

Minutes of a regular meeting of the Board of Adjustment of the City of Clifton, New Jersey, held at the Council Chambers, City Hall, Clifton, New Jersey, on Wednesday, January 16, 2019. 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 ZALMAN GURKOV, SCOTT SOCHON, MICHAEL MOLNER, DANIEL TRENK, LOUIS DE STEFANO, GEORGE FOUKAS, ROY NOONBURG, VICE-CHRMN GERARD SCORZIELLO, AND CHRMN MARK ZECCHINO.

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

Upon motion made by Comr Louis DeStefano, seconded by Comr George Foukas, the Minutes of the January 2, 2019, regular meeting was adopted with the unanimous approval of the entire Board.

CONTINUED HEARINGS

1. **CLIFTON CHEDER**, 1333 Broad Street, Block 76.01, Lot 5 – B-A – The Applicant
Use seeks preliminary and final site plan
Variance; approval and a (D)(3) conditional use
Variances variance for a private elementary school in the B-A Zone District. The following conditions of the conditional use are not being met and require variances as follows:
With respect to the lot width, pursuant to Section 461-27, a lot width of 150 ft. is required and 133 ft. is existing and proposed.
With respect to the maximum lot coverage, pursuant to Section 461-27, 20% is the maximum permitted and 24.74% existing and proposed.
With respect to the minimum side yard, 20 ft. for one (1) and 40 ft. for both, pursuant to Section 461-27 is required, and 18.87 ft. for one (1) and 42.74 ft. for both is existing and proposed.
This application to the Board of Adjustment is being made for a (D)(3) conditional use variance for a private elementary school and noticed to the public pursuant to N.J.S.A.40:55(D)(3).
The Applicant will also request such other variances, waivers, and interpretations as may be required which may arise during the

course of the public hearing or at the request of the Board of Adjustment. The Application, Plans and papers in connection with the Application are available for public inspection at the Zoning Division of the City of Clifton, Clifton, New Jersey, between the hours of 9 A.M. and 3 P.M. Any interested party may appear at said hearing and participate therein in accordance with the rules of the Board of Adjustment.

This matter was previously continued by the Board to the February 6, 2019, meeting of the Board.

NEW HEARINGS

1. **MICHAEL RODRIGUEZ**, 31 Greglawn Drive, Block 40.04, Lot 10 -- RA2 – Homeowner proposes to widen the existing driveway to the left. A variance is required for the driveway at 0’ from the left side lot line where 5’ is required.

The applicant, residing at 31 Greglawn Drive, Clifton, New Jersey, was present and sworn. There were no objectors.

The applicant testified that he requests variance approval to widen the existing driveway to the left side of the subject premises; that the left side yard setback requirement is 5 feet; that the applicant proposes 0 feet; that the curb cut presently is 12 feet, and the applicant is proposing 19 feet.

After a review of the testimony, Comr George Foukas moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the side yard setback variance. The motion was seconded by Comr Daniel Trenk. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

2. **DINESH MULLOTH**, 53 Tristan Road, Block 26.11, Lot 1 – RA3 – The addition of an attached garage and second story addition requires the following variances:
1) Existing nonconforming lot area.
2) Front yard proposed at 15.89’ where 25’ is required;
3) Rear yard proposed at 17.9’ where 25’ is required;
4) Right side yard proposed at 4.95’ where 6’ is required.

The applicant, residing at 53 Tristan Road, Clifton, New Jersey, was present and sworn. There were no objectors.

Mr. Mulloth testified that he requests variance approval for an addition of an attached garage and second story addition at the subject premises; that the front yard setback requirement is 25 feet, and he is proposing 15.89 feet; that the rear yard setback requirement is 25 feet, and he is proposing 17.9 feet; that the right side

yard setback requirement is 6 feet, and he is proposing 4.95 feet; that the lot has an existing, non-conforming lot area located on a corner; that he has two children residing with him.

After a review of the testimony, Comr Daniel Trenk moved to grant the application and instructed the Counsel Secretary to prepare the proper Resolution for approval of the variances requested for the addition of the attached garage and second story addition. The motion was seconded by Vice-Chrmn Gerard Scorziello. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

3. **TARA BUGG, 28 Major Street, Block 43.02,**
Variances Lot 18 – RB2 – Variances required to raise the roof to make the attic a half story:
- 1) Left side yard proposed at 1.9' where 12' is required.
 - 2) Right side yard proposed at 8.9' where 12' is required.
 - 3) Combined side yards proposed at 10.8' where 24' is required.
 - 4) Front yard proposed at 13.6' where 25' is required.
 - 5) Existing, nonconforming lot area, lot width, and lot coverage.

The applicant, residing at 28 Major Street, Clifton, New Jersey, was present and sworn. There was one interested party, Kazimier Serafin of 32 Major Street, Clifton, New Jersey, who appeared in support of the application.

The applicant testified that she requests variance approval to raise the roof at the subject premises to make the attic a half story; that the left side yard setback requirement is 12 feet, and she is proposing 1.9 feet; that the right side yard setback requirement is 12 feet, and she is proposing 8.9 feet; that the combined side yard setback requirement is 24 feet, and she is proposing 10.8 feet; that the front yard setback requirement is 25 feet, and she is proposing 13.6 feet; that the existing lot is a non-conforming lot in area, lot width, and lot coverage; that currently, there are five homes closest to the premises in question who have dormers similar to that requested by the applicant.

After a review of the testimony, Comr Roy Noonburg 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 Michael Molner. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

4. **DEENA COHN, 17 Rosemawr Place,**

VariANCES Block 50.09, Lot 1 – RA2 – Proposed rear addition and second floor over existing home requires the following variances:
1) Front yard proposed at 20.58' where 30' is required.
2) Left side yard proposed at 4.68' (existing) where 6' is required.
3) Rear yard proposed at 32.5' (at second floor balcony) where 35' is required.
4) Basement proposed with multiple finished rooms where a single finished room is permitted.
5) Attic dormers create a third story where 2 stories are permitted.

The applicant and her husband, Shmuel Cohn, were present and affirmed to give testimony. Also present was William J. Martin, an architect, with offices at 25 Boulevard, Westwood, New Jersey. There were no objectors.

On behalf of the applicant, Mr. Martin testified that the applicant proposes a rear addition and second floor over existing home at the subject premises; that the front yard setback requirement is 30 feet, and the applicant is proposing 20.58 feet; that the left side yard setback requirement is 6 feet, and the applicant is proposing 4.68 feet which is existing; that the rear yard setback requirement is 35 feet, and the applicant is proposing 32.5 feet at the second floor balcony; that the basement proposed has multiple finished rooms where a single finished room is permitted; that the attic dormers create a third story where two stories are permitted.

There was some discussion by the Board concerning the multiple rooms in the basement.

After a review of the testimony, Vice-Chrmn Scorziello moved to grant the application with the stipulation that the applicant remove the basement walls in the new addition and that the applicant submit revised plans showing the same. The Counsel Secretary was instructed to prepare the proper Resolution. The motion was seconded by Comr Roy Noonburg. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

5. **ESTEE & ARI GROSS**, 38 Woodward Avenue
VariANCES & Virginia, Block 50.09, Lot 7 – RA2 –
Rear two story addition to an existing home
requires the following variances:
1) Front yard proposed at 25.4' to the main structure (existing condition), and 21.5' to the roof over the front stoop where 30' is required.
2) Left side yard proposed at 3.4' where 6' is required.
3) Combined side yards are 13.9' where 16' is required.
4) Existing nonconforming lot width and area.

The applicants, residing at 38 Woodward Avenue and Virginia, were present and affirmed to give testimony. Also present and affirmed to give testimony was Larry Lerner, AIA, with offices at One Wolfs Lane, Pelham, New York. There were no objectors.

Mr. Lerner, an architect, on behalf of his clients, testified that the applicant proposes a rear two-story addition to the existing home; that the front yard setback requirement is 30 feet, and the applicant proposes 25.4 feet to the main structure and 21.5 feet to the roof over the front stoop; that the left side yard setback requirement is 6 feet, and the applicant is proposing 3.4 feet; that the combined side yard requirement is 16 feet, and the applicant is proposing 13.9 feet; that the premises has an existing, non-conforming lot width and lot area.

After a review of the testimony, Comr Roy Noonburg 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 Vice-Chrmn Gerard Scorziello. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

6. **LAURITANO LANDSCAPING,**
Use 750 Bloomfield Avenue,
Variances; 28 & 38 Somerset Place, Block
Variance 49.11, Lot 30, 69, and 70 – M-2 –
Applicant, a landscape contractor, located at 28 & 38 Somerset Place, proposes to expand the business to a portion of 750 Bloomfield Avenue. 750 Bloomfield Ave. will be used for storage of landscape materials, equipment and storage of roll-off boxes. A D-1 use variance is requested for the mixed use of the property. 28 & 38 Somerset Pl. is currently approved for office and storage of contractor's equipment. Applicant also seeks approval for parking of buses on both 28 & 38 Somerset Place, a D-1 use variance is required. Parking proposed in the required front yard setback.

Thomas P. DeVita, Esq., with offices at 452 Clifton Avenue, Clifton, New Jersey, appeared on behalf of the applicant. Present and sworn were Joseph Lauritano of 20 Walsh Court, Clifton, New Jersey; and Frank D. Mileto of 14 Beaver Brook Drive, Long Valley, New Jersey. There were no objectors.

Mr. Lauritano testified that he is a landscape contractor and proposes to expand a portion of his business to a portion of 750 Bloomfield Avenue for the purpose of storage of landscape materials, equipment, and roll-off boxes; that a D-1 use variance is required since the proposal creates a mixed use of the property; that the Zoning Board of Adjustment did adopt a Resolution in 2016 for the storage

of contractor equipment in the rear portion of the building; that there will be no retail sales at the site.

In addition, Mr. Lauritano testified that he is seeking approval for the parking of buses on both 28 and 38 Somerset Place; that a use variance is required since the buses are parked in the required front yard setback; that presently, there are eight buses parked at the site.

Frank D. Mileto testified as an architect and planner and stated that the site is suitable for the proposed uses requested by the applicant; that use variances are required because of the mixed use of the premises; that there are no negative impacts—such as, noise and odors; that there are no residential properties located near the subject premises; that the applicant has satisfied the positive and negative criteria required for the grant of a use variance; that the benefits of the application outweigh the detriments, if any.

After a review of the testimony, Comr Louis DeStefano moved to approve the application and instructed the Counsel Secretary to prepare the proper Resolution with the following stipulations:

1. That there be no retail sales at the 750 Bloomfield Avenue site; and
2. That there be no more than 10 buses parked at the Somerset Place site.

The motion was seconded by Comr Roy Noonburg. Voting in the affirmative were Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino. By a seven to zero vote, the motion carried, and the application was granted in the form as more fully appears at the end of these Minutes.

The Minutes as stated is the complete testimony presented to the Board and upon which this decision is based.

RESOLUTIONS

Chrmn Mark 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 Vice-Chrmn Gerard Scorziello, seconded by Comr Scott Sochon, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution DENYING the application of ALI EKINCI/SEMERKEND CULTURAL CENTER for use variance and bulk variances to use the premises as a cultural center and existing second floor apartment at 421 Clifton Avenue, Block 12.09, Lot 11, was adopted. BA1

2. Upon motion made by Comr George Foukas, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of JAMES & DAWN ENZE for variance for a 5-foot-high solid fence along the rear lot line at 10 Sperling Road, Block 38.02, Lot 5, 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, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of NAOMI & MICHAEL MOCTON for a front yard setback for a second floor addition at 6 Annabelle Avenue/13 Patricia Place, Block 71.02, Lot 3, was adopted. RA3

4. Upon motion made by Comr Louis DeStefano, seconded by Vice-Chrmn Gerard Scorziello, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of JHONNY A. BALTAZAR for bulk variances for a small addition on the right side of the premises for a separate entrance to the second floor apartment at 97 Clinton Avenue, Block 12.22, Lot 2. RB1

5. Upon motion made by Comr George Foukas, seconded by Comr Michael Molner, and affirmed by Comrs Scott Sochon, Michael Molner, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino, the Resolution GRANTING the application of ANTONIO D'AMATO for use variance to convert the first floor of a two-family dwelling to a doctor's office at 395 Lakeview Avenue, Block 1.22, Lot 14. B-C

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

Respectfully submitted,

JOHN D. POGORELEC
COUNSEL SECRETARY

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: MICHAEL RODRIGUEZ for premises known as: 31 Greglawn Drive, Block 40.04, Lot 10 be and the same is hereby: GRANTED left side yard setback variance to widen an existing driveway.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. Said testimony including the application and the plans and exhibits on file are incorporated herein by reference and made a part hereof.

After a review of the testimony, Comr George Foukas moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval as aforesaid to widen the existing driveway at premises located at 31 Greglawn Drive, Block 40.04, Lot 10, which premises are located in an RA2 zone; and

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

- a. The applicant proposes to widen the existing driveway to the left;
- b. The left side yard setback requirement is 5 feet, and the applicant is proposing 0 feet;
- c. The curb cut at the site is 12 feet, and the applicant is proposing 19 feet;
- d. The applicant has shown sufficient hardship to justify the grant of the variance requested;
- e. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will be in accord with the intent and purpose of the master plan and the zone ordinance; and

WHEREAS, the Board further finds that there has been no testimony presented to show that the proposal will be detrimental to the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application to widen the existing driveway at premises located at 31 Greglawn Drive, Block 40.04, Lot 10, be and the same is hereby approved and the left side yard setback variance 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.

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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, or as amended.

Resolution moved by: Comr GEORGE FOUKAS.
Seconded by: Comr DANIEL TRENK.
Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: DINESH MULLOTH for premises known as: 53 Tristan Road, Block 26.11, Lot 1 be and the same is hereby: GRANTED variance approval for an attached garage and second story addition.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. 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 Daniel Trenk moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant proposes the addition of an attached garage and second story addition at premises located at 53 Tristan Road, Block 26.11, 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 proposes the addition of an attached garage and second story addition;
- b. The property in question has an existing, non-conforming lot area;
- c. The front yard setback requirement is 25 feet, and the applicant is proposing 15.89 feet;
- d. The rear yard setback requirement is 25 feet, and the applicant is proposing 17.9 feet;
- e. The right side yard setback requirement is 6 feet, and the applicant is proposing 4.95 feet;
- f. The premises in question is a corner lot;
- g. The applicant has shown sufficient hardship to justify the grant of the variances requested;
- h. The benefits of the application outweigh the detriments, if any; and

WHEREAS, the Board finds from the testimony presented that the proposal will be in accord with the intent and purpose of the master plan and the zone ordinance; and

WHEREAS, the Board further finds that there has been no testimony presented to show that the proposal will be detrimental to the health, safety, and general welfare of the neighborhood;

NOW THEREFORE, BE IT RESOLVED that the application for an attached garage and second story addition at premises located at 53 Tristan Road, Block 26.11, Lot 1, be and the same is hereby approved and the variances for front yard setback, rear yard setback, and right side yard setback be and the same are 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.

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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, or as amended.

Resolution moved by: Comr DANIEL TRENK.
Seconded by: Comr VICE-CHRMN GERARD SCORZIELLO.
Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: TARA BUGG for premises known as: 28 Major Street, Block 43.02, Lot 18 be and the same is hereby: GRANTED variance approval to raise the roof of the subject premises to make the attic a half story.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. 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 Roy Noonburg moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval to raise the roof at premises located at 28 Major Street, Block 43.02, Lot 18, which premises are located in an RB2 zone, to make the attic a half story; and

WHEREAS, the Board, after hearing the testimony presented by the applicant and the interested party who was in favor of the application, has made the following factual findings:

- a. The applicant proposes to raise the roof to make the attic a half story;
- b. There are currently five homes closest to the premises in question with existing dormers similar to what the applicant is requesting;
- c. The left side yard setback requirement is 12 feet, and the applicant is proposing 1.9 feet;
- d. The right side yard setback requirement is 12 feet, and the applicant is proposing 8.9 feet;
- e. The combined side yard requirement is 24 feet, and the applicant is proposing 10.8 feet;
- f. The front yard setback requirement is 25 feet, and the applicant is proposing 13.6 feet;
- g. The premises is existing, non-conforming in lot area, lot width, and lot coverage;
- h. The applicant has shown sufficient hardship to justify the grant of the variances requested;
- i. 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;

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(CONTINUED)

NOW THEREFORE, BE IT RESOLVED that the application to raise the roof to make a half story at premises located at 28 Major Street, Block 43.02, Lot 18, be and the same is hereby approved and the variances for left side yard, right side yard, combined side yards, and front yard setback be and the same are 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, or as amended.

Resolution moved by: Comr ROY NOONBURG.
Seconded by: Comr MICHAEL MOLNER.
Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: DEENA COHN for premises known as: 17 Rosemawr Place, Block 50.09, Lot 1 be and the same is hereby: GRANTED rear addition and second floor over existing home.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. 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 variance approval for a rear addition and second floor over existing home at premises located at 17 Rosemawr Place, Block 50.09, Lot 1, which premises are located in an RA2 zone; and

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

- a. The applicant proposes a rear addition and second floor over existing home;
- b. The front yard setback requirement is 30 feet, and the applicant is proposing 20.58 feet;
- c. The left side yard setback requirement is 6 feet, and the applicant is proposing 4.68 feet;
- d. The rear yard setback requirement is 35 feet, and the applicant is proposing 32.5 feet at the second floor balcony;
- e. The added dormer creates a third story where two stories are permitted;
- f. The applicant has shown sufficient hardship to justify the grant of the variances requested;
- g. 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;

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NOW THEREFORE, BE IT RESOLVED that the application for a rear addition and second floor over existing house at premises located at 17 Rosemawr Place, Block 50.09, Lot 1, be and the same is hereby approved and the variances for front yard, left side yard, rear yard, and added dormer creating a third story be and the same are hereby granted subject to such further governmental approvals as may be required by law **SUBJECT TO THE FOLLOWING STIPULATIONS:**

A. That the applicant remove the basement walls in the new addition;

B. The applicant revise its plans to indicate the removal of the basement walls, and said plans to be submitted to the Building Department for approval.

and further 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, or as amended.

Resolution moved by: Comr VICE-CHRMN GERARD SCORZIELLO.
Seconded by: Comr ROY NOONBURG.
Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: ESTEE & ARI GROSS for premises known as: 38 Woodward Avenue & Virginia, Block 50.09, Lot 7 be and the same is hereby: GRANTED variance approval for a rear two-story addition to existing home.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. 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 Roy Noonburg moved to grant the application on the basis of the following Resolution:

WHEREAS, the applicant requests variance approval for a two-story addition to the existing home at premises located at 38 Woodward Avenue and Virginia, Block 50.09, Lot 7, which premises are located in an RA2 zone; and

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

- a. The applicant proposes a two-story addition to an existing home;
- b. The front yard setback requirement is 30 feet, and the applicant is proposing 25.4 feet to the main structure and 21.5 feet to the roof over the front stoop;
- c. The left side yard setback requirement is 6 feet, and the applicant is proposing 3.4 feet;
- d. The combined side yard requirement is 16 feet, and the applicant is proposing 13.9 feet;
- e. The premises has an existing, non-conforming lot width and area;
- f. The applicant has shown sufficient hardship to justify the grant of the variances requested;
- g. 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 rear two-story addition at premises located at 38 Woodward Avenue and Virginia, Block 50.09, Lot 7, be and the same is hereby approved and the front yard, left side yard, and combined side yard variances be and the same are 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.

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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, or as amended.

Resolution moved by: Comr ROY NOONBURG.
Seconded by: Comr VICE-CHRMN GERARD SCORZIELLO.
Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.

MEETING OF JANUARY 16, 2019.

RESOLVED by the ZONING BOARD OF ADJUSTMENT, CLIFTON, N.J., that the application of: LAURITANO LANDSCAPING for premises known as: 750 Bloomfield Avenue, 28 & 38 Somerset Place, Block 49.11, Lot 30, 69, and 70 be and the same is hereby: GRANTED use variance for storage of landscape materials, equipment and storage of roll-off boxes at 750 Bloomfield Avenue and further a use variance for parking of buses on both 28 and 38 Somerset Place.

Testimony concerning the aforesaid application was taken by the Board at its meeting on January 16, 2019. 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 use variance approval as aforesaid for storage of landscape materials, equipment and storage of roll-off boxes at premises located at 750 Bloomfield Avenue; and

WHEREAS, the applicant is also seeking use variance approval for parking of buses on both 28 and 38 Somerset Place; and

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

- a. The applicant proposes to expand his landscape business to a portion of 750 Bloomfield Avenue for the purpose of storing landscape materials, equipment, and storage of roll-off boxes;
- b. The applicant is also seeking approval for parking of buses on both 28 and 38 Somerset Place;
- c. The expansion of the business at 750 Bloomfield Avenue requires a use variance due to the mixed use of the property;
- d. The parking of buses on both 28 and 38 Somerset Place requires a use variance and bulk variances for parking proposed in the required front yard setback;
- e. Based upon the testimony of the applicant's planner, the Board finds that the applicant has satisfied the positive and negative criteria required for the grant of the use variances requested;
- f. The site is suitable for the proposed portion of 750 Bloomfield Avenue;
- g. There will be no negative impacts to any residential properties which are not located within the area;
- h. The applicant has shown sufficient hardship to justify the grant of the bulk variance for parking in the front yard setback at 28 and 38 Somerset Place;
- i. 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 expand the business the business at a portion of 750 Bloomfield Avenue for landscape material storage be and the same is hereby approved and the use variance be and the same is hereby granted; and

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BE IT FURTHER RESOLVED that the use variance for parking of buses on at 28 and 38 Somerset Place in the front yard setback be and the same is hereby approved and the use variance and bulk variance be and the same are hereby granted subject to such further governmental approvals as may be required by law **and subject to the following stipulations:**

- A. That there be no retail sales at the 750 Bloomfield Avenue site;**
- B. That there be no more than 10 buses parked at the Somerset Place location.**

And further 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, or as amended.

Resolution moved by: Comr LOUIS DE STEFANO.

Seconded by: Comr ROY NOONBURG.

Affirmed by: Comrs Michael Molner, Daniel Trenk, Louis DeStefano, George Foukas, Roy Noonburg, Vice-Chrmn Gerard Scorziello, and Chrmn Mark Zecchino.