



Zoning Board of Adjustment

Meeting *(AGENDA)*

Wednesday, June 18, 2014 @ 8:00pm

- A.) Opening Remarks;
- B.) Pledge of Allegiance;
- C.) Attendance;
- D.) Correspondence: May 22, 2014 - June 18, 2014;
- E.) Approval of Minutes: March 19, 2014 Meeting;
April 16, 2014 Meeting;
May 21, 2014 Meeting;
- F.) Subcommittee Assignments: June 25, 2014 Work Session;
- G.) Open to the Public;
- H.) Caseload: Item #'s 1 - 9 (see below);
- I.) Memorialization of Resolution(s): *Case #Z-2014-04 (478 High Street/Germinario);*
- J.) Miscellaneous;
- K.) Adjournment of Meeting;

Item #1

Submissions: 5/22/14
Taxes: Not Received
Consecutive Postponements: 0

Newspaper: n/a
200' List: n/a

Case #Z-2014-07
309 Closter Dock Road
(Block 1701/Lot 1)

Applicant(s): 309 Closter Dock Road, LLC
Representation: Elliot Urdang, Esq.

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a delicatessen and 2 apartments) at the subject property; the application was received May 22, 2014 and scheduled for the **June 18, 2014 (Special) Work Session.**

Item #2

Submissions: 5/28/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: n/a
200' List: n/a

Case #Z-2014-08
246 Parsells Lane
(Block 2305/Lot 9)

Applicant(s): Ian Birla
Representation: David Watkins, Esq.

The applicant is seeking a Bulk Variance for the as-built installation of a patio (on-grade) at the subject property; the application was received May 28, 2014 and scheduled for the **June 18, 2014 (Special) Work Session.**

Item #3

Submissions: 3/31/14; 5/12/14; 5/13/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: 6/6/14
200' List: 6/6/14

Case #Z-2014-05
36 Chestnut Avenue
(Block 1708/Lot 7)

Applicant(s): Ki Lee
Representation: Allen Bell, Esq.

The applicant is seeking Bulk Variances and a Design Waiver for the construction of a new 1-family house at the subject property; the application was received March 31, 2014 and scheduled for the April 16, 2014 (Special) Work Session, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the May 21, 2014 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the **June 18, 2014 Meeting.**

Item #4

Submissions: 4/17/14; 6/6/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: 6/5/14
200' List: 6/5/14

Case #Z-2014-06
447 High Street
(Block 1314/Lot 4)

Applicant(s): Anna Haverilla
Representation: Matthew Capizzi, Esq.

The applicant is appealing the determination of the Zoning Officer as to the legality of the continuation of an accessory building (carriage house) as a 1-family use at the subject property; in the alternative, she would seek a Use Variance; NOTE: in 1958, a Use Variance (Case # was not assigned) for the 1- to 2-family use conversion of the principal building (main house), was granted; the application was received April 17, 2014 and scheduled for the May 21, 2014 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the ***June 18, 2014 Meeting***.

Item #5

Submissions: 6/13/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: n/a
200' List: n/a

Case #Z-2014-09
421 & 437-439 Durie Avenue
(Block 1003/Lot 18 & 21)

Applicant(s): Changiz Asfarjani & Afsaneh Kiarash
Representation: David Watkins, Esq.

The applicants are seeking a Use Variance and Major Subdivision Approval for the creation of 2 lots originating from each of the 2 subject properties; NOTE #1: a 1-family house (421 Durie Avenue) and a 2-family house (437-439 Durie Avenue) are currently situated on the subject properties; NOTE #2: the application involves 2 contiguous parcels, both owned by the applicants, which are being presented as 1 merged lot; NOTE #3: the applicants are proposing the donation of the existing 1-family house, known as the Harold Hess Lustron House, to the Borough as a condition of approval; the application was received June 13, 2014 and scheduled for the ***July 16, 2014 (Special) Work Session***.

Item #6

Submissions: 6/13/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: n/a
200' List: n/a

Case #Z-2014-10
39 Primrose Lane
(Block 1402/Lot 13)

Applicant(s): Frank & Joan Marzocca
Representation: David Watkins, Esq.

The applicants are seeking Bulk Variances for the as-built construction of an addition and deck at the subject property; the application was received June 13, 2014 and scheduled for the ***July 16, 2014 (Special) Work Session***.

Item #7

Submissions: 2/7/14; 3/7/14; 3/24/14; 4/11/14
Taxes: 1st Quarter (2014)
Consecutive Postponements: 2

Newspaper: 4/3/14
200' List: 4/1/14

Case #Z-2014-03
515 Piermont Road
(Block 1605/Lot 17)

Applicant(s): Isaac Ben-Avraham
Representation: Elliot Urdang, Esq.

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a restaurant and associated retail establishments) at the subject property; the application was received February 7, 2014 and scheduled for the February 19, 2014 Work Session, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the March 19, 2014 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the April 16, 2014 Meeting; the applicant's engineer and architect completed direct and cross-examinations and the case was adjourned, pending the Board's receipt of requested items, to the April 30, 2014 (Special) Meeting; being the applicant did not file requested items by the deadline, the case was postponed to the May 21, 2014 Meeting, June 18, 2014 Meeting and, again, to the **July 16, 2014 Meeting**.

Item #8

Submissions: 12/18/13; 1/6/14
Taxes: 4th Quarter (2013)
Consecutive Postponements: 3

Newspaper: Not Received
200' List: Not Received

Case #Z-2013-20
45 Walker Avenue
(Block 2206/Lot 2)

Applicant(s): Anastasia Burlyuk
Representation: David Watkins, Esq.

The applicant is seeking a Bulk Variance for the as-built construction of a patio (on-grade) expansion and fire pit at the subject property; the application was received December 18, 2013 and scheduled for the January 22, 2014 Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the March 19, 2014 Meeting; due to a scheduling conflict with the applicant, the case was postponed to the April 16, 2014 Meeting, May 21, 2014 Meeting and, again, to the June 18, 2014 Meeting; being the applicant did not file requested items nor fulfill public noticing requirements resulting in a 3rd consecutive postponement and violation of the Board's by-laws, **the application has been dismissed without prejudice for failure to prosecute**.

Item #9

Submissions: 3/25/14; 4/30/14
Taxes: 2nd Quarter (2014)
Consecutive Postponements: 0

Newspaper: 5/8/14
200' List: 5/9/14

Case #Z-2014-04
478 High Street
(Block 1007/Lot 4)

Applicant(s): Anthony Germinario
Representation: Matthew Capizzi, Esq.

The applicant is seeking a Use Variance for the continuation of a 2-family use at the subject property; the application was received March 25, 2014 and scheduled for the April 16, 2014 (Special) Work Session, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the May 21, 2014 Meeting; the application

was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**

