Board of Adjustment

Minutes

December 7th, 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, December 7, 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 DANIEL TRENK, LOUIS DE STEFANO, KEITH LA FORGIA, STEPHEN CHRISTOPHER, ROY NOONBURG, GEORGE FOUKAS, VICE-CHRMN GERARD SCORZIELLO, AND CHRMN MARK ZECCHINO.

ABSENT: COMRS PAUL GRAUPE.

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 Louis DeStefano, seconded by Comr Stephen Christopher, the Minutes of the November 16, 2016, regular meeting were adopted with the unanimous approval of the entire Board.

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.

AS PUBLISHED AND UPDATED BY APPLICANT:

The Property (approximately 0.737 acres) is located within the R-B2 Residential Zone District ("R-B2 Zone") and is currently improved with 5 residential dwellings, 4 of which are owned by the Applicant and 1 of which is under contract of sale with the Applicant. Applicant seeks Preliminary and Final Site Plan Approval with associated conditional and/or use variance and other related waiver and variance relief for the construction and use of a parking area consisting of 73 +/- spaces, together with associated landscaping, fencing and other site enhancements, all accessory to the Applicant's school facility, which is located in the City of

Passaic and is adjacent to the Subject Property. All vehicular ingress and egress is proposed to be through the Applicant's Property in Passaic, other than a 20' "clear" opening gate for emergency access from South Parkway (southwestern corner of property) for use by and as requested the Clifton Fire Department for emergency personnel. Certain other plan amendments have been made at the request of the Fire Department, including but not limited to installation of a new hydrant on school property, addition of a 4' wide swing gate in the southeastern corner of the property for emergency responder access (non-vehicular), provision for Knox paddocks for Fire Department perimeter area access and creation/labeling of a "fire lane – no parking" areas. The following additional variances are required for the proposed parking area, which is accessory to the inherently beneficial religious and educational school:

1. §461-47: fence along front and side property lines to rear of main structure to be no more than 4' height and to be 50% open – proposed: fence 6' height board-on-board construction with 50% open along side (note no building on Property), inclusive of the fencing and gates to be installed in two locations along the South Parkway frontage, as requested in location and design by the Clifton Fire Department;
2. §461-60(E): no parking to be located within front yard – proposed: parking within front yard setback;
3. §461-60(F): no parking to be located within 10' of rear line – proposed: parking within rear yard setback;
4. §461-60(J): no parking or standing of automobiles within front, rear or side yards in

residential districts – proposed: parking within front yard setback;

5. §461-60(N): parking lots in excess of 10,000 sf to provide interior landscaping (20 sf/space) - proposed: no interior landscaping but significant side and front perimeter buffer.

In addition to the foregoing described approvals, the Applicant will also seek approval for any and all variances, exceptions, waivers, and other incidental relief that may be required or deemed necessary by the Zoning Board of Adjustment after or during its continued review of this Application, together with any further relief that may be deemed necessary by the Applicant during the hearing process, including that which may be generated by way of revised plans and submission of same. Measurements, percentages and other calculations provided in this notice are in accordance with the development plans filed with the Application. Please note that to the extent plan and/or Application revisions are made during the hearing process, these measurements, percentages and other calculations will likely change, as may the associated relief required per the City Code. The Applicant reserves the right to amend its application accordingly.

This matter was continued without date.

2. Use Variances; Variances

206 CLIFTON PARTNERS LLC, 206 Delawanna Avenue, Block 60.14, Lots 13 and 33 – M-2 & M-3 – 1. Use 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 bulk/dimensional variances under N.J.S.A. 40:55D-70c for the following:

(1) 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;

(2) to permit a lot width of 125.5 feet whereas a minimum of 250 feet is required;

(3) to permit a monument sign to be installed fifteen (15) feet from the front property line and within the front yard setback, whereas signs are required to have a 30 foot front yard setback;

(4) to permit lighting levels in off-street parking areas to exceed 0.0 foot-candles at the property line;

(5) to allow LED lighting for exterior lighting fixtures instead of the required high pressure sodium lighting;

(6) to provide internal parking lot landscaping less than the required 20 square feet for each

proposed parking space; and

1. (7) to provide trees of 2 inch to 2.5 inch caliper which is less than the minimum 4 inch to 4.5 inch caliper required.

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. A public hearing on this application was held by the Zoning Board of Adjustment ("Board") on May 18, 2016. [& June 15, 2016 and July 20, 2016]. A resumed public hearing before the Board on this application to allow further consideration of a revised site plan depicting a realigned driveway.

This matter was previously continued to the January 4, 2017, meeting of the Board.

3.	**eCUBe 237 LLC**, 237 Dayton Avenue,
Use	Block 4.23, Lot 1.00 – PD1 – Application
Variance;	for the construction of a building
Minor Sub.	containing: Commercial and seven residential units, minor subdivision, use variance required for residential use in a PD1 zone and such other variances as may be required.

This matter was previously continued to the January 4, 2017, meeting of the Board.

NEW HEARINGS

1.	**MOHAMAD KOURANI**, 122 Lakeview
Variances	Avenue, Block 7.05, Lot 15 – B-C – Variances required for a second story rear

deck and stair: 1) Expansion of an existing non-conforming use. (residential within a business zone, mixed use building). 2) Lot coverage proposed at 69% where a maximum of 60% is permitted. 3) Existing building provides no parking.

The applicant, residing at 122 Lakeview Avenue, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval for a second story rear deck and stairs at the subject premises; that the proposal is an expansion of an existing, non-conforming use since it is a residential within a business zone; that the lot coverage permitted is 60 percent, and the applicant is proposing 69 percent; that the existing building provides no parking.

After a review of the testimony, Comr Keith LaForgia 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 Vice-Chrmn Gerard Scorziello. 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. **GARRISON CONSTRUCTION, LLC**

Variances **(builder) – KEN & PATRICIA LAUER (owners),** 65 Donnalin Place, Block 45.09, Lot 27 -- RA2 – Variances required for a second story addition: 1) Street side yard proposed at 16.87' where 20' is required. 2) Rear

yard proposed at 7.37' where 35' is required.
Proposed addition is above the existing first
floor, no new lot coverage.

John Garrison of 17 North End Terrace, Bloomfield, New Jersey; and Kenneth Lauer of 65 Donnalin Place, Clifton, New Jersey, were present and sworn. There were no objectors.

Mr. Garrison testified that the applicant requests variance approval for a second story addition at the subject premises; that the addition will be above the existing first floor of the structure; that the street side yard proposed requirement is 20 feet, and the applicant is proposing 16.87 feet; that the rear yard setback requirement is 35 feet, and the applicant is proposing 7.37 feet; that there will be no additional lot coverage, except for what exists at the site.

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 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.

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testimony presented to the Board and
upon which this decision is based.

3.	**DENNIS ASTE**, 114 Huemmer Terrace,
Variance	Block 64.02, Lot 23 – RA2 – Applicant proposes to widen the existing driveway to 0' from the right side where a minimum setback of 5' is required.

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

The applicant and his wife, Rose Aste, were present and sworn. There were two objectors, Michael Hurlbut and Nancy Hurlbut of 118 Huemmer Terrace, Clifton, New Jersey.

Dennis Aste testified that he proposes to widen the existing driveway at the subject premises to 0 feet from the right side line where a minimum setback of 5 feet is required; that purpose in widening the driveway is to take vehicles off the street; that he presently has four vehicles and intends to park the same on site.

Michael Hurlbut testified that he and his wife own a home directly next door to the subject premises; that in his opinion, the driveway will be too close to his property.

There was some discussion as to whether the applicant could reduce the setback to 2 feet from the property line instead of 0 feet. This appeared to be acceptable to the objectors.

Thereupon, Comr Daniel Trenk moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution with the stipulation that instead of 0 feet to the right side yard line, the driveway would be 2 feet from the right side yard property line. The motion was seconded by Comr Keith LaForgia. Voting in the affirmative were Comrs Daniel Trenk, Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, and Vice-Chrmn Gerard Scorziello. Voting in the negative was Comr Roy Noonburg. By a six to one 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. **GREGORY PLASKON**, 42 Tancin Lane,
Variance Block 74.11, Lot 19 – RA1 – Applicant

requests a variance to permit a 6' high
fence along the rear of the property where
a 5' high fence is permitted.

The applicant, residing at 42 Tancin Lane, Clifton, New Jersey, was present and sworn. There was one interested party, Matthew Trella, of 33 Tancin Lane, Clifton, New Jersey.

The applicant testified that he requests variance to permit a 6-foot-high fence along the rear of the property where a 5-foot-high fence is permitted; that the rear of the property abuts property owned by North Jersey Water Supply Commission; that trucks periodically pass the rear of his property; that the proposed 6-foot-high fence will be aesthetically pleasing and will provide security and privacy for his family; that the fence will be 5 feet high with a 1-foot lattice for a total of 6 feet; that he has lived at the property since 2004.

Matthew Trella, the next door neighbor, stated that he had no objections to the application.

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 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.

5. **QUEST DIAGNOSTICS INCORPORATED,**

Variance 881 Allwood Road, Block 66.01, Lot 15
-- B-A – Variance approval to install an
additional sign. Applicant is currently

leasing a portion of the existing office building on the property. The façade of the building currently contains a 24 square foot sign for The Diamond Agency and a 20 square foot directory sign. The applicant is proposing to install an approximately 32.5 square foot identification sign on the façade of the building. The applicant is requesting a variance to permit the installation of the proposed sign because the proposed sign plus the existing façade signs on the building total 76.5 square feet, which exceeds the permitted amount of signage of approximately 18.6 square feet. The applicant will also seek such other variances, exceptions and/or design waivers as may be required upon an analysis of the plans and the testimony at the public hearing.

Nicole M. Magdziak, Esq., of Day Pitney, LLP, with offices at One Jefferson Road, Parsippany, New Jersey, appeared on behalf of the applicant. Present and sworn were Mona Lockcell of Quest Diagnostics; and Annette Huber, a representative of ICON, the sign vendor.

Ms. Magdziak stated that the applicant requests variance approval to add an additional sign to the façade of the building located at 881 Allwood Road, Block 66.01, Lot 15.

Mona Lockcell testified that she is employed by the applicant; that the applicant is planning on leasing a portion of the existing office building on the property; that the applicant requests approval to install an approximately 32.5 square foot identification sign on the façade of the building; that the proposed sign, plus the existing façade signs on the building, total 76.5 square feet; that this exceeds the permitted amount of signage of approximately 18.6 square feet; that there are seven tenants in the building; that the Quest sign is a standard sign and is required to identify the location of the office.

There was discussion by the Board members concerning the size of the sign and the deviation of 18.6 square feet which is quite substantial.

After a review of the testimony, Comr Roy Noonburg moved to deny the application on the grounds that it represents a gross overuse of the premises and instructed the Counsel Secretary to prepare the proper Resolution for denial of the variance requested. The motion was seconded by Comr Keith LaForgia. Voting for denial 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 denied 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.

6.	**PLANET FITNESS**, 558-600 Getty Avenue,
Use	Block 9.04, Lot 22 – M-3, PDO-2 – Applicant
Variance	proposes to expand the existing fitness center/gym which was approved by the Zoning Board of Adjustment on June 20, 2012. Proposed expansion is 3500 square feet into an area previously used for a storage/ retail. Use variance required for expansion of an existing nonconforming use. Such other variances as may be required by law.

A. William Sala, Jr., Esq., with offices at 179 Randolph Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn was Anthony Falange of Planet Fitness and George Held, an architect and planner, with offices at 587 Getty Avenue, Clifton, New Jersey.

Mr. Sala stated that the applicant did receive approval from the Board of Adjustment on June 20, 2012, for a fitness center and gym at the subject premises; that the applicant now proposes an expansion of 3,500 square feet into an area previously used for storage/retail.

Mr. Held testified that a use variance is required for an expansion of an existing, non-conforming use; that the applicant complies with the parking requirement; that 436 parking spaces are available.

Mr. Falange testified that there were approximately 2,500 to 3,000 active members; that presently, there are 150 machines at the site; that in the proposed addition, there will be 20 additional machines; that the purpose of the expansion is to accommodate the membership and avoid waiting for use of machines; that the busiest hours and days of the week are Monday through Thursday between the hours of 5 P.M. to 8 P.M.

After a review of the testimony, Comr Roy Noonburg moved to deny the application, stating that there are parking problems for the neighbors in the neighborhood. There was no second to the motion, and therefore, the motion failed.

Thereupon, Comr Stephen Christopher moved to approve the application, stating that there is sufficient parking at the site. The motion was seconded by Comr George Foukas. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. Voting in the negative was Comr Roy Noonburg. By a six to one 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.

7.	**CLIFTON CHEDER, INC.**, 1333 Broad Street,
Use	Block 76.01, Lot 5 – B-A – Variances required
Variance;	for religious elementary school: 1) Conditional
Variances	use variance required. 2) Existing lot width is
	133' where 150' is required. 3) Existing lot
	coverage is 24.74% where 20% is required.
	4) Existing left side yard is 18.87' where 20'
	is required. 5) Site plan approval required.
	6) Any other variances deemed necessary

by the Board.

This matter was continued to the January 4, 2017, meeting of the Board at the request of the attorney for the applicant.

CONTINUED RESOLUTION

Chrmn Mark Zecchino stated that the Board would act upon the Resolutions set forth on the Agenda.

1. With respect to the continued Resolution GRANTING the application of THE LACKLAND COMPANIES for self-storage warehousing facility and for the rental of motor vehicles and bulk variances for building height, rear yard setback for ground signs, and curb cut at 196 Piaget Avenue, Block 10.17, Lot 20, it appears that as a result of complying with the requirements of the Fire Department of the City of Clifton, the applicant has lost the use of approximately 16 parking spaces. There was discussion among the members as to whether the applicant would be required to file a new application or come back with an amended application.

After review, Comr Roy Noonburg moved to require the applicant to come back with a new application. The motion was seconded by Comr Keith LaForgia with the unanimous approval of the entire Board. Thereupon, the applicant was instructed the re-file a new application.

RESOLUTIONS

1. Upon motion made by Comr Roy Noonburg, seconded by Comr Stephen Christopher, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of JOELY ROSA T/A GRANDPA'S TREAT for site plan waiver, conditional use variance, and bulk variances to permit a take-out ice cream shop in a retail storefront at 288-290 Lakeview Avenue, Block 6.13, Lot 19, was adopted. B-C

2. Upon motion made by Comr Stephen Christopher, seconded by Comr George Foukas, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and

Chrmn Mark Zecchino, the Resolution GRANTING the application of WOYCIECH AND EWA WILK for variances to expand driveway to the property line and 3 feet into the front of the house at 226 Abbe Lane, Block 33.05, Lot 2, was adopted. RA3

3. Upon motion made by Comr Louis DeStefano, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, Roy Noonburg, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of LOUAI KOURANI for front yard setback, left side yard setback, and combined side yard setback variances for a second floor addition at 21 Dawson Avenue, Block 50.02, Lot 18, was adopted. RB1

COMMUNICATIONS

1. Proposed Legal Notice for 2017 with dates for Clifton Zoning Board of Adjustment meetings for review and approval by the Board. Upon motion made by Vice-Chrmn Gerard Scorziello, seconded by Comr Keith LaForgia, and affirmed with the unanimous approval of the entire Board, the Legal Notice for 2017 was approved for publication.

APPOINTMENTS FOR 2017

Chrmn Zecchino announced that the Board must act upon the appointments for professionals for the year 2017.

1. Counsel Secretary. Counsel Secretary Pogorelec has been serving the Board since 1975; that he is presently a contract employee with the City of Clifton employed by the Zoning Board of Adjustment of the City of Clifton, and he would like to continue to attend meetings and advise the Board; prepare the Minutes, Agendas, and Legal Notices, attend special meetings; defend the Board in all litigation challenging the decisions of the Board; and prepare deed restrictions as instructed by the Board.

Comr Roy Noonburg moved to hire John D. Pogorelec as Counsel Secretary on a contract basis to be paid $900.00 a meeting for each regular Board meeting; that he shall be compensated for special meetings out of the escrow imposed against applicants; that his hourly rate for defense of litigation shall be $125.00 per hour; that his contract shall be reviewed on an annual basis. There were no other nominations. 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 Counsel was authorized to prepare the proper Resolution for the calendar year 2017, for a one-year term.

2. Planner. Vice-Chrmn Gerard Scorziello moved to appoint Kathryn M. Gregory, PP, AICP. There were no other nominations. 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, Kathryn M. Gregory was appointed as the Planner for the calendar year 2017 at an hourly rate of $125.00 for a one-year term and was instructed to prepare the 2016 annual report for the fee of $1,900.00 as per her November 9, 2016, communications.

3. Engineer. Vice-Chrmn Gerard Scorziello moved to appoint Neglia Engineering Associates for the position of Engineer. There were no other nominations. 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, Neglia Engineering Associates was unanimously elected as Engineer to the Zoning Board of Adjustment for the calendar year 2017, for a one-year term, as per communication entitled 2017 Municipal Hourly Billing Rates.

4. Landscape Architect. Vice-Chrmn Gerard Scorziello moved to appoint Neglia Engineering Associates for the position of Landscape Architect. There were no other nominations. 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, Neglia Engineering Associates was unanimously elected as Landscape Architect to the Zoning Board of Adjustment for the calendar year 2017, for a one-year term as per communication entitled 2017 Municipal Hourly Billing Rates.

5. Traffic Consultant. Vice-Chrmn Gerard Scorziello moved to appoint Neglia

Engineering Associates for the position of Traffic Consultant. There were no other nominations. 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, Neglia Engineering Associates was unanimously elected as Traffic Consultant to the Zoning Board of Adjustment for the calendar year 2017, for a one-year term as per communication entitled 2017 Municipal Hourly Billing Rates.

6. Cell Tower/Telecommunications. Comr George Foukas moved to appoint Dr. Bruce A. Eisenstein for the position of Cell Tower/Telecommunications expert. There were no other nominations. 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, Dr. Bruce A. Eisenstein was unanimously elected as Cell Tower/ Telecommunications expert to the Zoning Board of Adjustment for the calendar year 2017, for a one-year term.

7. Certified Shorthand Reporter. Comr Stephen Christopher moved to appoint Laura A. Carucci, CSR, RPR, LLC, for the position of Certified Shorthand Reporter. There were no other nominations. 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, Laura A. Carucci, CCR, RPR, was unanimously elected as Certified Shorthand Reporter to the Zoning Board of Adjustment for the calendar year 2017, for a one-year term as per the terms stated in communication of Laura A. Carucci, CCR, RPR, dated November 16, 2016.

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

Respectfully submitted,

JOHN D. POGORELEC
COUNSEL SECRETARY

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: MOHAMAD KOURANI
for premises known as: 122 Lakeview Avenue, Block 7.05, Lot 15
be and the same is hereby: GRANTED use variance and lot coverage variance for a second story rear deck and stairs.

Testimony concerning the aforesaid application was taken by the Board at its meeting on Wednesday, December 7, 2016. Said testimony along with 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 Keith LaForgia moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests use variance and variance approval for a second story rear deck and stairs at premises located at 122 Lakeview Avenue, Block 7.05, Lot 15, which premises are located in a B-C zone; and

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

a. The proposal represents an expansion of an existing, non-conforming use—that is, a residential use within a business zone;

b. The lot coverage permitted is 60 percent, and the applicant is requesting 69 percent;

c. The existing building, which is a mixed use building, provides no parking;

d. The applicant has satisfied the positive and negative criteria required for the grant of an expansion of a non-conforming use;

e. The applicant has shown sufficient hardship to justify the grant of the variances requested;

f. 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 since it is a pre-existing, non-conforming use; 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 for a second story rear deck and stairs at premises located at 122 Lakeview Avenue, Block 7.05, Lot 15, be and the same is hereby approved and the use variance and lot coverage variance and parking variance be and the same are hereby granted subject to such further governmental approvals as may be required by law **SUBJECT TO PASSAIC COUNTY PLANNING BOARD APPROVAL.**

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 KEITH LA FORGIA.

Seconded by: Comr VICE-CHRMN GERARD SCORZIELLO.

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: GARRISON CONSTRUCTION, LLC (builder)
KEN & PATRICIA LAUER (owner)
for premises known as: 65 Donnalin Place, Block 45.09, Lot 27
be and the same is hereby: GRANTED street side yard setback and rear yard setback variances for a second story addition.

Testimony concerning the aforesaid application was taken by the Board at its meeting on Wednesday, December 7, 2016. Said testimony along with 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 variance approval as aforesaid for a second story addition to premises located at 65 Donnalin Place, Block 45.09, Lot 27, which premises are located in a RA2 zone; and

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

a. The applicant proposes a second story addition above the existing first floor of the subject premises with no expansion of building lot coverage;

b. The street side yard setback requirement is 20 feet, and the applicant is proposing 16.87 feet;

c. The rear yard setback requirement is 35 feet, and the applicant is proposing 7.37 feet;

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 for a second story addition at premises located at 65 Donnalin Place, Block 45.09, Lot 27, be and the same is hereby approved and the street side yard setback variance and rear yard setback variance 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 GEORGE FOUKAS.

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 DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: DENNIS ASTE
for premises known as: 114 Huemmer Terrace, Block 64.02, Lot 23
be and the same is hereby: GRANTED variance to widen the existing driveway to 2 feet from the right side lot line.

Testimony concerning the aforesaid application was taken by the Board at its meeting on Wednesday, December 7, 2016. Said testimony along with 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 Daniel Trenk moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval to widen the existing driveway at premises located at 114 Huemmer Terrace, Block 64.02, Lot 23, which premises are located in a RA2 zone; and

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

a. The applicant proposes to widen the existing driveway to 0 feet from the right side yard where a minimum setback of 5 feet is required;

b. The purpose of widening the driveway is to take vehicles off the street;

c. The objectors have stated that the expansion is too close to their property;

d. The parties have stipulated that the expansion will be 2 feet from the right side yard instead of 0 feet;

e. The applicant has shown sufficient hardship to justify the grant of the variance requested;

f. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal with the stipulation 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 testimony shows that the proposal will help promote the health, safety, and general welfare of the neighborhood by removing vehicles from the street and placing them on-site;

NOW THEREFORE, BE IT RESOLVED that the application to expand an existing driveway at premises located at 114 Huemmer Terrace, Block 64.02, Lot 23, be and the same is hereby approved and the right side yard setback variance be and the same is hereby granted subject to such further governmental approvals as may be required by law **and further subject to the stipulation that the driveway be two (2) feet from the right side lot line instead of 0 feet.**

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 DANIEL TRENK.

Seconded by: Comr KEITH LA FORGIA.

Affirmed by: Comrs Daniel Trenk, Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, and Vice-Chrmn Gerard Scorziello.

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: GREGORY PLASKON
for premises known as: 42 Tancin Lane, Block 74.11, Lot 19
be and the same is hereby: GRANTED approval for a 5-foot-high fence with 1-foot-high lattice, for a total of 6-feet-high, along the rear property line.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 7, 2016. Said testimony along with 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 variance approval to erect a 6-foot-high fence along the rear property line at premises located at 42 Tancin Lane, Block 74.11, Lot 19, which premises are located in an RA1 zone; and

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

a. The applicant proposes a 6-foot-high fence where a 5-foot-high fence is permitted;

b. The location of the fence is adjacent to the North Jersey District Water Supply Commission property;

c. The purpose of the fence is to provide privacy;

d. The fence will consist of a height of 5 feet with a 1 foot lattice for a total of 6 feet;

e. The applicant has shown sufficient hardship to justify the grant of the variance requested;

f. 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 fence will provide privacy and security and will help promote the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application to erect a 6-foot-high fence at premises located at 42 Tancin Lane, Block 74.11, Lot 19, be and the same is hereby approved and the 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 LOUIS DE STEFANO.

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 DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: QUEST DIAGNOSTICS INCORPORATED
for premises known as: 881 Allwood Road, Block 66.01, Lot 15
be and the same is hereby: DENIED a 32.5 square foot identification sign on the facade of the building.

Testimony concerning the aforesaid application was taken by the Board at its meeting on Wednesday, December 7, 2016. Said testimony along with 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 deny the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval to install a 32.5 square foot identification sign on the façade of the building at premises located at 881 Allwood Road, Block 66.01, Lot 15, which premises are located in a B-A zone; and

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

a. The applicant proposes a 32.5 square foot identification sign on the façade of the aforesaid building;

b. The façade of the building currently contains a 24 square foot sign for The Diamond Agency and a 20 square foot directory sign;

c. The proposed sign, plus the existing façade signs, total 76.5 square feet which exceeds the permitted amount of signage of approximately 18.6 square feet;

d. The applicant has shown no hardship to justify the grant of the variance requested;

e. The excess of sign permitted in the amount of 18.6 square feet represents a gross overuse of the sign square footage ordinance;

f. The detriments of the application outweigh the benefits, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will not be in accord with the intent and purpose of the master plan and the zone ordinance;

and

WHEREAS, the Board further finds that the size of the sign and the deviation in square footage will not promote the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for a façade sign of approximately 32.5 square feet at premises located at 881 Allwood Road, Block 66.01, Lot 15, be and the same is hereby disapproved and the variance be and the same is hereby denied.

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 DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: PLANET FITNESS
for premises known as: 558-600 Getty Avenue, Block 9.04, Lot 22
be and the same is hereby: GRANTED use variance approval for an expansion of a fitness center and gym.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 7, 2016. Said testimony along with 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 use variance approval to expand by 3,500 square feet the existing fitness center and gym at premises located at 558-600 Getty Avenue, Block 9.04, Lot 22, which premises are located in M-3 and PDO-2 zones; and

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

a. The Board did grant approval for a fitness center/gym on June 20, 2012, with the approval of a use variance;

b. The applicant requests approval to expand by an additional 3,500 square feet the physical fitness center into an area previously used for storage and retail;

c. The purpose of the expansion is to accommodate members and avoid waiting for the use of exercise machines;

d. The applicant has sufficient parking to accommodate the expansion;

e. The applicant has satisfied the positive and negative criteria required for the grant of an expansion of a use variance;

f. 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 since a use variance for said use was previously granted; and

WHEREAS, the Board further finds that the testimony shows that there is adequate parking at the site to help promote the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for an expansion of 3,500 square feet to an existing fitness center at premises located at 558-600 Getty Avenue, Block 9.04, Lot 22, 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 GEORGE FOUKAS.

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a

for premises known as: n/a

be and the same is hereby: n/a

2017

RESOLUTION APPOINTING

JOHN D. POGORELEC, ESQ.

AS COUNSEL SECRETARY FOR THE

ZONING BOARD OF ADJUSTMENT

OF THE CITY OF CLIFTON

WHEREAS, the Zoning Board of Adjustment requires legal counsel and secretary to attend all meetings, take the Minutes of said meetings, prepare the proper Resolutions, and render legal opinions to the Board; and

WHEREAS, the Zoning Board is desirous of appointing John D. Pogorelec as its Counsel Secretary and entering into a contract with him for his services as an independent contractor; and

WHEREAS, the members of the Zoning Board are of the opinion that the said Counsel Secretary should be compensated for his attendance at all Zoning Board meetings at a regular salary and that he should also be compensated for the additional and extra legal services in defending the Zoning Board in lawsuits filed against it and preparing deed restrictions as directed by the Zoning Board and attending special meetings called by the Zoning Board to be compensated by applicants through the escrow ordinance; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that the Resolution authorizing the award of contracts for professional services without competitive bids and the contract itself must be available for public inspection;

NOW THEREFORE, BE IT RESOLVED that in compliance with N.J.S.A. 40A:11-1 et seq., the Zoning Board of Adjustment of the City of Clifton does hereby appoint John D. Pogorelec, Esquire, as its Counsel Secretary, to attend all regular meetings scheduled by the Board, prepare the Minutes and Resolutions, and handle all correspondence of the Board; and

BE IT FURTHER RESOLVED that the said John D. Pogorelec, Esquire, be and he is hereby appointed defense counsel in all actions filed in the Superior Court, Law Division, Appellate Division, and the Supreme Court where the Board denies the relief requested to the applicant, and the applicant challenges the decision of the Zoning Board of Adjustment; and

BE IT FURTHER RESOLVED that the reasons for such appointment are that he has served the Board as Counsel Secretary since 1975, and since he is present at each meeting of the Board, that he is familiar with the record established before the Board, that he is familiar with any particular evidence issues, and that he has provided legal counsel to the Board in making its decisions; and

BE IT FURTHER RESOLVED that whenever the Zoning Board of Adjustment of the City of Clifton schedules special meetings, it shall require applicants to post sufficient escrows to pay the cost of the Counsel Secretary for preparation of the Agenda, attendance at the meeting, and drafting of the Minutes; and

BE IT FURTHER RESOLVED that the said John D. Pogorelec is authorized to prepare deed restrictions imposed by the Board at the expense of the applicant and file same with the Passaic County Clerk, Registry Division; and

BE IT FURTHER RESOLVED that the said John D. Pogorelec shall be entitled to be compensated at the rate of NINE HUNDRED ($900.00) DOLLARS for each regular meeting scheduled by the Board; the sum of ONE HUNDRED TWENTY FIVE ($125.00) DOLLARS per hour for the time expended in defending lawsuits on behalf of the Zoning Board as aforesaid; and attending special meetings called by the Board, to be paid by the applicant from an escrow fund deposited with the City of Clifton; and

BE IT FURTHER RESOLVED that the Chairman and Vice-Chairman were hereby authorized and directed to execute the attached agreement with John D. Pogorelec, Esquire; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published once in The Herald News in accordance with N.J.S.A. 40A:11-1 et seq. and the Resolution and Contract shall be on file and available for public inspection in the office of the Municipal Clerk; and

BE IT FURTHER RESOLVED that this Contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A-11-5 (1)(e) of the Local Public Contracts Law because the contract is for services performed by a person authorized by law to practice a recognized profession that is regulated by law.

Resolution moved by: Comr ROY NOONBURG.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a
for premises known as: n/a
be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints GREGORY ASSOCIATES, LLC, KATHRYN M. GREGORY, PP, AICP, as its Planner for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2017 for a one-year term as per the annexed letters dated November 9, 2016, from Gregory Associates, LLC; and to prepare the Annual Report for the Board for 2016.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a
for premises known as: n/a
be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints NEGLIA ENGINEERING ASSOCIATES as its Engineer for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2017 as per the annexed Neglia Engineering Associates 2017 Municipal Hourly Billing Rates for a one-year term.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a

for premises known as: n/a

be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints NEGLIA ENGINEERING ASSOCIATES as its Landscape Architect for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2017 as per the annexed Neglia Engineering Associates 2017 Municipal Hourly Billing Rates for a one-year term.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a
for premises known as: n/a
be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints NEGLIA ENGINEERING ASSOCIATES as its Traffic Consultant for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2017 as per the annexed Neglia Engineering Associates 2017 Municipal Hourly Billing Rates for a one-year term.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a
for premises known as: n/a
be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints DR. BRUCE A. EISENSTEIN as its Cell Tower/Telecommunications Expert for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2017 for a one-year term.

Resolution moved by: Comr GEORGE FOUKAS.

Seconded by: N/A

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

MEETING OF DECEMBER 7, 2016.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: n/a
for premises known as: n/a
be and the same is hereby: n/a

BE AND IT IS HEREBY RESOLVED that the Clifton Zoning Board of Adjustment hereby appoints LAURA A. CARUCCI, C.S.R., R.P.R., LLC as its Certified Shorthand Reporter for the Zoning Board of Adjustment for the City of Clifton for the calendar year 2017 for a one-year term as in accordance with communication dated November 6, 2016, annexed hereto.

Resolution moved by: Comr STEPHEN CHRISTOPHER.

Seconded by: N/A

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

Laura A Carucci, CSR, RPR, LLC
Certified Court Reporters
PO Box 505
Saddle Brook, NJ 07663

November 16, 2016

City of Clifton
Zoning Board of Adjustment
900 Clifton Avenue
Clifton, New Jersey 07613
Attn: Chairman Zecchino, Vice Chairman Scorziello and Board Members

Re: Professional Certified Court Reporting Services for 2017

Dear Chairman, Vice Chairman and Board Members:

Just a quick note to wish you well this holiday season and to thank you for allowing us to be of service. I am pleased you have placed your confidence in my professional service again this year.

I now offer a wonderful addition to my court reporting services. I have the capability to include, in the PDF transcripts, digital copies of all exhibits marked at the hearing. This will end confusion over which exhibit/revision the board received, reviewed and voted on at the hearing. It is also of great assistance to absent Board Members who need to review same to be eligible to vote.

I have been serving the Board and the City of Clifton for many years. And after much consideration, I have decided to continue to freeze my fee schedule once again, so it will remain the same for the year 2017.

My rates for 2017 are, again, an appearance fee for regular meetings $250.00 from 7:00 p.m. - 10:30 p.m.

My rates for 2017 for appearance fee for special meetings remains at $350.00 from 7:00 p.m. - 10:00 p.m. Overtime at Special Meetings will be charged at $50.00 per every half hour or part thereof after 10:00 p.m.

If the Board has any questions, please do not hesitate to call my office. I wish to thank the Board in advance for your consideration in this matter.

Sincerely,

Laura A. Carucci, CCR, RPR