

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
FEBRUARY 21, 2024
7:00 P.M. REGULAR MEETING

COMMISSIONERS PRESENT:

DAVID BRAID (1A)
ALESSIA ERAMO
GEORGE FOUKAS
MAUREEN O'CONNOR
MICHAEL MOLNER
SCOTT SOCHON
MARK ZECCHINO

ALSO PRESENT:

Jessica Sweet, Esq., Counsel/Secretary

Chairman Zecchino called the Regular Meeting to Order at 7:00 p.m.; he led the entire assembly in the Pledge of Allegiance to the Flag of the United States of America. Pursuant to the "Open Public Meeting Law" public notice of the Board's 2024 regular meeting schedule was published in the Herald News on December 24, 2023; all notice requirements were satisfied. Chair Zecchino announced the time, place, and form of notice as well as advising all applications that formal action may be taken on the matters set forth on the Agenda. Said opening statement is incorporated herein by reference and made a part hereof.

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

CONTINUED HEARINGS

1. GEELAND, LLC 811-813 Rt 46, Block 34.03, Lots 75 and 77 – R-A2

The applicant is requesting preliminary and final site plan approval, with use and bulk variances to raze the existing commercial building and construct a 4-story 125,200 sq ft self storage facility, parking, lighting, landscaping, stormwater management, and related site improvements.

Attorney: Michael D. Sullivan, Esq.

Chairman Zecchino announced that this application has been continued to April 3, 2024.

2. DATA DELAY DEVICES, INC.

Application for Preliminary & Final Site Plan Approval, Use Variance, and Bulk Variances
11 Penobscot Street., Block 30.11 Lot 30,50,60 – M2

Attorney: John Pogorelec Esq.

Chairman Zecchino announced that this application has been continued to March 6, 2024.

3. **I.R. PROPERTY MANAGEMENT LLC** 5 Milton Ave., Block 37.05, Lot 15 – RB1 – . Applicant is seeking Preliminary & Final Site Plan w/ Use and Bulk Variances to combine the use of the 2 lots (one lot in Passaic and one lot in Clifton), and to construct a new 3,241 square foot 2 story 26.75 foot height 6 unit residential apartment building, with each apartment to have 2 bedrooms, with 12 parking spaces including 1 handicapped parking space. The Passaic lot would only contain the parking lot portion of the development.
Attorney: Gary Cohen, Esq.

Chairman Zecchino announced that this application has been continued to March 6, 2024.

4. **QUICKS REALTY LLC** 802 Van Houten Ave., Block 36.10, Lot 16 – BC – The applicant is seeking bifurcated use variance and bulk variance approval to convert the property presently used a shop/one family residence to a shop/ two family residence.
Attorney: Peter G. Aziz, Esq.

Chairman Zecchino announced that this application has been continued to March 6, 2024.

5. **TERESA VARGAS**, 1084-1088 Main Ave., Block 8.01, Lot 29; Zone: BC
The applicant is seeking preliminary and final site plan approval, D(1) use variance, parking variance, and various bulk variances to replace an existing one-story commercial structure with a 2-story mixed commercial and residential use building.
Attorney: Glenn Peterson, Esq.

Chairman Zecchino announced that this application has been adjourned to April 3, 2024.

NEW HEARINGS

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| 1. Bulk
Variances
(single-family
addition) | JASON &
KRISTEN
SADOWSKI | 23 Stanley Street, Block 23.06, Lot 4; Zone: RA2

The applicant is proposing an addition over the existing single-family home which requires the following bulk variances; side yard setback proposed at 5.2' where 6' required, front yard setback proposed at 24.75' where 30' required, roof structure over existing non-conforming front stoop proposed at 18.5' where 21' required, and roof proposed is 7'x6' where 8'x4' is permitted. (PLANS SENT TO COMRS). |
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Jason Sadowski, 23 Stanley Street, Clifton, NJ, and Matthew Martinique, AIA, 44 E. Emerson Street, Clifton, NJ, appeared on behalf of the Applicants. Mr. Martinique set forth his qualifications and the Board accepted him as an expert in the field of architecture. Mr. Martinique testified that

his clients are the owners of a single-family residence located at 23 Stanley Street, which is a 5,000 SF undersized lot in the RA2 zone, where the required minimum lot area is 6,600 SF. There are existing nonconforming conditions relating to the existing setbacks: the existing front yard setback is 24.75', where 30' is required, and one side yard has an existing setback of 5.208' where 6' is required. The Applicants are seeking to add a second level that will continue the existing setbacks to provide more living space for their family. Mr. Martinique testified that the Applicants are seeking variance relief to continue the existing building line along the front and side yard setbacks, which he testified constitutes a hardship pursuant to N.J.S.A. 40:55D-70c(1). Mr. Martinique testified that there will be no adverse impacts upon the neighborhood or to the intent and purpose of the zoning ordinance or zone plan, as the house is existing and the setback relief is minimal. The second story addition will not exacerbate the existing nonconforming conditions and will provide for much-needed living space.

At the conclusion of the testimony, Commissioner Sochon made a motion to approve the application; Commissioner O'Connor seconds. Voting in favor are Commissioners Braid, Eramo, O'Connor, Sochon, Molner, Foukas, and Chairman Zecchino.

ADOPTION OF RESOLUTIONS/MINUTES

1. Asher & Aliza Witty, 20 Parson Rd., Block 57.01, Lot 11: Approval of application for variance relief (minimum front yard setback, minimum side yard setback, and maximum lot coverage) to construct an addition to an existing single-family residence in the R-A3 zone.

Offered by Commissioner Foukas and Seconded by Commissioner O'Connor. Voting in favor: Comrs. Braid, O'Connor, Sochon, Molner, Foukas, and Chairman Zecchino.

2. Elidia Perez, 147 Huron Ave., Block 49.02, Lot 19: Approval of application for minor subdivision, D(2) Variance to expand a nonconforming use, and bulk variance relief to construct a two-family residence on the new lot.

Offered by Commissioner O'Connor and Seconded by Commissioner Sochon. Voting in favor: Comrs. Braid, O'Connor, Sochon, Molner, Foukas, and Chairman Zecchino.

3. Minutes of the February 7, 2024 Regular Meeting

Offered by Commissioner O'Connor and Seconded by Commissioner Sochon, with the unanimous approval of all Board members present.

There being no further business before the Board, Commissioner Foukas moved to adjourn. The motion was seconded by Commissioner Sochon, with the unanimous approval of all Board members present, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

JESSICA L. SWEET, ESQ.,
COUNSEL SECRETARY