

Board of Adjustment

Minutes

June 15th, 2016

Minutes of a regular meeting of the Board of Adjustment of the City of Clifton, New Jersey, held at the Council Chambers, City Hall, Clifton, New Jersey, on Wednesday, June 15, 2016. Chrmn Mark Zecchino 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" all notice requirements were satisfied. Chrmn Zecchino announced the time, place, and form of notice as well as advising all applicants 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.

PRESENT: COMRS PAUL GRAUPE, DANIEL TRENK, LOUIS DE STEFANO, KEITH LA FORGIA, STEPHEN CHRISTOPHER, ROY NOONBURG, GEORGE FOUKAS, VICE-CHRMN GERARD SCORZIELLO, AND CHRMN MARK ZECCHINO.

Chrmn Zecchino advised all applicants that the testimony given before the Board was being tape recorded. The applicants were further advised of the right of appeal and the procedure to obtain a stenographic record of the Board.

Upon motion made by Comr Keith LaForgia, seconded by Comr Stephen Christopher, the Minutes of the June 1, 2016, regular meeting were adopted with the unanimous approval of the entire Board.

INSPECTION AND DECISION

1. 206 CLIFTON PARTNERS LLC,
Use 206 Delawanna Avenue, Block 60.14,
Variances; Lots 13 and 33 – M-2 & M-3 – 1. Use
Variances variance under N.J.S.A. 40:55D-70d(1)
to permit multi-family residential uses
in the M-2 and M-3 zones whereas
residential uses are not permitted in
these zones and a use variance under

N.J.S.A. 40:55D-70d(6) to permit a building height of 46.33 feet whereas only 40 feet is permitted; 2. Preliminary and final site plan approval pursuant to N.J.S.A. 40:55D-46 and N.J.S.A. 40:55D-50 to allow a four (4) story, eighty (80) unit apartment building consisting of sixty-six (66) one-bedroom apartment units and eight (8) two-bedroom apartment units with a total of 146 off-street parking spaces (as required by and conforming with the Residential Site Improvement Standards); 3. In addition, applicant seeks dimensional variances under N.J.S.A. 40:55D-70c for the following: to permit a lot area of 4.3 acres for buildings 41 to 80 feet in height within the M-3 zone whereas a minimum of 5 acres is required; to permit a lot width of 125.5 feet whereas a minimum of 250 feet is required; and to permit a monument sign to be installed ten (10) feet from the front property line and within the front yard setback, whereas signs are required to have a 30 foot front yard setback. The applicant may also apply for such variance relief, exceptions, waivers, permits, approvals or licenses that are deemed necessary or appropriate by the applicant or the Board, and which may arise during the course of the hearing process.

Steven R. Tombalakian, Esq., with offices at 629 Parsippany Road, Parsippany, New Jersey, appeared on behalf of the applicant.

This is a continued hearing from the meeting of May 18, 2016.

Chrmn Zecchino noted for the record that the Board members are in receipt of a Clifton Fire Department report dated June 10, 2016; and a communication from Bowman Consulting to Neglia Engineering dated June 15, 2016.

The applicant was advised to address the comments made by Fire Chief McCarthy and Neglia Engineering must have an opportunity to review the response made by Bowman Consulting.

Thereupon, the matter was continued by the Board until the July 20, 2016, meeting of the Board. Mr. Tombalakian, on behalf of his client, extended the time within which the Board must render a decision to that date.

CONTINUED HEARINGS

1. YESHIVA KTANA OF PASSAIC, INC.,
Variances; 288, 292, 296, 300 & 304 South
Use Parkway, Block 59.01, Lots 8, 11,
Variance 13, 15 & 17 – R-B2 – Appeal or
application for a use variance required
to permit the demolition of the
existing houses on the lots listed
above and the construction of a
parking lot thereon to service the
abutting Yeshiva Ktana school in
the City of Passaic; and bulk
variances required for front yard setback
(25 feet required, 6 feet proposed),
side yard setbacks (20 feet
required, 6 feet proposed), rear
yard setback (35 feet required,
0 feet proposed), fence height and
open space (4 feet 50% open fence
permitted maximum, 4 foot high solid
wall with 6 foot high 50% open fence
in front of wall proposed), parking and
maneuvering in front yard, parking

within 10 feet of the rear line and failure to provide interior lot landscaping, and any other variances that may be determined by the Board to be required.

This matter was previously continued by the Board to a special meeting on June 29, 2016.

2.

VINCENT SAURO, 37 Harding Avenue,
(1150 Main Avenue), Block 12.05, Lot 1
– B-C – Variances required to convert
existing tenant space into a comedy club/
restaurant use. 1. Comedy Club not listed
as permitted use-use variance required.
2. Applicant space requires 45 parking
spaces plus parking for two other tenant
areas within the building no on-site parking
provided. 3. Existing nonconforming
building setback and lot coverage.
- Variances

This matter was continued by the Board until the July 20, 2016, meeting of the Board.

3.

ALDEN TRANSPORTATION CORPORATION,
82 Circle Avenue, Block 15.14, Lot 33 – M-2 –
Applicant proposes to build a school bus
storage and repair facility. Use variance
required for a dispatch service within an M-2
district. Bulk variance relief from front yard
setback, maximum lot coverage, parking in
the front yard.
- Use
Variance;
Variance

Glenn Peterson, Esq., with offices at 1037 Route 46 East, Suite 204, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn on behalf of the applicant were the following: Abdul Chaditry of 541 Totowa Avenue, Paterson, New Jersey; William Martin, a planner, with offices at 25 Boulevard, Westwood, New Jersey; and Brian Shortino, an engineer, of 66 Glen Avenue, Glen Rock, New

Jersey. There were a number of objectors, some of whom were sworn to give testimony: Khal Sawalhi, 55 Norwood Ave.; Mr. and Mrs. Howard Jackson, 79 Circle Ave., Anthony Longo, 26 Montclair Ave.; Malporehe Bebea, 41 Norwood Ave.; Helen Talaniec, 32 Norwood Ave.; Lawrence Johnson and Nancy Gerbino, 46 Prospect St.; Christina O'Neill, 47 Prospect St.; Nick Bassano, 39 Prospect St.; Helga Rabcow, 9 Prospect St.; Chris Motta, 503 Pompton Turnpike, Pompton Plains; Heather Whidden, 451 Hazel St. #2; Marisel Rosario, Eufemia Almonte, Ramon DeRosario, and Crisandy Rosario, 55 Prospect Street; Douet Jarrett, 59 Adams Street; and Edward Welsh, 149 West Second Street, all of the City of Clifton, New Jersey, except where noted.

Mr. Peterson stated that the applicant requests use and bulk variance approval to build a school bus storage and repair facility at the subject premises; that a use variance is required for a dispatch service within an M-2 district; that the applicant will also be seeking bulk variances for front yard setback, maximum lot coverage, and parking in the front yard; that the applicant intends to operate from the hours of 7:30 A.M. to 5 P.M., five days a week and from 8 A.M. to 2 P.M. on Saturday; that the applicant proposes to have a total of 55 bus slots with parking for 9 to 10 car spaces.

Marked into evidence as "A-1" was a photograph of the school bus.

On cross-examination, a number of the objectors questioned the traffic, noise, hours of operation, idling of buses, pollution, egress and ingress, and the use of Circle Avenue, Kuller Road, and Hazel Street.

Brian Shortino testified as a professional engineer and described the distribution of traffic at the site as well as the school bus circulation; that entrance is to the site from Kuller Road, and the buses will back into the spaces intended; that Circle Avenue will only be used if Kuller Road is inaccessible because of snow; that the applicant is seeking variances for front yard setback where 40 feet is required, and the applicant is proposing 17 feet; that the permitted lot coverage is 60 percent, and the proposed is 82.2 percent; the parking aisle in the front yard where none is permitted and the applicant is proposing the same; minimum buffer where 40 feet is required and 10 feet is proposed; and a fence variance where a solid fence is proposed and the ordinance provides for 50 percent open construction.

Mr. Shortino continued to testify regarding the comments of Neglia Engineering dated May 4, 2016, and revised June 14, 2016, and addressed the general engineering comments, grading, drainage, and utilities.

Chrmn Zecchino stated that Mr. Shortino should respond, in writing, to Neglia Engineering concerning those items set forth in the aforesaid report which have not been addressed.

On cross-examination, a number of the objectors questioned the noise level of buses, the potential for traffic backing up as buses access and egress the site, and an environmental impact statement.

Mr. Peterson stated that the applicant had been seeking a waiver of the environmental impact statement, however, he indicated that the applicant will submit such a report for review by the Board.

The Board also had the benefit of a report from its planning consultant, Gregory Associates, dated April 25, 2016, and updated to May 17, 2016.

Thereupon, the matter was continued to the August 17, 2016, meeting of the Board.

4.	TWENTY (20) INDUSTRIAL WEST, LLC,
Use	20 Industrial West, Block 56.09, Lot 2 – M-1 –
Variance	Applicant proposes to rent approximately half of his existing warehouse building for the storage of dry goods. Use variance required for a use not specifically permitted within the M-1 zone.

A. William Sala, Jr., Esq., with offices at 179 Randolph Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn on behalf of the applicant was an employee of Perrot (Pereg?) Company of 25 Styertowne Road, M. Pialnic. There were no objectors.

This is a continued hearing from the meeting of June 1, 2016.

Chrmn Zecchino inquired as to the relationship of the applicant to the facility at the Styertowne Road.

Mr. Pialnic stated that dry goods will be stored at the site in question; that maybe two or three times a month, the dry goods will be transported to the Styertowne facility; that the hours of operation generally are from 8 A.M. to 5 P.M., Monday through Friday; that there will be no employees at the subject facility.

After a review of the testimony, Comr Stephen Christopher moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the use variance. The motion was seconded by Comr Roy Noonburg. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

NEW HEARINGS

1. EFTHIMIOS VERGIS, 10 Luisser
Variance Street, Block 55.02, Lot 3 – RA2 –
Variance required to build a 12' by
16' rear deck: 1. Rear yard proposed
at 30' where 35' is required.

The applicant, residing at 10 Luisser Street, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval to build a 12- by 16-foot rear deck at premises located at the subject premises; that the rear yard setback requirement is 35 feet, and the applicant is proposing 30 feet; that there is presently a concrete patio which will be covered.

After a review of the testimony, Comr George Foukas moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the rear yard setback variance. The motion was seconded by Comr Louis DeStefano. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

2. **RICARDO KOHLHAUF, 76 Christie**
Variances Avenue, Block 2.10, Lot 71 – RB1 –
Variance required for a rear yard
covered patio already constructed:
1. Proposed accessory building is
2' from principal structure where 10'
is required. 2. Lot coverage proposed
at 36.5% where a maximum of 27%
is permitted.

The applicant and his wife, Cora Kohlhauf, were present and sworn. There were no objectors.

The applicant testified that variances are requested for a rear yard covered patio which has already been constructed; that the accessory building is two feet from the principal structure where 10 feet is required; that the lot coverage permitted is 27 percent, and the applicant is seeking 36.5 percent; that the size of the covered patio is 17- by 9-feet.

After a review of the testimony, Comr Roy Noonburg moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the variances requested. The motion was seconded by Comr Keith LaForgia. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard

Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

3. **CHUCK ROSENCRANZ**, 10 Sycamore
Variances Road, Block 65.04, Lot 18 – RB1 –
Front yard and rear yard variances;
and such other relief as required by
law, one-family dwelling.

A. William Sala, Jr., Esq., with offices at 179 Randolph Avenue, Clifton, New Jersey, appeared on behalf of the applicant. The applicant, residing at 35 Boonton Avenue, Boonton, New Jersey, was present and sworn. There were no objectors.

Comr Foukas excused himself from participating, and Comr Trenk sat in his place and stead.

Mr. Sala stated that the applicant purchased a one-family dwelling and upgraded the structure which was not in good condition; that the applicant utilized the existing foundation and half of the first floor to reconstruct the one-family dwelling; that the applicant is proposing a front yard of 20.25 feet where 25 feet is required and a rear yard of 17.14 feet where 35 feet is required; that the applicant's hardship is the irregular shape of the property; that the applicant satisfies the lot coverage requirement.

After a review of the testimony, Comr Louis DeStefano moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the variances. The motion was seconded by Comr Keith LaForgia. Voting in the affirmative were Comrs Daniel Trenk, Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

4.

CLIFTON AVENUE ASSOCIATES, LLC,
- Use

1058-1060 Clifton Avenue, Block 47.04,
- Variance

Lots 1.01 and 2 – B-A – To permit installation of a sign on the blank front wall of the addition to the then existing office building, which will increase the size of the signage on the front of the building to 99 square feet, whereas 36.08 square feet is permitted.

Frank A. Carlet, Esq., with offices at 1135 Clifton Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn was Dr. Ravi Venkataraman of 1060 Clifton Avenue, Clifton, New Jersey. There were two interested parties who were sworn to give testimony: Mark Giordano, 145 Starmond Avenue; and Shirley Thomas of 155 Starmond Avenue, both of the City of Clifton, New Jersey.

Mr. Carlet stated that the applicant is seeking permission to install a sign on the blank front wall of the addition to an existing office building located at the subject premises which will increase the size of the signage on the front of the building to 99 square feet where 36.08 square feet is permitted; that the sign will match the existing sign at the site; that the purpose of the sign is to ease traffic problems caused by drivers slowing down seeking to find the building; that the sign will beautify and upgrade the premises.

Dr. Venkataraman stated that patients have complained that they have difficulty finding the building.

Vice-Chrmn Scorziello indicated that the proposed sign looks like a billboard, which is not acceptable; that the applicant should consider eliminating the wording “Ambulatory Surgery Center” and design a more acceptable sign indicating “Same Day Procedures, LLC.”

Mark Giordano appeared and testified that he has issues with the approval which was granted by the Planning Board and the applicant's failure to comply with an agreement and stipulations imposed by the Board. Counsel Pogorelec ruled that the jurisdiction of the Board is limited to the sign, and if there are any objections, the applicants should set forth the same. There were no objections to the sign.

Chrmn Zecchino stated that the applicant will be given an opportunity to revise the sign and make it more aesthetically pleasing, and the Board should have the opportunity to review the sign before acting upon the application. Thereupon, the matter was continued until the July 20, 2016, meeting of the Board.

5.	JLM CHESTNUT STREET, LLC,
Use	22 and 36 Chestnut Street, Block 15.12,
Variance	Lot 16 – M-1 – Expansion of an existing use variance to remove a 22 x 18.5 foot (407 sq. ft.) concrete block building and make it a parking and maneuvering area, and to enclose the presently covered area, which is a 36 x 18 foot (648 sq. ft.) area.

This matter was continued by the Board until the July 20, 2016, meeting at the request of the attorney for the applicant.

RESOLUTIONS

Chrmn Mark Zecchino stated that the next order of business would be the adoption of the Resolutions set forth on the Agenda.

1. Upon motion made by Comr Keith LaForgia, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of OLIVER PROCHASKA for rear and front yard setback variances for an attached garage and front porch at 139 Doherty Drive, Block 53.07, Lot 59, was adopted. RA2

2. Upon motion made by Comr George Foukas, seconded by Comr Stephen Christopher, and affirmed by Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of JEFFREY BLOOM for a front yard setback variance for a second floor addition at 6 Conover Court, Block 71.03, Lot 3, was adopted. RA3

3. Upon motion made by Comr Keith LaForgia, seconded by Comr Roy Noonburg, and affirmed by Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of ALISA A. CORBETT for left side yard setback, rear yard setback, and lot coverage variances for a two-story addition and a partial rear second floor addition at 23 Harrington Road, Block 56.02, Lot 12, was adopted. RA3

4. Upon motion made by Comr Roy Noonburg, seconded by Comr Louis DeStefano, and affirmed by Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of YASIR ABDALLATIF for a 4-foot-high solid fence with a 1-foot-high lattice on top, for a total of 5 feet along the street side of Vernon Avenue at 157 Trimble Avenue, Block 6.21, Lot 1, was adopted. RB1

There being no further business before the Board, Comr Louis DeStefano moved to adjourn. The motion was seconded by Comr Stephen Christopher with the unanimous approval of the entire Board.

Respectfully submitted,

JOHN D. POGORELEC
COUNSEL SECRETARY

MEETING OF JUNE 15, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that
the application of: TWENTY (20) INDUSTRIAL WEST, LLC
for premises known as: 20 Industrial West, Block 56.09, Lot 2
be and the same is hereby: GRANTED use variance for storage of dry goods in
approximately half of the existing warehouse.

Testimony concerning the aforesaid application was taken by the Board at its
meeting on June 1, 2015, and June 15, 2016. Said testimony including the
application and the plans and exhibits on file are incorporated herein by reference
and made a part hereof.

After a review of the testimony, Comr Stephen Christopher moved to grant the
application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval as aforesaid to store dry
goods in one-half of the warehouse at premises located at 20 Industrial West,
Block 56.09, Lot 2, which premises are located in an M-1 zone; and

WHEREAS, the Board, after hearing the testimony presented by the applicant
and the proposed tenant, has made the following factual findings:

- a. The applicant has a facility at Styertowne and requires half of the facility at
the subject premises to store dry goods;
- b. A use variance is required since the use is not specifically permitted within
the M-1 zone;
- c. The applicant has satisfied the positive and negative criteria required for the
grant of a use variance;
- d. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will
be in accord with the intent and purpose of the master plan and the zone
ordinance; and

WHEREAS, the Board further finds that there has been no testimony presented
to show that the proposed use will be detrimental to the health, safety, and general

welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application to store dry goods in one-half of the existing warehouse building at premises located at 20 Industrial West, Block 56.09, Lot 2, be and the same is hereby approved and the use variance be and the same is hereby granted subject to such further governmental approvals as may be required by law.

NO PERMITS ARE TO ISSUE UNLESS AND UNTIL THE FINAL SEALED PLANS REFLECTING ANY CHANGES OR AMENDMENTS HAVE BEEN SUBMITTED AND APPROVED.

THIS RESOLUTION, IF NOT ACTED UPON (OBTAIN A BUILDING PERMIT) WITHIN ONE (1) YEAR OF THE DATE OF ADOPTION OF THIS RESOLUTION, SHALL BECOME NULL AND VOID, OR AS AMENDED.

NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNLESS THE REQUIRED COUNCIL ON AFFORDABLE HOUSING (COAH) FEE AS DETERMINED BY THE REQUIRED MUNICIPAL OFFICIALS AND THE MUNICIPAL HOUSING LIASON IS PAID. THIS WILL APPLY TO EITHER THE APPLICANT OR THE OWNER UPON SUBMISSION OF REQUIRED PLANS FOR BUILDING PERMITS.

Resolution moved by: Comr STEPHEN CHRISTOPHER.

Seconded by: Comr ROY NOONBURG.

Affirmed by: Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JUNE 15, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that
the application of: EFTHIMIOS VERGIS
for premises known as: 10 Luisser Street, Block 55.02, Lot 3
be and the same is hereby: GRANTED a rear yard setback variance for a rear
deck.

Testimony concerning the aforesaid application was taken by the Board at its
meeting on June 15, 2016. Said testimony including the application and the plans
and exhibits on file are incorporated herein by reference and made a part hereof.

After a review of the testimony, Comr George Foukas moved to grant the
application on the basis of the following Resolution:

WHEREAS, the applicant requests rear yard setback variance for a rear deck at
premises located at 10 Luisser Street, Block 55.02, Lot 3, which premises are
located in an RA2 zone; and

WHEREAS, the Board, after hearing the testimony presented by the applicant,
has made the following factual findings:

- a. The applicant proposes to erect a 12- by 16-foot rear deck at the subject
premises;
- b. The rear yard setback requirement is 35 feet, and the applicant is
proposing 30 feet;
- c. The applicant has shown sufficient hardship to justify the grant of the
variance;
- d. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will
be in accord with the intent and purpose of the master plan and the zone
ordinance; and

WHEREAS, the Board further finds that the proposal will not be detrimental to
the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for a rear deck at premises located at 10 Luisser Street, Block 55.02, Lot 3, be and the same is hereby approved and the rear yard setback variance be and the same is hereby granted subject to such further governmental approvals as may be required by law.

NO PERMITS ARE TO ISSUE UNLESS AND UNTIL THE FINAL SEALED PLANS REFLECTING ANY CHANGES OR AMENDMENTS HAVE BEEN SUBMITTED AND APPROVED.

THIS RESOLUTION, IF NOT ACTED UPON (OBTAIN A BUILDING PERMIT) WITHIN ONE (1) YEAR OF THE DATE OF ADOPTION OF THIS RESOLUTION, SHALL BECOME NULL AND VOID, OR AS AMENDED.

NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNLESS THE REQUIRED COUNCIL ON AFFORDABLE HOUSING (COAH) FEE AS DETERMINED BY THE REQUIRED MUNICIPAL OFFICIALS AND THE MUNICIPAL HOUSING LIASON IS PAID. THIS WILL APPLY TO EITHER THE APPLICANT OR THE OWNER UPON SUBMISSION OF REQUIRED PLANS FOR BUILDING PERMITS.

Resolution moved by: Comr GEORGE FOUKAS.

Seconded by: Comr LOUIS DE STEFANO.

Affirmed by: Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JUNE 15, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that
the application of: RICARDO KOHLHAUF
for premises known as: 76 Christie Avenue, Block 2.10, Lot 71
be and the same is hereby: GRANTED variance for a rear yard covered patio,
variance for distance between the accessory building and the principal structure,
and lot coverage.

Testimony concerning the aforesaid application was taken by the Board at its
meeting on June 15, 2016. Said testimony including the application and the plans
and exhibits on file are incorporated herein by reference and made a part hereof.

After a review of the testimony, Comr Roy Noonburg moved to grant the
application on the basis of the following Resolution:

WHEREAS, the applicant requests approval for a covered patio already
constructed which is 2 feet from the principal structure and exceeds the lot
coverage at premises located at 76 Christie Avenue, Block 2.10, Lot 71, which
premises are located in a RB1 zone; and

WHEREAS, the Board, after hearing the testimony presented by the applicant,
has made the following factual findings:

- a. The applicant has constructed a covered patio 17- by 9-feet;
- b. The structure is 2 feet from the principal structure where 10 feet is required;
- c. The lot coverage permitted is 27 percent, and the applicant is seeking 36.5
percent;
- d. The applicant has shown sufficient hardship to justify the grant of the
variances requested;
- e. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will
be in accord with the intent and purpose of the master plan and the zone
ordinance; and

WHEREAS, the Board further finds that there has been no testimony presented

to show that the proposal will be detrimental to the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application as aforesaid to permit a 17- by 9-foot rear yard covered patio at premises located at 76 Christie Avenue, Block 2.10, Lot 71, be and the same is hereby approved and the variances as aforesaid be and the same are hereby granted subject to such further governmental approvals as may be required by law.

NO PERMITS ARE TO ISSUE UNLESS AND UNTIL THE FINAL SEALED PLANS REFLECTING ANY CHANGES OR AMENDMENTS HAVE BEEN SUBMITTED AND APPROVED.

THIS RESOLUTION, IF NOT ACTED UPON (OBTAIN A BUILDING PERMIT) WITHIN ONE (1) YEAR OF THE DATE OF ADOPTION OF THIS RESOLUTION, SHALL BECOME NULL AND VOID, OR AS AMENDED.

NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNLESS THE REQUIRED COUNCIL ON AFFORDABLE HOUSING (COAH) FEE AS DETERMINED BY THE REQUIRED MUNICIPAL OFFICIALS AND THE MUNICIPAL HOUSING LIASON IS PAID. THIS WILL APPLY TO EITHER THE APPLICANT OR THE OWNER UPON SUBMISSION OF REQUIRED PLANS FOR BUILDING PERMITS.

Resolution moved by: Comr ROY NOONBURG.

Seconded by: Comr KEITH LA FORGIA.

Affirmed by: Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JUNE 15, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that
the application of: CHUCK ROSENCRANZ
for premises known as: 10 Sycamore Road, Block 65.04, Lot 18
be and the same is hereby: GRANTED front and rear yard setback variances for
a one-family dwelling.

Testimony concerning the aforesaid application was taken by the Board at its
meeting on June 15, 2016. Said testimony including the application and the plans
and exhibits on file are incorporated herein by reference and made a part hereof.

After a review of the testimony, Comr Louis DeStefano moved to grant the
application on the basis of the following Resolution:

WHEREAS, the applicant requests front yard and rear yard setback variances to
rebuild a one-family dwelling at premises located at 10 Sycamore Road, Block
65.04, Lot 18, which premises are located in a RB1 zone; and

WHEREAS, the Board, after hearing the testimony presented by the applicant,
has made the following factual findings:

- a. The applicant purchased a one-family dwelling and is using the entire
existing foundation and half of the first floor to rehabilitate the premises;
- b. The front yard setback requirement is 25 feet, and the applicant is proposing
20.25 feet;
- c. The rear yard setback requirement is 35 feet, and the applicant is proposing
17.14 feet;
- d. The applicant's hardship is the irregular shape of the property;
- e. The benefits of the application outweigh the detriments, since the
rehabilitation of the home will beautify the area; and

WHEREAS, the Board finds from the testimony presented that the proposal will
be in accord with the intent and purpose of the master plan and the zone
ordinance; and

WHEREAS, the Board further finds that the rehabilitation of the home will not be

detrimental to the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for front and rear yard setback variances to rehabilitate a one-family dwelling at premises located at 10 Sycamore Road, Block 65.04, Lot 18, be and the same are hereby approved and the front and rear yard setback variances be and the same are hereby granted subject to such further governmental approvals as may be required by law.

NO PERMITS ARE TO ISSUE UNLESS AND UNTIL THE FINAL SEALED PLANS REFLECTING ANY CHANGES OR AMENDMENTS HAVE BEEN SUBMITTED AND APPROVED.

THIS RESOLUTION, IF NOT ACTED UPON (OBTAIN A BUILDING PERMIT) WITHIN ONE (1) YEAR OF THE DATE OF ADOPTION OF THIS RESOLUTION, SHALL BECOME NULL AND VOID, OR AS AMENDED.

NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY WILL BE ISSUED UNLESS THE REQUIRED COUNCIL ON AFFORDABLE HOUSING (COAH) FEE AS DETERMINED BY THE REQUIRED MUNICIPAL OFFICIALS AND THE MUNICIPAL HOUSING LIASON IS PAID. THIS WILL APPLY TO EITHER THE APPLICANT OR THE OWNER UPON SUBMISSION OF REQUIRED PLANS FOR BUILDING PERMITS.

Resolution moved by: Comr LOUIS DE STEFANO.

Seconded by: Comr KEITH LA FORGIA.

Affirmed by: Comrs Daniel Trenk, Louis DeStefano, Keith LaForgia, Stephen Christopher, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.