner. Motion passed 4-0.

3. Minutes of the July 16, 2025 Regular Meeting.

Commissioner Braid made a motion to approve. Commissioner O'Connor seconded the motion; voting in favor are Commissioners Perez, Braid, Eramo, O'Connor, Foukas and Vice Chair Molner. The motion passed 6-0.

There being no further business before the Board, Commissioner Foukas moved to adjourn. The motion was seconded by Commissioner Braid, with the unanimous approval of all Board members present, the meeting was adjourned at 8:53 p.m.

Respectfully submitted,

JOSEPH M. WENZEL, ESQ.,
COUNSEL SECRETARY