



## **Zoning Board of Adjustment**

### **Meeting (AGENDA)**

Wednesday, November 19, 2014 @ 8:00pm

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- A.) Opening Remarks;
- B.) Pledge of Allegiance;
- C.) Attendance;
- D.) Correspondence: October 16, 2014 - November 19, 2014;
- E.) Approval of Minutes: September 17, 2014 Meeting;  
October 15, 2014 Meeting;
- F.) Subcommittee Assignments: November 26, 2014 Work Session- *\*CANCELLED\**;
- G.) Discussion & Vote on Board's 2015 Work Session/Meeting Schedule;
- H.) Open to the Public;
- I.) Caseload: Item #'s 1 - 13 (see below);
- J.) Memorialization of Resolution(s): *Case #Z-2014-07 (309 Closter Dock Road/309 Closter Dock Road, LLC);*  
*Case #Z-2014-08 (246 Parsells Lane/Birla);*  
*Case #Z-2014-12 (51 Railroad Avenue/Northern Valley Baseball Academy);*
- K.) Miscellaneous;
- L.) Adjournment of Meeting;

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<b>Item #1</b>	<i>Submissions:</i> 10/2/14 <i>Taxes:</i> Not Received <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> n/a <i>200' List:</i> n/a
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Case #Z-2014-16 515 Piermont Road (Block 1605/Lot 17)	Applicant(s): Representation:	Corner Farm, LLC Elliot Urdang, Esq.
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The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a restaurant and retail uses associated with an existing farm field on-site) at the subject property; the application was received October 2, 2014 and scheduled for the **November 19, 2014 (Special) Work Session.**

<b>Item #2</b>	<i>Submissions:</i> 10/9/14; 11/7/14 <i>Taxes:</i> 3 <sup>rd</sup> Quarter (2014) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> n/a <i>200' List:</i> n/a
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Case #Z-2014-17 59 West Street, 11 & 15 Van Sciver Street (Block 1104/Lots 15.02, 15.03 & 15.04)	Applicant(s): Representation:	Closter Assisted Living, LLC Elliot Urdang, Esq.
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The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing an assisted living facility) at the subject properties; the application was received October 9, 2014 and scheduled for the **November 19, 2014 (Special) Work Session.**

<b>Item #3</b>	<i>Submissions:</i> 10/23/14 <i>Taxes:</i> 3 <sup>rd</sup> Quarter (2014) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> n/a <i>200' List:</i> n/a
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Case #Z-2014-19 309 Closter Dock Road (Block 1701/Lot 1)	Applicant(s): Representation:	309 Closter Dock Road, LLC Matthew Capizzi, Esq.
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The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a delicatessen) at the subject property; the application was received October 23, 2014 and scheduled for the **November 19, 2014 (Special) Work Session.**

<b>Item #4</b>	<i>Submissions:</i> 6/13/14; 9/25/14; 10/20/14; 10/23/14 <i>Taxes:</i> 2 <sup>nd</sup> Quarter (2014) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> 11/7/14 <i>200' List:</i> 11/7/14
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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, rear porch, driveway expansion and front walkway expansion at the subject property; the application was received June 13, 2014 and scheduled for the July 16, 2014 (Special) Work Session; being the applicants failed to obtain a denial from the Zoning Officer, the case was postponed to the September 17, 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 **November 19, 2014 Meeting**.

## Item #5

*Submissions:* 9/4/14; 10/2/14  
*Taxes:* 3<sup>rd</sup> Quarter (2014)  
*Consecutive Postponements:* 1

*Newspaper:* 10/30/14  
*200' List:* 10/28/14

Case #Z-2014-15  
50 Harvey Street  
(Block 901/Lot 8)

Applicant(s): SRS05, LLC  
Representation: David Russo, Esq.

The applicant is seeking Bulk Variances for the construction of an addition, (4) cantilevers, balcony, front steps/landing and front walkway at the subject property; the application was received September 4, 2014 and scheduled for the September 17, 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 October 15, 2014 Meeting; being the applicant did not fulfill public noticing requirements, the case was postponed to the **November 19, 2014 Meeting**.

## Item #6

*Submissions:* 10/28/14  
*Taxes:* 3<sup>rd</sup> Quarter (2014)  
*Consecutive Postponements:* 0

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

Case #Z-2014-18  
147 Closter Dock Road  
(Block 1201/Lot 19)

Applicant(s): Hye Kyoung Ro  
Representation: David Watkins, Esq.

The applicant is seeking a Use Variance for the continuation of a 2-family use at the subject property; the application was received October 28, 2014 and scheduled for the **December 17, 2014 (Special) Work Session**.

## Item #7

*Submissions:* 11/12/14  
*Taxes:* 4<sup>th</sup> Quarter (2014)  
*Consecutive Postponements:* 0

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

Case #Z-2014-20  
260 Parsells Lane  
(Block 2305/Lot 12)

Applicant(s): Avraam & Morella Russo  
Representation: David Watkins, Esq.

The applicants are seeking a Bulk Variance for the as-built installation of a patio (on-grade), landscape wall, (2) statutes, water feature and front walkway enlargement at the subject property; the application was received November 12, 2014 and scheduled for the **December 17, 2014 (Special) Work Session**.

## Item #8

**Submissions:** 6/25/14; 10/14/14; 11/6/14  
**Taxes:** 2<sup>nd</sup> Quarter (2014)  
**Consecutive Postponements:** 0

**Newspaper:** Not Received  
**200' List:** Not Received

Case #Z-2014-11  
265 Demarest Avenue  
(Block 907/Lot 28)

Applicant(s): Dahyalal Gajera  
Representation: David Watkins, Esq.

The applicant is appealing the determination of the Zoning Officer as to the legality of the continuation of a 2-family use at the subject property; the application was received June 25, 2014 and scheduled for the August 20, 2014 (Special) Work Session; due to a scheduling conflict with the applicant's attorney, the case was postponed to the September 17, 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 November 19, 2014 Meeting; due to an error in noticing caused by the intended publication, the case was postponed to the **December 17, 2014 Meeting**.

## Item #9

**Submissions:** 9/2/14  
**Taxes:** 2<sup>nd</sup> Quarter (2014)  
**Consecutive Postponements:** 1

**Newspaper:** Not Received  
**200' List:** Not Received

Case #Z-2014-13  
22 Jane Street  
(Block 1712/Lot 6)

Applicant(s): Carolyn Bruno  
Representation: Richard Moreno

The applicant is seeking Bulk Variances for the as-built reconstruction of a deck at the subject property; the application was received September 2, 2014 and scheduled for the September 18, 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 November 19, 2014 Meeting; being the applicant did not fulfill public noticing requirements, the case was postponed to the **December 17, 2014 Meeting**.

## Item #10

**Submissions:** 9/3/14  
**Taxes:** Not Received  
**Consecutive Postponements:** 0

**Newspaper:** Not Received  
**200' List:** Not Received

Case #Z-2014-14  
49 John Street  
(Block 1203/Lot 5)

Applicant(s): James Crimmins  
Representation: Stuart Liebman, Esq.

The applicant is seeking a Use Variance and Site Plan Approval for the continuation of an existing contractor's yard operation at the subject property; NOTE #1: the applicant's initial attempt at ratification (Case #Z-2008-13) was approved by the Board, a decision upheld by the Superior Court of New Jersey (Law Division), but subsequently overturned by its Appellate Division; NOTE #2: the applicant's petition for certification by the Supreme Court of New Jersey was denied, resulting in a new Board application having distinction from the original; the application was received September 3, 2014 and scheduled for the October 15, 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 ***January 21, 2015 Meeting***.

## Item #11

**Submissions:** 5/22/14; 6/24/14; 7/3/14; 7/7/14; 7/31/14; 8/19/14; **Newspaper:** 7/5/14  
 9/4/14; 9/5/14; 9/10/14 **200' List:** 7/2/14  
**Taxes:** 3<sup>rd</sup> Quarter (2014)  
**Consecutive Postponements:** 0

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, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the July 16, 2014 Meeting; due to the Board's heavy caseload, the application was postponed to the August 20, 2014 Meeting; the applicant's engineer and architect completed initial testimony and the case was adjourned, pending the Board's receipt of requested items, to the September 17, 2014 Meeting; the application (Use Variance portion) was denied by the Board, negating its vote on Site Plan Approval; ***awaiting prepared Resolution by Board Attorney to memorialize.***

## Item #12

**Submissions:** 5/28/14; 6/24/14; 11/5/14 **Newspaper:** 10/3/14  
**Taxes:** 3<sup>rd</sup> Quarter (2014) **200' List:** 10/3/14  
**Consecutive Postponements:** 2

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, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the July 16, 2014 Meeting; being the applicant did not fulfill public noticing requirements, the case was postponed to the September 17, 2014 Meeting and, again, to the October 15, 2014 Meeting; the application was approved by the Board; ***awaiting prepared Resolution by Board Attorney to memorialize.***

## Item #13

**Submissions:** 8/27/14; 9/18/14; 10/3/14  
**Taxes:** 3<sup>rd</sup> Quarter (2014)  
**Consecutive Postponements:** 0

**Newspaper:** 10/3/14  
**200' List:** 10/3/14

Case #Z-2014-12  
51 Railroad Avenue  
(Block 1206/Lot 18)

Applicant(s): Northern Valley Baseball Academy  
Representation: David Watkins, Esq.

The applicant is appealing the determination of the Zoning Officer as to the tenancy of a baseball clinic at the subject property; in the alternative, it would seek a Use Variance and Site Plan Approval; the application was received August 27, 2014 and scheduled for the September 18, 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 October 15, 2014 Meeting; the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**



**Zoning Board of Adjustment**  
**\*\*\*SPECIAL\*\*\***  
**Work Session**  
**(Agenda)**

Wednesday, November 19, 2014 @ 7:30pm

- .....
- A. Attendance;
- B. Caseload: Item #'s 1 - 3 (see below);
- .....

**Item #1**

Case #Z-2014-16	Applicant(s):	Corner Farm, LLC
515 Piermont Road	Representation:	Elliot Urdang, Esq.
(Block 1605/Lot 17)		

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a restaurant and retail uses associated with an existing farm field on-site) at the subject property; the application was received October 2, 2014 and scheduled for the **November 19, 2014 (Special) Work Session.**

**Item #2**

Case #Z-2014-17	Applicant(s):	Closter Assisted Living, LLC
59 West Street, 11 & 15 Van Sciver Street	Representation:	Elliot Urdang, Esq.
(Block 1104/Lots 15.02, 15.03 & 15.04)		

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing an assisted living facility) at the subject properties; the application was received October 9, 2014 and scheduled for the **November 19, 2014 (Special) Work Session.**

**Item #3**

Case #Z-2014-19	Applicant(s):	309 Closter Dock Road, LLC
309 Closter Dock Road	Representation:	Matthew Capizzi, Esq.
(Block 1701/Lot 1)		

The applicant is seeking a Use Variance and Site Plan Approval for the construction of a new building (containing a delicatessen) at the subject property; the application was received October 23, 2014 and scheduled for the **November 19, 2014 (Special) Work Session**.