

REVISED AGENDA
ZONING BOARD OF ADJUSTMENT
CITY OF CLIFTON
MARCH 15, 2023
7 P.M. REGULAR MEETING

Please take notice that formal action may be taken on the following applications at the Regular Meeting on March 15, 2023.

PLEDGE OF ALLEGIANCE

REMANDED HEARING

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| 1.
Use Variance;
Variance;
Site Plan | JOHN RADER
Ira E. Weiner, Esq.
(CONTINUED
WITHOUT
DATE) | 817-825 Clifton Ave., Block 35.06, Lot 16 – B-C
Site plan approval required to remove the existing MOONEY AUTO REPAIR GARAGE, to enlarge the building housing the existing DUNKIN DONUTS building, to create an additional store, two vestibule entrances to the two stores and a drive-in facility. A bulk variance is required to permit the use of lighting other than the ordinance required high-pressure sodium lighting, because it is no longer manufactured. A use variance is required to permit the drive-in window. All other nonconformities are pre-existing and do not required variances. DENIED DECEMBER 2, 2021 – COURT-ORDERED REMAND. |
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CONTINUED HEARINGS

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| 1.
Variances;
Use Variance | 522 VALLEY
ESTATES LLC
Jason R. Tuvel,
Esq.
(CONTINUED
TO 03/15/2023) | 522 Valley Road, Block 32.01, Lot 12 – Steep Slope Dist
The Applicant seeks approval to demolish the existing building and construct a new residential complex consisting of 20 townhouse/multifamily dwelling units within three (3) separate buildings, along with related site improvements, including but not limited to parking, landscaping and lighting. The Applicant seeks use variance relief pursuant to N.J.S.A. 40:55D-70(d)(6) for building height greater than permitted (35 ft. permitted; 44.99 ft. proposed). The Applicant also seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) and design waiver/exception relief, including: (1) Number of stories greater than permitted (3 stories permitted; 4 stories proposed); (2) Open space consisting of less than 25 ft. and located within 10 ft. of side or rear Property lines proposed where same is not permitted; (3) Soil proposed to be excavated in excess of 30% and on the cliff face where same is not permitted; (4) Vertical cut greater than permitted (15 ft. permitted; 56 ft. proposed); (5) Building coverage for over 30% slope area greater than permitted (0% permitted; 1.8% proposed); (6) Impervious surface (lot) coverage for over 30% slope area greater than permitted (0% permitted; 4.5% proposed); (7) Open space for 25.1-30% slope area less than required (50% required; 46.9% proposed); (8) Open space for over 30% slope area less than required (100% required; 79.9% proposed); (9) Number of trees replaced less than required (87 trees required; 48 trees proposed); and (10) Ground sign proposed where same is not permitted. The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, use variances, conditional use variances, interpretations, de minimis exceptions to the |
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State of New Jersey Residential Site Improvement Standards, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other approvals 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.

2. **833 CLIFTON AVE PARTNERS, LLC** Glenn Peterson, Esq. **(CONTINUED TO 04/05/2023)** 833 Clifton Avenue, Block 35.07, Lot 1 - BC Preliminary and final site plan approval, use variance, bulk variances and exterior LED lighting. The applicant seeks approval to construct a 3-story residential apartment building containing 26 one-bedroom units. Any and all additional variances that may be required. **(PLANS SENT TO COMRS).**
3. **MAIN FOOT AND ANKLE LLC** Glenn Peterson, Esq. **(CONTINUED TO 3/15/2023)** 1610 Main St. & 80 W. 2nd St., Block 9.07, Lots 25 and 36 – B-C (Lot 26) and M-2 (Lot 25) – The applicant is proposing a consolidated subdivision of 1610 Main Avenue and 80 West 2nd Street. The applicant further proposes a 3-story mixed use building for medical offices and a retail pharmacy. A D1 use variance is requested in addition to any and all other variances as may be required.

NEW HEARINGS

1. **BRIAD DEVELOPMENT, LLC** Richard Schkolnick, Esq. 345 Allwood Road and 826 Route 3, Block 80.01, Lots 11.01 and 11.03– PD-HC – The applicant has applied for amended preliminary and final site plan approval, with associated 'c' and 'd' variances to convert the existing single-tenant "Stew Leonard's" building at The Promenade Shops at Clifton into a multitenant facility with a drive-through for a future restaurant tenant on property identified on the tax maps of the City of Clifton as Block 80.01, Lots 11.01 and 11.03, which parcels are commonly known as 345 Allwood Road and 826 Route 3, Clifton. The applicant requests any and all necessary variances, waivers, approvals or other relief, site plan and land use ordinances as may be necessary for this application, including but not limited to the following: 1. A d(1) use variance (Sections 461-13.1AA(1) and 461-13.1AA(5)(i) for the drive through facility. 2. Section 461-13V(8)(c)(2) (maximum height of ground signs) (20 feet permitted; 29.1 feet existing; and 40.92 feet proposed).

RESOLUTIONS

1. GRANTED the application of EMB 561 LLC for preliminary and final site plan approval, use variances, and bulk variances in order to convert an existing mixed-use property into a multi-family apartment building with 2 one-bedroom apartments on the first floor and 4 two-bedroom apartments on the second floor for premises located at 561 Van Houten Ave., Block 43.04, Lot 8.
2. GRANTED the application of JOSHUA & YAEL FOGEL for a front yard setback variance to construct a 2 story addition and new front porch for premises at 31 Heights Rd., Block 50.10, Lot 12.

3. GRANTED the application of AVI & SURI WALLEES for front yard and combined yard setback variances as well as lot coverage variances to construct a second story addition with a new covered porch for premises located at 74 Heights Rd., Block 50.07, Lot 6.

4. GRANTED the application of ELI & AMANDA KAUFMAN for a lot coverage variance to construct a rear addition and attic dormer, which adds a third story, for premises located at 370 South Parkway, Block 58.02, Lot 29.

5. GRANTED the application of ELVIS OSPINA for side yard set back and front yard set back variances to construct an addition and side porch with a roof for premises located at 31 Homer St., Block 59.10, Lot 13.

6. GRANTED the application of RANDALL BERMAN for rear yard setback and side yard setback variances to enclose the existing loading dock for premises located at 495 River Road, Block 61.03, Lot 56.