

Minutes of a regular meeting of the Board of Adjustment of the City of Clifton, New Jersey, held on Wednesday, December 1, 2021. 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 GEORGE SILVA, SCOTT SOCHON, MICHAEL MOLNER, LOUIS DE STEFANO, GEORGE FOUKAS, VICE-CHRMN GERARD SCORZIELLO, AND CHRMN MARK ZECCHINO.

ABSENT: COMR ZALMAN GURKOV AND URI JASKIEL.

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 Scott Sochon, seconded by Comr Louis DeStefano, the Minutes of the November 17, 2021 regular meeting were adopted with the unanimous approval of the entire Board.

CONTINUED HEARING

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| 1.
Use
Variance;
Variances | <p>J & I CHIMICHANGA, LLC a/k/a
EL MEXICANO CLIFTON, 1293 Main
Avenue, Block 11.07, Lot 16 – BC –
Variance application for expansion of
existing restaurant for covered outdoor
dining. The variances include rear yard
proposed at 8’ and 10’ required. Left side
yard proposed at 8” and 17’5” required
(half the building height). Lot coverage
proposed at 92% and 60% permitted.
46 parking spaces required plus one per
employee required and none provided.
The restaurant has an existing, nonconforming
lot width and area. The Variance application
is to permanently extend the current outdoor
dining/drinking area further back into the
parking lot area to their home site at
1293 Main Avenue, Clifton, NJ 07011,
Block No. 11.07, Lot No. 16, located in the
B-C business zone, Main Avenue Overlay
District. Relief is requested to seek variance
to extend the outdoor dining/drinking area
further back into the parking lot area.
The subject property is located
within the Business Zone. The subject property is
located east of the Main Avenue and Hilton
Street intersection. The property is bound by</p> |
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residential properties to the west, by Main Avenue to the east, and by commercial properties to the south and north. The Existing Lot is currently developed with an existing one-story building, an existing enclosed outdoor dining area and a temporary dining area behind the building. There will be noise dampening materials added to the structure to address the noise concerns.

This matter was continued to the January 19, 2022, meeting of the Board at the request of the attorney for the applicant.

2.
Prelim. &
Final Major
Site Plan

BOTANY VILLAGE PROPERTY LLC,
254 Dayton Avenue, Block 4.18, Lot 21
--PD1 – For preliminary and final major site plan approval, use variance, bulk variance and design waiver/exception relief. The property is located in a PD-1 Zoning District. The Applicant seeks approval to demolish the existing building on the Property and construct a new mixed-use building consisting of six (6) residential dwelling units within three (3) stories above ground floor commercial (restaurant/tavern) space and related site improvements. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(1) for a non-permitted use, as residential use is not permitted in the PD-1 Zoning District and a height variance pursuant to N.J.S.A. 40:55D-70(d)(6) for building height greater than permitted (30 ft. permitted; 40 ft. proposed). To the extent necessary, Applicant seeks a parking variance for providing less than required number of parking spaces and seeks a conditional use approval or conditional use variance for not providing parking on the same lot as the principal use/principal structure. The Applicant further seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) with respect to (1) front yard setback less than required (15 ft. required; 0.37 ft. proposed); and (2) number of building stories greater than permitted (2 stories permitted; 4 stories proposed).
The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions, and other approval reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application.

This matter was previously continued by the Board until the January 5, 2022, meeting of the Board.

3. **JEFFREY AVILA**, 61 Craig Place, Block 51.06,
Variance Lot 7 – RA1 – Applicant proposes to build a
two-story addition on the left side of the home.
The following variance is requested:
1) Front yard setback proposed at 21.1' where
35' is required (left side only).

The applicant, residing at 61 Craig Place, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval to erect a two-story addition on the left side of the subject premises; that a front yard setback variance is required where 21.1 feet is proposed and 35 feet is required.

After a review of the testimony, Comr Michael Molner moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the front yard setback variance. The motion was seconded by Comr George Silva. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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. **VYOMESH SHAH**, 12 Beverly Hill Rd.,
Variances Block 65.07, Lot 20 – RA3 – Applicant
proposes a rear addition where the following
variances are requested:
1) Right side yard is 4.9' where 6' is
required (existing condition).
2) Combined side yards are 10' where 16'
is required.
3) Front yard setback is 21.67' where 25' is
required for an enclosed vestibule.

The applicant, residing at 12 Beverly Hill Road, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval for a rear addition at the subject premises; that the right side yard setback requirement, which is an existing condition, is 6 feet, and the applicant has 4.9 feet; that the combined side yard requirement is 16 feet, and the applicant has 10 feet; that the front yard setback requirement is 25 feet, and the applicant is proposing 21.67 feet for an enclosed vestibule.

After a review of the testimony, Comr George Foukas moved to grant the application with the stipulation that the applicant install pull-down stairs to the attic in the interior of the structure and instructed the Counsel Secretary to prepare the proper Resolution. The motion was seconded by Comr Scott Sochon. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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. **HANSEL PENA**, 92 Rock Hill Road,
Variance Block 38.09, Lot 27 – RA3 – A variance is requested for a 6’ high solid fence, already installed, along the left side yard in the back part of the home and rear yard where a 5’ high fence is permitted.

The applicant, residing at 92 Rock Hill Road, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval for a 6-foot-high solid fence already installed along the left side in the back part of the subject premises where a 5-foot-high fence is permitted.

There was some discussion concerning the height of the fence, and it was suggested to the applicant that a 5-foot-high fence with a 1-foot-high lattice, for a total of 6 feet, on the left side yard would be acceptable to the Board. The applicant stipulated that he would accept the stipulation.

Thereupon, Comr Michael Molner moved to grant the application for a 5-foot-high solid fence with a 1-foot-high lattice on the left side yard, and a 6-foot-high solid fence in the rear yard and instructed the Counsel Secretary to prepare the proper Resolution. The motion was seconded by Comr Scott Sochon. Voting for the motion were Comrs George Silva, Scott Sochon, Michael Molner, George Foukas, and Chrmn Mark Zecchino. Voting against the motion were Comrs Louis DeStefano and Vice-Chrmn Gerard Scorziello. By a five to two 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. **NARENDRA RANA**, 171 S. Parkway,
Variance Block 60.09, Lot 1 – RA3 – A variance is requested for a 5’ high solid fence along the street side yard where a 4’ 50% open fence is permitted.

Bijal Rana and Narendra Rana, residing at 171 South Parkway, Clifton, New Jersey, were present and sworn. There were no objectors.

Bijal Rana testified that the applicant was requesting variance approval for a 5-foot-high solid fence along the street side yard where a 4-foot-high 50% open fence was permitted.

There was some discussion by the Board for a 4-foot-high fence with a 1-foot-high lattice which the applicant stated was acceptable to him.

Thereupon, Comr Louis DeStefano moved to grant the application for a 4-foot-high solid fence with a 1-foot-high lattice along the street side yard and instructed the Counsel

Secretary to prepare the proper Resolution for approval. The motion was seconded by Vice-Chrmn Gerard Scorziello. Voting in the affirmative were George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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.

4.
Variances
- JAMIE LYNNE SALEK**, 1239 Valley Road, Block 74.06, Lot 17 – RA1 – Applicant is proposing to build 22’6” x 30’2” accessory structure where 16’ x 24’ was previously approved. Previously granted variances for a two story accessory structure and a height variance at the 5/19/2021 meeting: Height of accessory structure proposed at 15.3’ where 14’ is permitted. 2 story accessory structure, where 1.5 story accessory structure is permitted. Applicant now requests the same variances for height and number of stories as previously approved, but for the larger structure.

The applicant, residing at 1239 Valley Road, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that she was previously granted variances for a two-story accessory structure and a height variance at the May 19, 2021, meeting of the Board; that at that time, the height of the accessory structure was proposed at 15.3 feet where 14 feet was permitted and a two-story accessory structure where a one and one-half accessory structure is permitted; that the applicant now requests the same variances for height and number of stories as previously approved, but the proposal is for a 22 feet 6 inch by 30 feet 2 inch accessory structure.

After a review of the testimony, Vice-Chrmn Gerard Scorziello moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the application. The motion was seconded by Comr Louis DeStefano. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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.
Use
Variance
- DAUGHTERS OF MIRIAM**, 155 Hazel Street, Block 24.07, Lot 1 – R-HR – A use variance to permit a subdivision to divide Block 24.07, Lot 1 into two lots. Proposed Lot 1.01 will contain the existing 7 story 150 unit concrete apartment building known as “Miriam II” and proposed Lot 1.02 will contain the brick and mortar 210 bed nursing home known as “Daughters of Miriam Center.” A use variance is required because the two buildings were constructed on one lot

known as Lot 1, and the size of the lots to be created are less than the size of Lot 1 but equal to the total size of existing Lot 1. There will be easements between the various lots including abutting Lot 10 with reference to parking, sewerage and access. There will be no change to the existing appearance of the property.

Frank A. Carlet, Esq., with offices at 1135 Clifton Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn on behalf of the applicant were Frank DaSilva, the CEO of the applicant; and Peter Steck, a Professional Planner, with offices at 60 Maplewood Avenue, Maplewood, New Jersey. There were no objectors.

Mr. Carlet stated that the applicant is seeking a use variance and minor subdivision to divide Block 24.07, Lot 1, into two lots.

Mr. Steck testified as a planner and stated that the applicant proposes to divide Lot 1 in Block 24.07 into two lots; that the proposed Lot 1.01 will contain the existing 7-story 150 unit concrete apartment building known as “Miriam II;” that the proposed Lot 1.02 will contain the brick and mortar 210 bed nursing home known as “Daughters of Miriam Center;” that a use variance is required because the two buildings were constructed on one lot known as Lot 1, and the size of the lots to be created are less than the size of Lot 1 but equal to the total size of the existing Lot 1; that there will be easements between the various lots, including abutting Lot 10 with reference to parking, sewerage, and access; that there will be no change to the existing appearance of the property; that Block 24.07, Lot 1.01 will contain 5.220 acres; that Block 24.07, Lot 1.02 will contain 5.518 acres; that a D(2) variance is required for an expansion of a non-conforming use; that the following “C” variances will be required: 1) Minimum lot width where 500 feet is required and 360 feet is proposed for Lot 1.01 and 490 feet for Lot 1.02; 2) maximum building coverage, 15 percent permitted, 21.8 percent is proposed for Lot 1.02; and 3) parking/driveway setback where 5 feet is required and 0 feet is proposed for Lot 1.01 and 0 feet is proposed for Lot 1.02, which is an existing condition.

Frank DaSilva testified that there will be no change in the property.

The Board is in receipt of reports from Gregory Associates dated November 19, 2021; and Neglia Engineering dated November 19, 2021.

Mr. Carlet, on behalf of the applicant, stipulated to all recommendations set forth in the report of Neglia Engineering as aforesaid.

After a review of the testimony, Vice-Chrmn Gerard Scorziello moved to approve the minor subdivision and use variance subject to the applicant complying with all recommendation of Neglia Engineering in its report dated November 19, 2021 and instructed the Counsel Secretary to prepare the proper Resolution. The motion was seconded by Comr Scott Sochon. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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.

6. Use Variance; Variances	AURELIJE & ELIZABETA ZOVKO, 944 Van Houten Avenue, Block 35.11, Lot 17 – B-C – Applicant seeks use variance and bulk variances to remodel the exterior of the building and add a porch/deck in the front of the existing use. The applicant further seeks to modify the rear yard to include 4 parking spaces with access from Van Houten Avenue. The subject property is currently a two-family residential dwelling will remain as such if the application is approved. The applicants do not seek a change of the existing use.
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Alfred V. Acquaviva, Esq., with offices at 1114 Goffle Road, Hawthorne, New Jersey, appeared on behalf of the applicant. Present and sworn was Aurelije Zovko of 944 Van Houten Avenue, Clifton, New Jersey. Testifying virtually by way of telephone and because of the COVID situation was Vincente Varela, Jr., R.A. of 584 Main Avenue, Passaic, New Jersey. There were no objectors.

Mr. Acquaviva stated that the applicant seeks use variance and bulk variances to remodel the exterior of the subject premises and add a porch/deck in the front of the existing use; that the applicant further seeks to modify the rear yard to include four parking spaces with access from Van Houten Avenue; that the subject premises is currently a two-family residential dwelling, and it will remain as such if the application is approved; that the applicants do not seek a change of the existing use.

Offered into evidence was “Exhibit A1” which is an accident report dated September 20, 2021, which showed that the applicants legally parked car in front of the premises was damaged by a vehicle driven on Van Houten Avenue which is one of the reasons why the applicant is requesting the modification to have four parking spaces on the site.

Vincente Varela, Jr., gave testimony as the architect virtually that he prepared the plans for the two-family porch addition in the front. The applicant testified that he affirmed the testimony of his architect, Vincente Varela, Jr., as well as the statements made by his attorney in his opening statement.

After a review of the testimony, Comr Michael Molner moved to grant the application subject to Passaic County Planning Board approval, if required, and instructed the Counsel Secretary to prepare the proper Resolution for approval of the application. The motion was seconded by Comr George Silva. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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.

7. Use Variance; Variance	680 CLIFTON, LLC, 680 Route 3, Block 80.01, Lot 70 (and adjoining Lot 30) – B-C – For Minor sub-division, bulk variance (pre-existing non-conformance), and use variance (expansion of a pre-existing non-conforming use) approvals, to permit the expansion, subdivision, and assemblage of a strip of land, containing approximately 9,752.4 sf, with the current lot, containing approximately 3.43 ac., including bulk variance for maximum lot coverage (pre-existing non-conformance; 50% required, 92.5% existing, and 91.75% requested (adjoining lot: 86.1% existing, 86.2% requested)), and use variance (expansion of a pre-existing non-conforming use; <u>N.J.S.A. 40:55D-70.d(2)</u>). In addition, this Applicant will request such variances, waivers, permits, approvals, or licenses that the Board deems necessary or appropriate.
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This matter was continued by the Board until the January 19, 2022, meeting of the Board at the request of the attorney for the applicant.

RESOLUTIONS

Chrmn 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 Michael Molner, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution DISMISSING WITHOUT PREJUDICE the application of MAHA MAROGI to convert from a two- to a three-family dwelling at 52 South Parkway, Block 60.05, Lot 15, was adopted. RA3

2. Upon motion made by Comr George Foukas, seconded by Comr Scott Sochon, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of RAFAEL DE LEON for lot coverage, rear yard setback, left side yard setback, and combined side yard setback for a rear addition and a second floor add-a-level at 8 Ploch Road, Block 26.05, Lot 17, was adopted. RA3

3. Upon motion made by Comr Michael Molner, seconded by Comr Scott Sochon, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of ROCCO SPOON JR. for a use variance for a bathroom and a stall shower in the basement at 25 Knollwood Terrace, Block 78.08, Lot 33, was adopted. RA3

4. Upon motion made by Comr Scott Sochon, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of CARL SILVER for a second story addition over the existing second floor at 103 Virginia Avenue, Block 50.09, Lot 16, was adopted. RA2

5. Upon motion made by Comr Scott Sochon, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of MT. PROSPECT PARK, LLC for a one-year extension to September 5, 2022 for use variance and site plan approval for a 2-story building with 36 residential units and 68 parking spaces at 62-66 Mt. Prospect Avenue, Block 36.01, Lots 10.01 and 11.01, was adopted. B-A

LEGAL NOTICE FOR 2022 MEETINGS

Chrmn Mark Zecchino announced that the next order of business would be the adoption of the schedule for meetings for the calendar year 2022. Thereupon, Comr Louis DeStefano moved to approve the proposed Legal Notice listing all the 2022 meeting dates. The motion was seconded by Comr George Silva with the unanimous approval of the entire Board.

APPOINTMENT OF ZONING BOARD PROFESSIONALS FOR 2022

Chrmn Mark Zecchino announced that the next order of business would be the appointment of Zoning Board professionals for the year 2022.

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.

Vice-Chrmn Gerard Scorziello moved to hire John D. Pogorelec as Counsel Secretary on a contract basis to be paid \$1,200.00 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 \$145.00 per hour; that his contract shall be reviewed on an annual basis. The motion was seconded by Comr George Foukas. There were no other nominations. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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 2022, for a one-year term.

2. Planner. Comr Louis DeStefano moved to appoint Kathryn M. Gregory, PP, AICP. The motion was seconded by Vice-Chrmn Gerard Scorziello. Comr George Foukas moved to appoint Nicholas A. Graviano, PP, AICP, JD of Graviano & Gillis Architects & Planners LLC. The motion was seconded by Comr George Silva.

Chrmn Zecchino called for a secret ballot. The results of the secret ballot were announced that there were five votes for Nicholas A. Graviano and two votes for Kathryn M. Gregory. Thereupon, Comr Nicholas A. Graviano was appointed as the Planner for the calendar year 2022 at an hourly rate of \$145.00 for a one-year term as per his letters of interest dated November 3, 2021, and November 16, 2021.

3. Engineer. Comr Michael Molner moved to appoint Neglia Engineering Associates for the position of Engineer. The motion was seconded by Comr Scott Sochon. Comr Louis DeStefano moved to appoint Stonefield Engineering for the position of Engineer. The motion was seconded by Vice-Chrmn Gerard Scorziello.

Chrmn Zecchino called for a secret ballot. The results of the secret ballot indicated that there were five votes for Neglia Engineering and two votes for Stonefield Engineering. Thereupon, Neglia Engineering was elected as Engineer to the Zoning Board of Adjustment for the calendar year 2022, for a one-year term, as per communication entitled 2022 Municipal Hourly Billing Rates.

4. Landscape Architect. Comr George Foukas moved to appoint Neglia Engineering Associates for the position of Landscape Architect. The motion was seconded by Comr George Silva. There were no other nominations. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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 2022, for a one-year term as per communication entitled 2022 Municipal Hourly Billing Rates.

5. Traffic Consultant. Comr Scott Sochon moved to appoint Neglia Engineering Associates for the position of Traffic Consultant. The motion was seconded by Comr George Silva. There were no other nominations. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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 2022, for a one-year term as per communication entitled 2022 Municipal Hourly Billing Rates.

6. Cell Tower/Telecommunications. No action.

7. Certified Shorthand Reporter. Comr Scott Sochon moved to appoint Laura A. Carucci, CSR, RPR, LLC, for the position of Certified Shorthand Reporter. The motion seconded by Vice-Chrmn Gerard Scorziello. There were no other nominations. Voting in the affirmative were Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, 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 2022, for a one-year term as per the terms stated in communication of Laura A. Carucci, CCR, RPR, dated November 1, 2021.

There being no further business before the Board, Comr George Foukas moved to adjourn. The motion was seconded by Comr George Silva with the unanimous approval of the entire Board.

Respectfully submitted,

JOHN D. POGORELEC
COUNSEL SECRETARY

MEETING OF DECEMBER 1, 2021.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: JEFFREY AVILA for premises known as: 61 Craig Place, Block 51.06, Lot 7 be and the same is hereby: GRANTED a front yard setback variance to build a two-story addition on the left side of the home.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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 Michael Molner moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests front yard setback variance to build a two-story addition on the left side of the home at premises located at 61 Craig Place, Block 51.06, Lot 7, 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 to build a two-story addition on the left side at the subject premises;
- b. The front yard setback requirement was 35 feet, and the applicant was proposing 21.1 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 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 to build a two-story addition on the left side of the home at premises located at 61 Craig Place, Block 51.06, Lot 7, be and the same is hereby approved and the variance for front yard setback be and the same is hereby granted subject to such further governmental approvals as may be required by law and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.
7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.
10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.
12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.
14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.

15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.
16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.
17. All utilities to be constructed underground.
18. All temporary encroachments into the public right-of-way shall require City Council approval.
19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.
20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.
21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.
22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.
23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.
24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr MICHAEL MOLNER.

Seconded by: Comr GEORGE SILVA.

Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: VYOMESH SHAH for premises known as: 12 Beverly Hill Road, Block 65.07, Lot 20 be and the same is hereby: GRANTED right side yard, combined side yard , and front yard setback variances for a rear addition.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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 bulk variances for right side yard, combined side yards, and front yard setback for a rear addition at premises located at 12 Beverly Hill Road, Block 65.07, Lot 20, which premises are located in an RA3 zone; and

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

- a. The applicant proposes a rear addition to the subject premises;
- b. The right side yard setback requirement is 6 feet, and the applicant is proposing 4.9 feet which is existing;
- c. The combined side yard setback requirement is 16 feet, and the applicant is proposing 10 feet;
- d. The front yard setback requirement is 25 feet, and the applicant is proposing 21.67 feet;
- e. The applicant has shown sufficient hardship to justify the grant of the variances;
- 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 rear addition at premises located at 12 Beverly Hill Road, Block 65.07, Lot 20, be and the same is hereby approved and the variances for right side yard, combined side yard, and front yard setback be and the same are hereby granted subject to such further governmental approvals as may be required by law **SUBJECT TO THE CONDITION THAT THE APPLICANT INSTALL A PULL-DOWN STAIRS FROM THE ATTIC** and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.
7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.

10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.
12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.
14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.
15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.
16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.
17. All utilities to be constructed underground.
18. All temporary encroachments into the public right-of-way shall require City Council approval.
19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.
20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.
21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.
22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.
23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.
24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr GEORGE FOUKAS.

Seconded by: Comr SCOTT SOCHON.

Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: HANSEL PENA for premises known as: 92 Rock Hill Road, Block 38.09, Lot 27 be and the same is hereby: GRANTED a 5-foot-high solid fence with a 1-foot-high lattice, for a total of 6 feet, along the left side yard and a 6-foot-high solid fence along the rear yard lot line.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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 Michael Molner moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval for a 6-foot-high solid fence already installed at premises located at 92 Rock Hill Road, Block 38.09, Lot 27, which premises are located in an RA3 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 6-foot-high solid fence already installed at the subject premises;
- b. The applicant has stipulated to accepting a 5-foot-high solid fence with a 1-foot lattice on top along the left side of the property;
- c. The applicant will keep the 6-foot-high fence already installed along the rear yard lot line;
- d. The applicant has shown sufficient hardship to justify the grant of the variances;
- 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 5-foot-high solid fence with a 1-foot-high lattice on top, for a total of 6 feet, along the left side yard and a 6-foot-high solid fence along the rear yard lot line at premises located at 92 Rock Hill Road, Block 38.09, Lot 27, be and the same is hereby approved and the variance for fence height be and the same is hereby granted subject to such further governmental approvals as may be required by law and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.
7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.
10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.

12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.
14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.
15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.
16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.
17. All utilities to be constructed underground.
18. All temporary encroachments into the public right-of-way shall require City Council approval.
19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.
20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.
21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.
22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.
23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.
24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr MICHAEL MOLNER.
Seconded by: Comr SCOTT SOCHON.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, George Foukas, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: NARENDRA RANA for premises known as: 171 S. Parkway, Block 60.09, Lot 1 be and the same is hereby: GRANTED a 4-foot-high solid fence with a 1-foot-high lattice on top, for a total of 5 feet along the street side yard.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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 variance approval for a 5-foot-high solid fence along the street side at premises located at 171 S. Parkway, Block 60.09, Lot 1, which premises are located in an RA3 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 5-foot-high solid fence along the street side where a 4-foot-high 50 percent open fence is permitted along the street side yard;
- b. The applicant has stipulated to accepting a variance for a 4-foot-high solid fence with a 1-foot-high lattice on top, for a total of 5 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 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 to erect a 4-foot-high solid fence with a 1-foot-high lattice on top, for a total of 5 feet, along the street side yard at premises located at 171 S. Parkway, Block 60.09, Lot 1, be and the same is hereby approved and the variance for fence height be and the same is hereby granted subject to such further governmental approvals as may be required by law and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.
7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.
10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.
12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code

Official, City Board of Health, City Zoning Officer, and any other governmental authority.

14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.

15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.

16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.

17. All utilities to be constructed underground.

18. All temporary encroachments into the public right-of-way shall require City Council approval.

19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.

20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.

21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.

22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.

23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.

24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr LOUIS DE STEFANO.

Seconded by: Comr VICE-CHRMN GERARD SCORZIELLO.

Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the **ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J.,** that the application of: **JAMIE LYNNE SALEK**
for premises known as: **1239 Valley Road, Block 74.06, Lot 17**
be and the same is hereby: **GRANTED** variance for a two-story accessory structure and height variance to replace an existing garage with a two-story “Barn” accessory structure.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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, Vice-Chrmn Gerard Scorziello moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant is proposing to build a 22-foot 6-inch by 30-foot 2-inch accessory structure where a 16-foot by 24-foot was previously approved by a Board variance on May 19, 2021, at premises located at 1239 Valley Road, Block 74.06, Lot 17, 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 is now proposing to build a 22’6”- by 30’2” accessory structure where a 16- by 24-foot structure was previously approved by the Board on May 19, 2021;
- b. The applicant requests the same variances for height of 15.3 feet and number of stories (two-stories) as was previously approved but for the aforesaid larger structure;
- c. The testimony, application, and exhibits along with the Resolution from the Zoning Board’s meeting of May 19, 2021, are incorporated herein by reference and made a part hereof;
- d. The applicant has shown sufficient hardship to justify the grant of the variances;
- 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 to erect a two-story “barn” accessory structure that is 22’6” by 30’2” in size at premises located at 1239 Valley Road, Block 74.06, Lot 17, be and the same is hereby approved and the variances for accessory structure, height of accessory structure, and the size of the structure 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** and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer’s Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.

7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.
10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.
12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.
14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.
15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.
16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.
17. All utilities to be constructed underground.
18. All temporary encroachments into the public right-of-way shall require City Council approval.
19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.
20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.
21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.
22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.
23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.
24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.
Seconded by: Comr LOUIS DE STEFANO.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: DAUGHTERS OF MIRIAM for premises known as: 155 Hazel Street, Block 24.07, Lot 1 be and the same is hereby: GRANTED minor subdivision, use variance, and bulk variances to permit subdivision of Block 24.07, Lot 1 into two lots.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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, Vice-Chrmn Gerard Scorziello moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests a subdivision and use variance and bulk variances to permit a subdivision at premises located at 155 Hazel Street, Block 24.07, Lot 1, which premises are located in an R-HR zone; and

WHEREAS, the Board has had the benefit of the report from its planning expert, Gregory Associates, dated November 19, 2021; and report from its engineering expert, Neglia Engineering, dated November 19, 2021; and

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

- a. The applicant requests a subdivision and use variance to permit a subdivision of Block 24.07, Lot 1 into two lots;
- b. The proposed Lot 1.01 will contain the existing 7-story, 150-unit concrete apartment known as “Miriam II” which will contain 5.220 acres;
- c. The Proposed Lot 1.02 will contain the brick and mortar 210 bed nursing home known as “Daughters of Miriam Center which will contain 5.518 acres;
- d. A use variance is required because of the two buildings were constructed on one lot known as Lot 1, and the size of the lots to be created are less than the size of Lot 1, but equal to the total size of existing Lot 1;
- e. The applicant has satisfied the positive and negative criteria required for the grant of a use variance;
- f. The applicant proposes easements between the various lots, including abutting Lot 10 with reference to parking, sewerage, and access;
- g. There will be no change to the existing appearance of the property;
- h. A minimum lot width variance is required where 500 feet is required, and the applicant is proposing 360 feet for Lot 1.01 and 490 feet proposed for Lot 1.02;
- i. A maximum building coverage variance is required where 15 percent is permitted, and the applicant is proposing 21.8 percent for Lot 1.02 which is a 6.8% variance;
- j. A parking/driveway setback variance is required where 5 feet is required and 0 feet is proposed for Lot 1.02; 0 feet proposed for proposed Lot 1.02, which are existing conditions;
- k. The applicant has shown sufficient hardship to justify the grant of the variances;
- l. 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 to subdivide Block 24.07, Lot 1 into two lots at premises located at 155 Hazel Street, Block 24.07, Lot 1, be and the same is hereby approved and the minor subdivision, use variance, and bulk variances be and the same are hereby granted subject to such further governmental approvals as may be required by law **SUBJECT TO COMPLIANCE WITH ALL RECOMMENDATIONS SET FORTH IN THE REPORT OF NEGLIA ENGINEERING DATED NOVEMBER 19, 2021; SUBJECT TO PASSAIC COUNTY PLANNING BOARD APPROVAL** and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.
4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.
5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.
6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.
7. Compliance with the terms of Gregory Associates, LLC report for the above project.
8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.
9. Payment of any other fees due to the City of Clifton related to development or use of this project.
10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.
11. Passaic County Planning Board approval or waiver.
12. Hudson Essex Passaic Soil Conservation District approval or waiver.
13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.
14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.
15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.
16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.
17. All utilities to be constructed underground.
18. All temporary encroachments into the public right-of-way shall require City Council approval.
19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.
20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.
21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.
22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.
23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.
24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.
Seconded by: Comr SCOT SOCHON.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

RESOLVED by the **ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J.**, that the application of: **AURELIJE & ELZABETA ZOVKO** for premises known as: **944 Van Houten Avenue, Block 35.11, Lot 17** be and the same is hereby: **GRANTED** use variance and bulk variances to remodel the exterior of the building and add a porch/deck in the front of the existing use as well as modify the rear yard to include four parking spaces with access from Van Houten Avenue.

Testimony concerning the aforesaid application was taken by the Board at its meeting on December 1, 2021. 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 Michael Molner moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests use variance approval as aforesaid to remodel the exterior of the building and add a porch/deck in the front of the existing use and further to include four parking spaces with access from Van Houten Avenue at premises located at 944 Van Houten Avenue, Block 35.11, Lot 17, which premises are located in a B-C 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 seeks to remodel the exterior of the building and add a porch/deck in the front of the existing use as well as modify the rear yard to include four parking spaces with access from Van Houten Avenue;
- b. The purpose of the four parking spaces is to take vehicles off of Van Houten Avenue where the applicant's vehicle was struck and damaged;
- c. The applicant has satisfied the positive and negative criteria required for the grant of a use variance;
- d. The applicant has satisfied the hardship for the bulk variances required;
- e. The applicant has stipulated that the subject premises will remain a TWO-FAMILY dwelling;
- 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 to remodel the exterior of the building and add a porch/deck in front of the existing use and to include four parking spaces in the rear yard with access from Van Houten Avenue at premises located at 944 Van Houten Avenue, Block 35.11, Lot 17, be and the same is hereby approved and the use variance and bulk variances be and the same are hereby granted subject to such further governmental approvals as may be required by law and **SUBJECT TO PASSAIC COUNTY PLANNING BOARD APPROVAL** and subject to the following:

1. Compliance with the terms of Neglia Engineering Associates report for the above-referenced project.
2. Submission to Neglia Engineering Associates of all necessary easements and/or cross-access agreements for review and approval by the Board Attorney and the City Engineer prior to filing of same.
3. Entering into a Developer's Agreement with the City of Clifton and payment of a site performance bond to the City of Clifton.

4. Submission of a site inspection escrow deposit for engineering inspection fees and safety and stabilization bond/guarantee in amounts to be determined by the Board Engineer.

5. Payment of all water and sewer connection fees to the Passaic Valley Water Commission and/or the Passaic Valley Sewer Commission, if necessary.

6. Issuance of a road opening permit from the County of Passaic or the Clifton City Engineer, if required.

7. Compliance with the terms of Gregory Associates, LLC report for the above project.

8. Shall maintain adequate escrow funds for all anticipated post-approval reviews.

9. Payment of any other fees due to the City of Clifton related to development or use of this project.

10. Payment of any outstanding taxes due and any outstanding fees to the City of Clifton.

11. Passaic County Planning Board approval or waiver.

12. Hudson Essex Passaic Soil Conservation District approval or waiver.

13. Submittal of approval or waiver of same from any additional agency having jurisdiction, including all applicable City, County, State, and Federal Laws, Ordinances, Regulations, and Directives, including without limitations the requirements of the City Engineering Department, City Fire Official, City Police Department, City Construction Code Official, City Board of Health, City Zoning Officer, and any other governmental authority.

14. Submission of engineering site plan to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of hearing.

15. Submission of architectural plans to comply with any changes required by the Planning or Engineering letters or plan amendments offered or required at the time of the hearing.

16. All sewerage, utilities, and other site improvements to be installed and maintained by the applicant at its sole expense.

17. All utilities to be constructed underground.

18. All temporary encroachments into the public right-of-way shall require City Council approval.

19. All construction staging shall be done on-site, unless an encroachment for same into the public right-of-way shall be approved by City Council.

20. Replacement of damaged streets, curbs, and sidewalks as per the direction of the City Engineer and/or Board Engineer.

21. All oral representations made to the Board by applicant, counsel for applicant or applicant's witnesses, not specifically contained herein, but incorporated by consent of applicant.

22. Shall, upon final determination of the building and building footprint, submit to the City Tax Assessor, floor plans, elevations and estimated construction costs of the building. These materials will be utilized to determine the applicable COAH residential or non-residential fee. Fee certification forms shall be completed by the applicant or its assignees and the Tax Assessor prior to submitting for a building permit.

23. Building permit applications shall only be submitted upon receipt of all required approvals/waivers. All building permit applications shall be accompanied by the Board Resolution of approval and with documentation that all conditions of approval have been satisfied. 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.

24. This Resolution, if not acted upon (obtain building permit) within one (1) year of the date of adoption of this Resolution, shall become null and void; except where such variance or conditional use approval is granted in connection with site plan or subdivision approval, in which case the time limit shall be three (3) years from the date the resolution approving the variance or conditional use is adopted.

Resolution moved by: Comr MICHAEL MOLNER.

Seconded by: Comr GEORGE SILVA.

Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 adopts the Legal Notice listing all Clifton Zoning Board of Adjustment hearing dates for the calendar year 2022 as per the annexed Legal Notice.

Resolution moved by: Comr LOUIS DE STEFANO.
Seconded by: Comr GEORGE SILVA.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

LEGAL NOTICE
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON, NEW JERSEY

IN ACCORDANCE with the "Open Public Meetings Law" P.L. 1975, the Clifton Zoning Board of Adjustment files public notice of its regular meetings and the same shall be posted with the Office of the City Clerk, Nancy Ferrigno, and published in The Herald News and The Record.

THE regular meetings of the Zoning Board of Adjustment of the City of Clifton will be held on the following dates at
7 P.M., at the Council Chambers, City Hall, 900 Clifton Avenue, Clifton, New Jersey:

Wednesday, January 5, 2022;
Wednesday, January 19, 2022;
Wednesday, February 2, 2022;
Wednesday, February 16, 2022;
Wednesday, March 2, 2022;
Wednesday, March 16, 2022;
Wednesday, April 6, 2022;
Wednesday, April 20, 2022;
Wednesday, May 4, 2022;
Wednesday, May 18, 2022;
Wednesday, June 1, 2022;
Wednesday, June 15, 2022;
Wednesday, July 20, 2022;
Wednesday, August 17, 2022;
Wednesday, September 7, 2022;
Wednesday, September 21, 2022;
Wednesday, October 5, 2022;
Wednesday, October 19, 2022;
Wednesday, November 2, 2022;
Wednesday, November 16, 2022;
Wednesday, December 7, 2022; and
Wednesday, December 21, 2022.

Meetings subject to Governor's Executive Order allowing for assembly within the building. Should a new Executive Order be given changing allowable assembly within the building, the meeting may have to be a virtual "Zoom" meeting. If that is the case, a notice will be posted at City Hall and on the City website with information on how to participate.

ANY modifications shall be publicized as provided by law. Notice of Special Meetings will be posted at the above locations and published in the official newspapers for the City of Clifton. The public and all interested parties are invited to participate.

Respectfully submitted,

DATED: December 1, 2021.

JOHN D. POGORELEC
COUNSEL and SECRETARY

MEETING OF DECEMBER 1, 2021.

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

2022
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 ONE THOUSAND TWO HUNDRED (\$1,200.00) DOLLARS for each regular meeting scheduled by the Board; the sum of ONE HUNDRED FORTY-FIVE (\$145.00) DOLLARS per hour for the time expended in defending lawsuits on behalf of the Zoning Board as aforesaid (see attached); 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 the Notice of Contract Award referencing 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 VICE-CHRMN GERARD SCORZIELLO.

Seconded by: Comr GEORGE FOUKAS.

Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 **GRAVIANO & GILLIS ARCHITECTS & PLANNERS, LLC, NICHOLAS A. GRAVIANO, PP, AICP, JD**, as its Planner for the Zoning Board of Adjustment of the City of Clifton for the calendar year 2022 for a one-year term as per the annexed letter dated November 16, 2021, from Graviano & Gillis Architects & Planners, LLC; and to prepare the Annual Report for the Board for 2021.

Resolution moved by: Comr GEORGE FOUKAS.
Seconded by: Comr GEORGE SILVA.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, George Foukas and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 2022 as per the annexed Neglia Engineering Associates 2022 Municipal Hourly Billing Rates for a one-year term.**

Resolution moved by: Comr MICHAEL MOLNER.
Seconded by: Comr SCOTT SOCHON.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, George Foukas, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 2022 as per the annexed Neglia Engineering Associates 2022 Municipal Hourly Billing Rates for a one-year term.

Resolution moved by: Comr **GEORGE FOUKAS.**
Seconded by: Comr **GEORGE SILVA.**
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 2022 as per the annexed Neglia Engineering Associates 2022 Municipal Hourly Billing Rates for a one-year term.

Resolution moved by: Comr **SCOTT SOCHON.**
Seconded by: Comr **GEORGE SILVA.**
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF DECEMBER 1, 2021.

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 2022 for a one-year term as in accordance with communication dated November 1, 2021, annexed hereto.**

Resolution moved by: Comr Scott Sochon.
Seconded by: Comr Vice-Chrmn Gerard Scorziello.
Affirmed by: Comrs George Silva, Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

