

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
March 6, 2024
6:45 P.M. EXECUTIVE SESSION
7:00 P.M. REGULAR MEETING

COMMISSIONERS PRESENT:

AVRAHAM EISENMAN (2A)
DAVID BRAID (1A)
ALESSIA ERAMO
GEORGE FOUKAS
MAUREEN O'CONNOR
MICHAEL MOLNER
SCOTT SOCHON
GERARD SCORZIELLO
MARK ZECCHINO

ALSO PRESENT:

John D. Pogorelec, Esq., Special Litigation Counsel
Anthony Goldstein, P.P., PE, Board Planner
Anthony Kurus, P.E., Board Engineer
Liana Bolcato, Asst. Zoning Officer
Jessica Sweet, Esq., Counsel/Secretary

Chairman Zecchino called the Meeting to Order at 6:52 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. Special notice of the change in meeting time for tonight's meeting was published in the Bergen Record and the Herald News on March 3, 2024, 48 hours prior to the meeting as required by the Open Public Meetings Act. All notice requirements were satisfied. Chairman 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.

EXECUTIVE SESSION

At 6:52 p.m., the Board unanimously agreed to adjourn to closed session in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-12(b)7, to discuss matters pertaining to pending or anticipated litigation to which the Board is, or may become, a party, or matters falling within the attorney-client privilege with regard to ongoing litigation in TJF Hazel, LLC Vs. City of Clifton Zoning Board of Adjustment, Superior Court of New Jersey, Law Division, Passaic County, bearing Docket No. PAS-L-003197- 22, pertaining to property located at 252 Hazel Street and 237 West Third Street, Block 16.11, Lots 1 and 2, which application was denied by the Board on October 19, 2022, for a three story mid-rise 54-unit multi-family residential building . Said matters will be made public upon their disposition.

Present during the executive session were all Board members, Mr. Pogorelec, and Ms. Bolcato. During executive session, at the recommendation of Mr. Pogorelec, the Board voted unanimously to consider a revised application in order to settle the litigation. The Board voted unanimously to close executive session and reopen the meeting to the public at 7:11 p.m. Mr. Pogorelec left the meeting after executive session.

REGULAR MEETING

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. **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 20, 2024.

3. **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.

4. **IVAN CABARCAS, 66 West 2nd Street Block: 9.07 Lot: 20- Zone: M2**

The applicant is requesting a use variance to replace an existing 2 story commercial property with a 3-family house which is an expansion of a nonconforming building/use in the M2 zone. Applicant also requesting bulk variance relief, a variance for a nonconforming driveway width, driveway buffer proposed at 0' where 5' required, and any other relief that may be required.

Attorney: Dominic Iannarella, Esq

Chairman Zecchino read into the record a letter from the Applicants' attorney, Dominic Iannarella, Esq., requesting that this matter be carried to the next available hearing date; Chairman Zecchino announced that this application will be carried to April 17, 2024, with no additional notice to be provided.

NEW HEARINGS

1. Preliminary & Final Site Plan w/ Use and Bulk Variances	DATA DELAY DEVICES, INC. John Pogorelec Esq.	11 Penobscot Street., Block 30.11 Lot 30,50,60 – M2 - Applicant is seeking preliminary and final site plan approval as well as "d(1)" use variance approval for a recreational use in the M-2 District and "c" variances for front yard setback, side yard setback, rear yard setback, maximum lot coverage, and parking (minimum spaces, setbacks, and landscaping). (PLANS SENT TO COMRS).
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Attorney John D. Pogorelec Jr. gave an opening statement describing the application. He advised that he would be providing the testimony of several witnesses. Michael Romanik, AIA; manager Rich Genteel; Craig Perego, PE; owner Dino Lubi; and Peter Steck, PP, all of whom were sworn in by Ms. Sweet.

Mr. Pogorelec called his first witness, Richard Genteel, who identified himself as the general manager of the existing soccer facility, known as the Clifton Stallions. Mr. Genteel described the existing use as a soccer academy/instructional facility for children of Passaic County. The subject site is presently a vacant gravel lot adjacent to the facility's two existing practice domes. Mr. Genteel stated that the facility is an indoor operation, mainly for children who want to play soccer, some adults play at night as well. He described it as a seasonal business, open 7 days a week in winter, which is the high season. During the rest of the year, it is open 5-6 days a week, with hours generally in the late afternoon and evening, on average from 6 p.m. until 10 p.m., slightly expanded in winter. Mr. Genteel stated that they are proposing to add a new practice facility for use during the winter busy season when outdoor fields are not available. He stated that there is a need for this type of facility, as soccer practice fields are in high demand, and their business keeps growing. He stated that they generally run their training sessions in 1.5-hour increments for children, depending on age of team. The total number of players during any one session ranges from 8-16. He stated that there is at least one other similar facility in Clifton, located on Route 46 at the old Clifton Tennis and Racquet Club.

Mr. Genteel then described the facility's relationship with NJ Transit. This site backs up to the NJ Transit parking lot which is open all the time, and generally used only during weekday hours. The facility has a relationship with NJT where NJT uses the roof of their facility for surveillance purposes and NJT lets them use the parking lot during evening and weekend hours. Mr. Genteel stated that there are no covenants or deed restrictions affecting the site. With regard to handling of trash/recycling, Mr. Genteel testified that there is a dumpster onsite, they take care of trash, and recycling is brought to the Clifton plant once or twice a week. They do not object to providing new and additional landscaping on the site.

Vice Chair Scorziello asked for more specifics about the shared parking arrangement with NJ Transit. Mr. Genteel responded that they submitted a letter verifying that NJ Transit will allow shared parking, dated October 11, 2006. Commissioner Foukas asked if the Transit lot is ever full;

Mr. Genteel stated that before COVID, the lot was generally full, but now the lot is largely empty, maybe 20% full during the week. Commissioner Eramo asked to clarify the times that NJ Transit authorized them to use the parking lot; Mr. Genteel confirmed that the letter states that they can use the parking lot after 7 on weekdays and weekends anytime. Mr. Genteel further testified that they have their own parking lot and do not actually use the Transit lot very much, usually when it snows and they lose spaces due to plowing.

Mr. Pogorelec then called Michael Romanik, AIA, who was qualified as expert in architecture. Mr. Romanik stated that he prepared the architectural plans submitted with the application. Mr. Romanik describes plans, using colorized version of site plan prepared by GB Engineering, which was marked in evidence as Exhibit A-1. He described the site as having dimensions of 90' x 90', will connect to larger "green" site, which is the existing arena; existing yellow site has a 10-person arena. There is a warehouse with offices on the west side of the site. Penobscot Street and Mt. Prospect Avenue border the site. The NJ Transit parking lot is located to the rear. The Applicant is proposing to build a square new building to be used as another indoor practice arena. Describing the new building, Mr. Romanik stated that it will have two main entrances/exits. Overhead door to transport equipment inside. It will connect to larger arena to the rear by a covered accessway. The building height will be 30'6". Mr. Romanik said he spoke to Board Planner Nicholas Graviano, and the applicant agreed to improve the façade appearance by adding a contrasting band detail around the top, as shown on a colorized version of the architectural plans, Sheet 1 of which was marked as Exhibit A-2, and Sheet 2 of which was marked as Exhibit A-3, depicting the proposed new façade band. Mr. Romanik stated that the facility does not generate any significant noise.

Commissioner Foukas asked about the building color; Mr. Romanik testified that it would be gray with contrast trim, as per Mr. Graviano. Ms. Eramo asked why the building sized in this way; Mr. Romanik replied that the client said it would be necessary to size it that way to maximize the playing field size/capacity. Ms. Eramo asked if they are expanding their operations. Mr. Genteel responded that they have so many applicants and it's very hard to get fields, any time of year. They rent fields from high schools, county, neighboring towns, wherever they can. Ms. Eramo expressed concerns about the parking capacity; Mr. Pogorelec stated that they will elaborate on this with the traffic engineer. Mr. Goldstein asked if there will be any signs; Mr. Lubi stated that there will be no new signs on the new building; the front entrance has one sign. Mr. Goldstein recommends lots be combined and they get one street address. Pogorelec says they will comply.

Mr. Pogorelec then called witness Thomas Stearns III, PE, who was sworn in by Ms. Sweet and his qualifications accepted by the Board as an expert in the field of site engineering. Mr. Stearns testified that he prepared the site plan; he described the site and proposal, as depicted on the filed site plan dated 10/5/23, revised through 1/17/24. Mr. Stearns stated that the property contains a total of 64,000 square feet, it has a street address of 11 Penobscot Street. Mt. Prospect Ave. touches property to the west. The NJ Transit lot is to the north. Existing conditions are shown on Sheet 3 of the Site Plan; he described the site as an existing gravel lot south of the existing sports dome, which is separated by an alley to the west from another sports dome. To the westerly side of the property adjacent to Mt. Prospect Ave. is a 2-story office building that Data Delay Devices operates out of. There is a driveway area with some parking, which he described as a 25'-30' drive aisle connecting the various buildings on the site. At end of Mt. Prospect is a gated

macadam area. Addressing drainage, Mr. Stearns testified that the site works well with drainage; it has a seepage pit system under the parking lot, which catches runoff from roof.

Describing the surrounding uses, Mr. Stearns testified that there is an apartment complex across Penobscot. The tree buffer across the street not on property will remain as-is. He generally described the other surrounding uses as largely industrial. The site is almost 100% impervious. Testifying in reference to Sheet 2 of 3 of the site plans, Mr. Stearns testified that the gray shaded area is the proposed building. The site is now three different lots, which will be merged/consolidated to be one lot. There's a 6' buffer proposed around building to Penobscot and sports dome, 4' setback to the south and east. A perimeter drain will be constructed to collect runoff and add to the existing system on the site. Regarding parking, there is some delineated parking onsite, which they are proposing to improve with a 2-way entry and exit to Penobscot, up to lot 30 (DD building); they will stripe the lot to delineate new spots, some parallel, one way exit only. No entry from Mt. Prospect. Total number of spaces onsite- 34 to be provided/delineated onsite. 2 ADA spaces adjacent to entrance. EV spaces also have to be provided- they are shown on plan, proposing a concrete pad/dumpster area in the parking lot, no one can park here. Gate at rear of site between two sports dome buildings allows for access to NJT parking lot.

Mr. Stearns then addressed the comments raised in the Neglia Engineering review memorandum: he stated that soil conservation district certification will be required due to amount of disturbance; a soil erosion and sediment control plan will be submitted to the SCD. Mr. Stearns testified that the drainage report was submitted; he agrees to comply with the grading comments in paragraph 4. As for lighting, they will comply with ordinance requirements. Utility lighting on building front will be provided. Mr. Kurus asked whether the walkways/alleys lit? Mr. Stearns stated they are currently lit with a motion sensor; this will be indicated on a revised plan. Mr. Kurus asked about the setback from building to Penobscot- 16' total- what is proposed there in the setback? Mr. Stearns states they are willing to landscape that but up to Board as to whether they want shrubs or grass. The only access from Penobscot to new building is a curb cut, the rest of it can be grass or shrubs. It's not really their property, it is within the City right-of-way, and they would need permission from City to use that area for parking. They do not plan to use it for parking. Chairman Zecchino suggests that the applicant work with Neglia and Graviano to come up with an agreeable landscaping plan.

Addressing parking, Mr. Stearns testified that the parking is shared with the Data Delay Devices (DDD) office. The parking table includes the office use. Commissioner Molner asked about the hours of the office use. Owner Mr. Lubi stated that DDD is open 9-4; they only have 3-4 employees. The soccer academy is open 4-10. DDD owns the whole site. No parking conflicts, this frees up the 17 parking spaces allocated to DDD office/warehouse uses. Ms. Eramo asked what is the gravel lot currently used for; Mr. Lubi stated it is now overflow parking.

Mr. Pogorelec then called his next witness, Mr. Craig Peregoy, PE- licensed PE NJ, Board accepts his qualifications as an expert witness in the field of traffic engineering. Mr. Peregoy testified that he prepared the traffic analysis report dated 12/19/23. Mr. Peregoy testified that the ITE trip generation manual for a soccer field, the projected trips are 0 in the morning peak hour, weekday evening peak hour is 16 trips; for the weekend, the projected trips are 18 in/19 out. These are far below the 100 trip threshold for traffic impacts as generally accepted by ITE. Regarding

parking, Mr. Peregoy testified that his firm, Dynamic Engineering, did parking counts for this site; they went out and looked at when the cars are parked there, etc. On weekdays, they counted an average of 142 spaces available in NJT lot; on the weekend, they counted 322 spaces available in NJT lot. The maximum number of cars parked on site itself during weekday hours of 4-7 p.m. was 10. He testified that the NJT lot will be used for overflow parking but there's a lot of excess parking onsite. Commissioner Molner asked about the parking agreement- nothing about duration or formal agreement. Commissioner Foukas asked what would be the consequences if NJT pulls authority to use that lot? Mr. Peregoy replied that it is only 10 additional spaces, so not too consequential; he further opined that it is in NJT's interest to keep the lot occupied/used to prevent criminal activity or vandalism. In response to a question from Commissioner Eramo, Mr. Peregoy stated that there is a maximum of about 8 cars using the gravel lot for now. Peregoy further states that the proposed lot striping and traffic directional markers to be installed as part of the proposed parking lot improvements will improve this condition.

Mr. Goldstein asked about the distinction between training sessions and actual soccer games at the facility. Mr. Lubi clarified that they only conduct training/practice sessions at this facility since the fields are not regulation. During the spring/summer/fall, soccer games are held on the weekends on local fields. Mr. Lubi further stated that the parents just drop kids off on the half-hour; they do not park and stay at the facility. They come in, pick up, and leave.

Mr. Pogorelec then called his final witness, Peter Steck, PP, whose qualifications as an expert in the field of professional planning were accepted by the Board. Mr. Steck testified that he prepared the Planning Report dated January 8, 2024. He described his findings as follows: the site contains two principal uses: Data Delay Services (DDS), an office/warehouse use, and the soccer academy. Mr. Steck testified that when DDS started, they had 60 employees, now they have 5 employees due to technology, so despite the large size of the office building, the impact on parking is very light. The principals associated with DDS are also in charge of the soccer facility. The existing soccer facility was approved in 2001 and again in 2010, use variances were granted by this Board. In 2001, the Board found that the use was beneficial to the City, minimal impact to surrounding properties. Less intense than permitted uses. Board concluded that positive and negative criteria were satisfied. In 2010, the resolution approving the second expansion recognized that the NJT lot was being used for parking from this site. The parking arrangement is not changing significantly from the time of those earlier approvals, the new striping and directional signs proposed will be beneficial to the site. Mr. Steck suggests that they obtain two addresses to distinguish DDS's office/warehouse use from the soccer academy.

Mr. Steck then addressed the project's consistency with the Master Plan goals, one of which involves the improvement of nonresidential areas; this is a gravel lot that the applicant wants to improve with a new low-intensity use. Recreational facilities are beneficial to the city of Clifton; this will take some of the pressure off the public fields. The site is located in the M-2 Industrial zone, which does not permit recreational uses. The only zones that list private recreation as a permitted use are the Planned Development zones. The ordinance does not recognize private recreational uses separately from PUD zones.

Turning to the variance relief sought, Mr. Steck testified that a D(1) use variance is required for the proposed soccer training facility; really it is 2 D(1) variances, as private recreational uses

are not permitted in the M2 zone, and they are proposing more than one principal use on the site, one of which is being expanded. Setback variances are required for the new structure, as detailed by the architect. The proposed connection between the two buildings requires a variance due to the proposed 0' setback between them. With regard to the use variance, Mr. Steck testified that although the initial use was approved years ago, D(1) variance relief is required. However, the benefit of this operating history is that the use is a known quantity, and the soccer training facility has operated successfully for over 20 years. Regarding the positive criteria, Mr. Steck testified that the facility will advance several purposes of the MLUL: Purpose A, encouraging municipal action to guide use of lands to promote health, safety and welfare; the Clifton Master Plan recognizes the importance of recreational uses. Purpose G, providing sufficient space for various uses in a variety of locations, in that linking this new building with the existing facilities makes sense. Purpose M-encourages efficient development; this is a very efficient way to increase training for soccer players. Mr. Steck testified that the Master Plan recognizes that this should be an industrial area, but this is a very low-intensity use for this zone; these are large buildings, but are meant to accommodate a few people running around. Mr. Steck opined that this is a very gentle use in terms of impact on the area.

Regarding the parking variance, Mr. Steck testified that the site contains enough parking functionally; the site originally had 60+ employees, but that is drastically reduced. He described this as functionally an expansion of the existing uses that were already approved by the ZBA. Mr. Steck testified that there will be no substantial detriment to the public or zone plan/ zoning ordinance.

With regard to the other C variances, for setbacks, lot coverage, and the parking lot dimensions, Mr. Steck stated that the existing parking layout is not changing significantly, but does not have the proper dimensions. A variance is required for the number of spaces; they do not have the full amount of spaces that would be required onsite, but if NJT lot is included, the parking requirement is met.

At the conclusion of the testimony, Vice Chair Scorziello made a motion to approve the application, subject to the stipulations regarding provision of additional landscaping and architectural improvements subject to the approval of the Board Planner/Engineer; Commissioner O'Connor seconds. Voting in favor are Commissioners Eramo, O'Connor, Sochon, Molner, Foukas, Vice Chair Scorziello, and Chairman Zecchino.

2. Preliminary & Final Site Plan w/ Use and Bulk Variances	I.R. PROPERTY MANAGEMENT LLC Gary Cohen, Esq.	5 Milton Ave., Block 37.05, Lot 15 – RB1 – . Applicant is seeking 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. (PLANS SENT TO COMRS).
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Attorney Gary Cohen put his appearance on the record; he stated that he will be presenting the testimony of three witnesses: Thomas Stearns III, P.E., Michael Romanik, AIA, and property owner/applicant Israel Rodriguez, all of whom were previously sworn at the prior hearing on this application on January 17, 2024. Mr. Cohen stated that the plans have been revised to reduce the number of units from the six two-bedroom units a previously proposed, to a total of four units, two two-bedroom units and two three-bedroom units, and the number and scope of the bulk variances has accordingly been reduced as well.

Mr. Romanik then testified regarding the plan changes and the variance relief sought; he described this as an appropriate transitional use in the zone, the density has decreased, and more open space created. Mr. Romanik testified that the proposed lot coverage has been reduced from 31.3% as previously proposed, down to 27%, where 25% is permitted. The rear yard setback has been increased from 7.7 feet as previously proposed to 9.88 feet, where 35 feet is required. Mr. Romanik stated that the plan continues to provide 100% of the required parking spaces. He testified that he spoke with Mr. Graviano regarding the proposed façade improvements, and the applicant agreed to include a stone veneer detail on the ends of the building. A planter along the front will provide landscaping improvements. The building height will be 27', where 35' is permitted. Mr. Romanik testified regarding the revisions to architectural plan sheet 2, revised 2/7/24, depicting the ground floor and 2nd floor plan; Mr. Romanik generally described the proposed layouts of each unit within the building; there will be a washer/dryer in each unit. Mr. Romanik testified that the applicant is proposing a connection to rear yard through building, which will be a unique feature allowing for rear yard access for residents. Mr. Goldstein recommends that stone veneer be added on the south end; Mr. Romanik testified that the proposed stone veneer will be added as shown on the colorized version of revised plan showing new banding on south and north ends, which was marked as Exhibit A-2 in evidence.

Mr. Stearns then testified regarding the revised site layout, stating that they reduced the size of the building and now they can fit all 12 parking spaces required, which he described as a benefit to the residents of Milton Avenue. Mr. Stearns testified that lighting shields will be provided on the building lighting. Regarding drainage, they are proposing a trench drain and curbing, which will keep drainage off roadway; on site will be three seepage pits and a stone bed, which will handle all drainage onsite without impacting neighboring properties. In response to a question from Commissioner Eramo, Mr. Stearns testified that the existing trees will not be touched. Mr. Goldstein requested that the applicant put a barrier or buffer, fence or additional landscaping along Brighton Avenue; Mr. Stearns agrees.

At the conclusion of the testimony, Commissioner Molner made a motion to approve the application, subject to the stipulations regarding provision of additional landscaping and architectural improvements subject to the approval of the Board Planner/Engineer; Commissioner O'Connor seconds. Voting in favor are Commissioners Eramo, O'Connor, Sochon, Molner, Foukas, Vice Chair Scorziello, and Chairman Zecchino.

NEW HEARINGS

1. Bulk
Variances-

**EDDY
CORDOVA**

12 Milton Ave. Block 37.04, Lot 21- RB-1

existing 2-
family

Gary Cohen, Esq.

Applicant seeks variance relief to construct an 2.5 story 307.22 sq. ft. addition to an existing two-family house, which would contain a one car garage on the ground level, a 219.94 sq. ft. second floor deck to the rear of the existing house; and to add concrete paving. Variances are required for the following: 1] Lot area where 7,500 sq.ft. is required, 5,000.00 sq. ft. exists and is proposed, but this is an existing non-conforming condition. 2] Lot width where 75 ft. is required, 50 ft. exists and is proposed, but this is an existing non-conforming condition. 3] Front yard setback where 25 ft. is required, 9.2 ft. exists and is proposed, but this is an existing non-conforming condition. 4] Side yard setback where 12 ft. for one side yard is required, 2.8 exists and is proposed, but this is an existing non-conforming condition. 5] Both side yard setbacks, where 24 ft. is required, 29.1 ft. exists, 14.8 is proposed. (PLANS SENT TO COMRS).

Attorney Gary Cohen put his appearance on the record; he stated that he will be presenting the testimony of project architect Vincente Varela, Jr., 584 Main Ave, Passaic, NJ, and applicant Eddy Cordova, 12 Milton Ave., Clifton, NJ, both of whom were sworn in by Ms. Sweet. Mr. Cohen described the proposal to construct a small addition to side of the existing two-family house; because this is a small house, the addition is necessary to improve the lifestyle and increase living space for residents.

Mr. Varela provided his professional qualifications and was accepted by the Board as an expert in the field of architecture. Mr. Varela testified that he is familiar with the site; he prepared the architectural plans. He stated that this project involves addition to an existing 2-family house located in RB-1 zone. Mr. Varela described the surrounding uses as follows: to the south is a large parking lot, the north another parking lot, to the west another similar house. Mr. Varela stated that the required lot area in the RB-1 zone is 7,500 square feet; this site is undersized at 5,000 SF. The lot is 50' x 100', deficient in width, where 50 feet exists and 75 feet is required. Describing the existing house, Mr. Varela stated that it is situated to the far northwest of site. Due to this configuration, the existing house has a nonconforming side yard setback of 2.8' to the northwest side, where 12' is the minimum required. The house also has a preexisting nonconforming front yard setback of 9.2' where 25' is required. Mr. Varela stated that the height of the addition will comply with the ordinance.

Regarding the new variance condition for the combined side yard setback, where 24 feet is required, 29.1 feet exists, and 14.8 feet is proposed, Mr. Varela testified that the location of the existing house to the far northwest of the lot drives the combined side yard setback variance. This is the only new variance created by this application.

Mr. Varela testified that the ground floor of the addition will contain a one-car garage, which will allow for parking of two cars on the site. On the second floor of the addition will be a new master bedroom, 14' x 15', with two walk-in closets. A deck will be constructed at the rear of the house. A small attic addition will be used for storage, not habitable. The addition will continue the same siding and architectural style as the existing house. Mr. Varela stated that the addition will provide a benefit to the neighborhood in that it will allow for enclosed garage parking onsite. The house has no garage now, this will allow for additional parking and secured storage for the owner. Lots of delinquency in area, owner wants secure storage for his vehicle.

In response to a question from Commissioner Eramo regarding an existing shed onsite, Mr. Varela stated that the Applicant is willing to remove it since it was not taken into consideration in the coverage calculation.

In closing, Mr. Cohen stated that Mr. Cordova lives at this property. This is a small addition, which will improve his quality of life, allows him to stay in house, he wants a bigger bedroom, more living space, secure location for his vehicle; it will increase parking. The addition does not affect any of the nonconforming conditions, and the new variance condition is driven by hardship due to the location of the existing house on the property.

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

ADOPTION OF RESOLUTIONS/MINUTES

1. Jason & Kristen Sadowski, 23 Stanley Street, Block 23.06, Lot 4; Zone: RA2, Approval of application for variance relief from the required minimum front and side yard setbacks to construct an addition to an existing single-family residence in the R-A2 zone.

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

2. Minutes of the February 7, 2024 Regular Meeting

Offered by Commissioner Foukas and Seconded by Commissioner O'Connor, 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 O'Connor, with the unanimous approval of all Board members present, the meeting was adjourned at 9:06 p.m.

Respectfully submitted,
JESSICA L. SWEET, ESQ.,
COUNSEL SECRETARY