

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, November 15, 2017. 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 MICHAEL MOLNER, DANIEL TRENK, LOUIS DE STEFANO, KEITH LA FORGIA, STEPHEN CHRISTOPHER, GEORGE FOUKAS, ROY NOONBURG, 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 Stephen Christopher, seconded by Comr Louis DeStefano, the Minutes of the November 1, 2017, regular meeting were adopted with the unanimous approval of the entire Board.

#### CONTINUED HEARINGS

1. CLIFTON CHICKEN LLC d/b/a POPEYE'S  
Use LOUISIANA KITCHEN, 6 Main Avenue,

Variance;               Block 82.06, Lot 15 – P-MU – Use variance  
Variances; relief pursuant to N.J.S.A. 40:55D-70d,  
Site Plan               bulk variance relief pursuant to N.J.S.A.  
40:55D-70c and site plan approval.

The property is presently developed with a one-story commercial structure (currently unoccupied, previously utilized as a bank with drive-thru lanes) and accessory paved/parking areas.

Per Chapter 461 of the City of Clifton Zoning Ordinance, restaurants with drive-through facilities or counter service is not a permitted use in the zone.

The Applicant proposes to improve the property and utilize the existing structure as a dine-in and drive-thru restaurant. Accessory improvements (inclusive of façade improvements, site lighting, installation of exterior business signage, shrubs/planted areas, fencing repair, and parking area striping) are also proposed.

The applicant seeks the following variance relief from the Board:  
use variance relief for the proposed restaurant and its associated drive-thru use, business signage/memo boards (use not permitted in zone); and bulk variance relief for the proposed front yard setback along Main Avenue (29.1' proposed, 35' required); improved lot coverage (77% proposed, 75% permitted); open space (23% proposed, 25% minimum required); parking setback in corner/side

yard (1’ proposed, 10’ required); and parking setback in rear (2.4’ proposed, 5’ required). The applicant will also seek any additional variances, waivers, interpretation or relief that may be required by the Board at the time of the public hearing.

This matter was previously continued by the Board to the December 6, 2017, meeting of the Board.

2.

Use

Variance

CARLOS SUAREZ & NELY ALTAMIRANO,

42 Paterson Avenue, Block 82.02, Lot 64

-- RA3 – Applicant proposes a rear addition on to an existing nonconforming two-family home. A use variance is required for the expansion of a nonconforming use. A new detached garage is also proposed at 440 sq. ft. where a maximum of 300 sq. ft. is permitted.

This matter was previously continued by the Board to the January 3, 2018, meeting of the Board.

3.

Use

Variance;

Variances

UNITED AMERICAN MUSLIM ASSOCIATION INC., 492 Clifton Avenue, Block 12.01, Lot 24

-- B-C – Applicant seeks to eliminate one apartment and create a study area for cultural and enrichment programs for young students:  
1) Conditional use variance required (lot and building do not meet conditional use requirements.  
2) Use variance required for mixed use building (residential on second

floor) accessory use 3) Bulk variances for existing conditions including  
a) parking within front yard setback;  
b) parking isles deficient; c) parking within rear yard setback; d) parking stalls deficient in size. 4) Such other variances as may be required.

At the request of the attorney for the applicant, this matter was continued to the January 17, 2018, meeting of the Board.

4.

E CUBE 240 LLC & AMERICAN
- Use

ANALYTICAL ASSOCIATION, LLC,
- Variances;

247/245 Parker Avenue, Block 4.16,
- Variances

Lot 33/31 – PD-1 – Applicant proposes to renovate and build additions to the existing applicant store and Bank building to create a four story mixed use property. Applicant also proposes to merge lots 31 and 33. Building will consist of 3 retail stores on the first floor and 29 apartments. The following variances are required:  
1) Use variances required for mixed use and residential in a PD-1 Zone.  
2) Rear yard setback proposed at 0’ where 10’ is required.  
3) Lot coverage proposed at 100% where 90 is permitted.  
4) Building height proposed at 40’7” where 30’ is permitted.  
5) 4 stories proposed where 2 stories are permitted.  
6) Such other variances as may be

required.

This matter was previously continued by the Board to the December 6, 2017, meeting of the Board.

- |          |                                                                                                                                                                                        |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5.       | 299 ROUTE 3 EAST, LLC, 299 Route 3 East,                                                                                                                                               |
| Use      | Block 83.01, Lot 2.01 – M-3 or P-MU option –                                                                                                                                           |
| Variance | A use variance to permit two (2) principal<br>uses on the same lot being the existing gas<br>station and conversion of the existing<br>automobile service building into a coffee shop. |

Frank A. Carlet, Esq., with offices at 1135 Clifton Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn were Aprahm Djebian, 4 Academy Lane, Demarest, New Jersey; Peter Steck, planner, of 80 Maplewood Ave., Maplewood, New Jersey; and Robert Shortino, an engineer, of 66 Glen Avenue, Glen Rock, New Jersey.

Mr. Carlet stated that the applicant seeks use variance approval for two principal uses on the same lot; that the site presently has a gasoline service station and an unused auto repair building, and the applicant seeks permission to have a gasoline service station and coffee shop; that the proposed coffee shop is a less intense use than an auto repair shop.

Aprahm Djebian, a principal of the applicant, stated that there would be one to two employees in the coffee shop and two employees pumping gas; that there will be two separate uses; that the coffee shop will sell coffee and donuts; that the present auto repair shop is unused and is not a permitted use at the site; that the use of the coffee shop and the gasoline service station complement each other's uses.

Robert Shortino testified as an engineer and presented a site plan showing an aerial view as well as a site view of the premises in question; that the site plan shows the existing buildings at the site, access and egress, parking, and pump gas island station; that 24 parking spaces are required, and the applicant will provide 21; that with respect to many items set forth in the Neglia report dated November 3, 2017, he has not had an opportunity to review the same with Neglia; that he intends to review some of the requests since it appears that the gas station is presently in use; that there will be minor changes to the site plan.

Peter Steck testified as a planner and offered into evidence which was marked "A-1" a hand-out consisting of four pages showing the layout of the premises as well as photographs taken by him on November 11, 2017; that the site in question is irregular in shape; that the proposed coffee shop will be approximately 1,456 square feet; that the gasoline station and the coffee shop are compatible uses; that the 2008 Re-Examination of the Master Plan supports this application since it discussed appearances of site as well as economic revitalization; that the site in question is in an M-3 zone; that the present trend in the industry is not to utilize repair shops and service stations since automobile owners go to dealers to get their vehicles services; that the proposed coffee shop is a small operation; that it will benefit the public by upgrading the premises; that it is in accord with the Master Plan; that the site is unique; that the site is the only gas station between the Parkway and Route 21; that other than what is proposed, the site is difficult to utilize; that the applicant satisfies the positive and negative criteria; that the coffee shop is a less intense use than an existing repair garage.

At this point in the hearing, Chrmn Mark Zecchino continued the matter until the January 3, 2018, meeting in order for the applicant's engineer to confer with Neglia Engineering concerning a number of items questioned in the report.

#### NEW HEARINGS

1. BEN ZANGARA, 23 Calstan Place,  
Variances Block 51.07, Lot 4 – RA1 – Applicant  
proposes an addition to the front of the  
house for an attached garage. The

following variances are requested:

1) Right side yard proposed at 3.0' where 10.0' is required. 2) Combined side yards proposed at 16.6' where 24' is required.

The applicant, residing at 23 Calstan Place, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval for an addition to the front of the house for an attached garage at the subject premises; that the right side yard setback requirement is 10 feet, and he is requesting 3 feet; that the combined side yard setback requirement is 24 feet, and he is proposing 16.6 feet; that the garage will help take vehicles off the street and allow vehicles to be protected from the elements.

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 Louis DeStefano. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, 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.

2. RIMA TAHER, 293 Harding Avenue,

Variance                Block 20.04, Lot 5 – RB1 – Applicant  
requests variances for a 10’ wide  
driveway in front of the home not  
serving a garage, and for a driveway  
not 19’ in length.

The applicant, residing at 293 Harding Avenue, Clifton, New Jersey, was present and sworn and affirmed to give testimony.

The applicant testified that she requests variances for a 10-foot-wide driveway in front of their home not serving a garage and for a driveway not 19 feet in length; that she has resided at the premises for the past 20 years; that her home does not have a garage presently and it does not have a driveway; that she previously was able to park her vehicles on the street, however, the neighborhood has become much more crowded and finding parking on the street is a problem; that her request is for safety and security; that she is required to attend night classes and is concerned about her safety when there is parking on her street and she must go and park on another street.

The members of the Board noted that the width of the property is 38 feet; that parking in a driveway in front of a home not serving a garage is a safety concern.

After a review of the testimony, Comr Louis DeStefano moved to deny the application, citing the fact that the applicant has shown no hardship to justify the grant of the variance requested and further instructed the Counsel Secretary to prepare the proper Resolution for denial of the application. The motion was seconded by Comr Keith LaForgia. Voting for denial were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, Roy Noonburg, 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.

3. AHUVA & YEHELA WILLIG,  
Variances 128 Edgewood Avenue, Block 57.07,  
Lot 24 – RA3 – Applicant is renovating  
and expanding the existing home and the  
following variances required:  
1) Driveway proposed in front of the house  
not serving a garage. 2) Use variance  
required for proposed attic powder room  
(water closet and lavatory).

At the request of the attorney for the applicant, this matter was continued until the December 6, 2017, meeting of the Board.

4. SETH A. DAMSKI, 478 South Parkway,  
Variance Block 58.01, Lot 4 – RA1 – Variance  
required for a front addition: 1) Combined  
side yards proposed at 19.37' where 24'  
is required.

The applicant, Seth A. Damski, residing at 478 South Parkway, Clifton, New Jersey, and his architect, Stephen V. Carrozza, of 62 Newark Pompton Turnpike, Riverdale, New Jersey, were present and affirmed and sworn to give testimony.

The applicant testified that he requests variance approval for a front addition at the subject premises which are located in an RA1 zone; that a front addition is proposed; that the combined side yard setback requirement is 24 feet, and the applicant will be providing 19.37 feet; that at the present time, the right side yard

setback presently is 7.54 feet; that in order to conform, the right side yard setback should be at least 16.46 feet, however, the applicant will be providing 11.83 feet which constitutes his hardship.

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 combined side yard setback requirement. The motion was seconded by Comr Keith LaForgia. Voting in the affirmative were Comrs Louis DeStefano, Keith LaForgia, Stephen Christopher, George Foukas, 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.

## RESOLUTIONS

Chrmn Zecchino announced that the next order of business is the adoption of the Resolutions set forth on the Agenda.

1. Upon motion made by Comr Roy Noonburg, seconded by Comr John Foukas, and affirmed by Comrs Michael Molner, Louis DeStefano, Stephen Christopher, George Foukas, Roy Noonburg, and Chrmn Mark Zecchino, the Resolution DENYING the application of 206 CLIFTON PARTNERS LLC for D(1) use variance for use not permitted in zone, D(6) height variance, and preliminary and final site plan approval for a 4-story 80-unit multi-family residential apartment building and bulk variances for lot area, lot width, monument sign in front yard setback, permit lighting levels in off-street parking areas, allow LED lighting for exterior lighting fixtures, provide internal parking lot landscaping less than required, and provide trees of a caliper which is less than minimum required at 206 Delawanna Avenue, Block 60.14, Lots 13 and 33, was adopted. M-2 and M-3

2. Upon motion made by Comr Roy Noonburg, seconded by Comr Daniel Trenk, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of EDGAR Y. RUIZ AND ROSA VALENTIN-RUIZ for variance to expand driveway 1 foot from the right side lot line at 342 Union Avenue, Block 19.16, Lot 33, was adopted. RA3

3. Upon motion made by Comr Roy Noonburg, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of SCOTT BARRETT for right side and left side yard setback approval, combined side yards for a rear, second floor dormer at 32 Peru Road, Block 55.13, Lot 17, was adopted. RA3

4. Upon motion made by Comr Louis DeStefano, seconded by Comr Stephen Christopher, and affirmed by Comrs Daniel Trenk, Louis DeStefano, Stephen Christopher, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of MANOJ DESAI for right side yard setback and combined side yard setback variances for a rear right side addition at 407 Mt. Prospect Avenue, Block 55.05, Lot 77, was adopted. RA2

5. Upon motion made by Comr Stephen Christopher, seconded by Comr Louis DeStefano, and affirmed by Comrs Michael Molner, Louis DeStefano, Stephen Christopher, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution APPOINTING LOUIS R. SLABY, PE, PP, of Slaby Engineering Associates, Inc. as the professional engineer for the Clifton Zoning Board for the application of YESHIVA KTANA OF PASSAIC, INC., 288, 292, 296, 300 AND 304 South Parkway, Block 59.01, Lots 8, 11, 13, 15, and 17, was adopted.

**APPOINTMENTS FOR 2018**  
**(FOR MEETING OF DECEMBER 6, 2017)**

1. Counsel Secretary.
2. Planner.
3. Engineer.
4. Landscape Architect.
5. Traffic Consultant.
6. Cell Tower/Telecommunications.
7. Certified Shorthand Reporter.

**COMMUNICATIONS**

1. Chrmn Mark Zecchino stated that the Board is in receipt of the meeting schedule for the calendar year 2018. Thereupon, Comr Keith LaForgia moved to approve the same. The motion was seconded by Comr Louis DeStefano with the unanimous approval of the entire Board.

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

Respectfully submitted,

JOHN D. POGORELEC  
COUNSEL SECRETARY

MEETING OF NOVEMBER 15, 2017.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: BEN ZANGARA  
for premises known as: 23 Calstan Place, Block 51.07, Lot 4  
be and the same is hereby: GRANTED right side yard and combined side yard variances for an addition to serve as a garage to the front of the dwelling.

Testimony concerning the aforesaid application was taken by the Board at its meeting on November 15, 2017. 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 variance approval as aforesaid for an addition to the front of the house for an attached garage at premises located at 23 Calstan Place, Block 51.07, Lot 4, which premises are located in an RA1 zone; and

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

- a. The applicant proposes an addition to the front of the house which will serve as an attached garage;
- b. The right side yard setback requirement is 10 feet, and the applicant is proposing 3 feet;
- c. The combined side yard setback requirement is 24 feet, and the applicant is proposing 16.6 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 an addition to the front of the house for an attached garage at premises located at 23 Calstan Place, Block 51.07, Lot 4, be and the same is hereby approved and the right side yard setback and combined side 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. THE ZONING BOARD SHALL RETAIN JURISDICTION TO RECONSIDER, REVISE, MODIFY, ADD, AND VARY THE TERMS OF ANY CONDITIONS HEREIN IMPOSED UPON ANY USE VARIANCE, VARIANCES, AND/OR SITE PLAN GRANTED HEREIN.

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, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF NOVEMBER 15, 2017.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: RIMA TAHER  
for premises known as: 293 Harding Avenue, Block 20.04, Lot 5  
be and the same is hereby: DENIED variances for a 10-foot-wide driveway in front of the home not serving a garage and for a driveway not 19 feet in length.

Testimony concerning the aforesaid application was taken by the Board at its meeting on November 15, 2017. 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 deny the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval as aforesaid for a 10-foot-wide driveway in front of the home not serving a garage and for a driveway not 19 feet in length at premises located at 293 Harding Avenue, Block 20.04, Lot 5, 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 requests variance approval for a 10-foot-wide driveway in front of the home not serving a garage and for a driveway not 19 feet in length at the subject premises;
- b. The applicant presently has no garage and gave testimony that she has difficulty finding parking on the street;
- c. The width of the property is 38 feet which is extremely narrow;
- d. A driveway in front of the home not serving a garage may create a safety hazard;
- e. The applicant has shown no hardship to justify the grant of the variances requested;
- f. The detriments of the application from an aesthetic standpoint of view 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 proposal may create a safety hazard to the premises and will be detrimental to the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for a 10-foot-wide driveway in front of the home not serving a garage and for a driveway not 19 feet in length at premises located at 293 Harding Avenue, Block 20.04, Lot 5, be and the same is hereby disapproved and the variances be and the same are hereby denied.

Resolution moved by: Comr LOUIS DE STEFANO.

Seconded by: Comr KEITH LA FORGIA.

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

MEETING OF NOVEMBER 15, 2017.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of:                SETH A. DAMSKI  
for premises known as:                478 South Parkway, Block 58.01, Lot 4  
be and the same is hereby: GRANTED combined side yard setback variance for a front addition.

Testimony concerning the aforesaid application was taken by the Board at its meeting on November 15, 2017. 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 for a front addition to premises located at 478 South Parkway, Block 58.01, Lot 4, which premises are located in an RA1 zone; and

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

- a. The applicant requests approval for a front addition;
- b. The combined side yard setback requirement is 24 feet, and the applicant is proposing 19.37 feet;
- c. In order to comply with the side yard requirement, the applicant would have to have a right side yard of 16.46 feet, and the applicant is proposing a right side yard setback of 11.83 feet which is more than the existing right side yard of 11.60 feet.
- d. The addition is located in the most logical and least imposing position;
- 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 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 front addition at premises located at 478 South Parkway, Block 58.01, Lot 4, be and the same is hereby approved and the variance for combined side yard setback of 19.37 feet 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. THE ZONING BOARD SHALL RETAIN JURISDICTION TO RECONSIDER, REVISE, MODIFY, ADD, AND VARY THE TERMS OF ANY CONDITIONS HEREIN IMPOSED UPON ANY USE VARIANCE, VARIANCES, AND/OR SITE PLAN GRANTED HEREIN.

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 KEITH LA FORGIA.**

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