



Zoning Board of Adjustment

February 18, 2015

Work Session @ 7:30 pm

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Meeting @ 8:00 pm

Agenda

- A.) Opening Remarks;
- B.) Pledge of Allegiance;
- C.) Attendance;
- D.) Correspondence: January 22, 2015 - February 18, 2015;
- E.) Approval of Minutes: January 21, 2015 Meeting;
- F.) Subcommittee Assignments: February 25, 2015 Work Session;
- G.) Open to the Public;
- H.) Caseload: Item #'s 1 - 13 (see below);
- I.) Memorialization of Resolution(s): *Case #Z-2014-09 (421 & 437-439 Durie Avenue/Asfarjani & Kiarash);*
Case #Z-2014-20 (260 Parsells Lane/Russo);
- J.) Miscellaneous: Land Use Board Mandatory Training Program
(Saturday, April 18, 2015/8:15am - 1:15pm);
- K.) Adjournment of Meeting;

Item #1	<i>Submissions:</i> 12/19/14; 2/5/15; 2/9/15 <i>Taxes:</i> 1 st Quarter (2015) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> n/a <i>200' List:</i> n/a
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Case #Z-2014-24 181 Herbert Avenue (Block 1501/Lot 13)	Applicant(s): Representation:	Joseph & Mary Ceccon Thomas Izzard, Esq.
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The applicants are appealing the determination of the Zoning Officer as to the legality of the continuation of a 2-family use at the subject property; in the alternative, they would seek a Use Variance; the application was received December 19, 2014 and scheduled for the **February 18, 2015 (Special) Work Session.**

Item #2	<i>Submissions:</i> 1/5/15 <i>Taxes:</i> 4 th Quarter (2014) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> n/a <i>200' List:</i> n/a
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Case #Z-2015-01 22 Garry Road (Block 2004/Lot 38)	Applicant(s): Representation:	Richard Hochron David Watkins, Esq.
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The applicant is seeking a Bulk Variance for the installation of a swimming pool (in-ground), patio (on-grade), rear steps and rear walkway at the subject property; the application was received January 5, 2015 and scheduled for the **February 18, 2015 (Special) Work Session.**

Item #3	<i>Submissions:</i> 10/23/14; 1/9/15; 2/5/15 <i>Taxes:</i> 4 th Quarter (2014) <i>Consecutive Postponements:</i> 0	<i>Newspaper:</i> 2/3/15 <i>200' List:</i> Not Received
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Case #Z-2014-19 309 Closter Dock Road (Block 1701/Lot 1)	Applicant(s): Representation:	309 Closter Dock Road, 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 delicatessen) at the subject property; the application was received October 23, 2014 and scheduled for the November 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 December 17, 2014 Meeting; due to both unforeseen site conditions resulting in a redesign and a change in the applicant's legal counsel, the case was rescheduled, so to be perfected again, for the January 21, 2015 (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 **February 18, 2015 Meeting.**

Item #4

Submissions: 10/9/14; 11/7/14; 12/8/14; 1/23/15
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: 2/3/15
200' List: 2/2/15

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.

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, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the December 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 ***February 18, 2015 Meeting.***

Item #5

Submissions: 10/2/14; 12/8/14; 1/14/15
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: 1/5/15
200' List: 1/5/15

Case #Z-2014-16
515 Piermont Road
(Block 1605/Lot 17)

Applicant(s):
Representation:

The Corner Farm, LLC
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 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, 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; the applicant's engineer completed direct and cross-examinations, and the case was adjourned to the ***February 18, 2015 Meeting.***

Item #6

Submissions: 12/5/14
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: 2/2/15
200' List: 1/26/15

Case #Z-2014-21
59 Trautwein Crescent
(Block 1606/Lot 5)

Applicant(s):
Representation:

Manuel & Connie Borja
Selves

The applicants are seeking a Bulk Variance for the as-built conversion of a deck to a patio (raised) at the subject property; the application was received December 5, 2014 and scheduled for the January 21, 2015 (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 ***February 25, 2015 (Special) Meeting.***

Item #7

Submissions: 12/9/14
Taxes: 1st Quarter (2015)
Consecutive Postponements: 0

Newspaper: Not Received
200' List: Not Received

Case #Z-2014-22
45 Walker Avenue
(Block 2206/Lot 2)

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

The applicant is seeking a Bulk Variance for an as-built patio (on-grade) expansion and fire pit installation at the subject property; the application was received December 9, 2014 and scheduled for the January 21, 2015 (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 **February 25, 2015 (Special) Meeting.**

Item #8

Submissions: 12/17/14
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: Not Received
200' List: Not Received

Case #Z-2014-23
38 Demarest Avenue
(Block 513/Lot 1)

Applicant(s): Ronald Goldenberg
Representation: David Watkins, Esq.

The applicant is seeking Bulk Variances and a Design Waiver for the installation of a swimming pool (in-ground) and patio (on-grade) at the subject property; the application was received December 17, 2014 and scheduled for the January 21, 2015 (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 **February 25, 2015 (Special) Meeting.**

Item #9

Submissions: 6/25/14; 10/14/14; 11/6/14
Taxes: 4th Quarter (2014)
Consecutive Postponements: 1

Newspaper: 12/5/14
200' List: 12/5/14

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 newspaper publisher, the case was postponed to the December 17, 2014 Meeting; being the applicant intends to both seek a Use Variance in the alternative and retain a planner, the case was postponed to the **February 25, 2015 (Special) 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 a 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; due to the Board's heavy caseload, the application was postponed to the February 18, 2015 Meeting, and again, to the **March 18, 2015 Meeting.**

Item #11

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

Newspaper: Not Received
200' List: Not Received

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, 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 18, 2015 Meeting.**

Item #12

Submissions: 6/13/14; 6/25/14; 9/5/14; 10/15/14; 1/2/15; 2/9/15
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: 9/2/14; 1/9/15
200' List: 9/5/14; 1/9/15

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 (creating 4 lots in total); **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, at which time, it was perfected; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the September 18, 2014 (Special) Meeting; the Use Variance and *Preliminary* Major Subdivision portions of the application were approved by the Board, and a corresponding Resolution was memorialized at the October 15, 2014 Meeting; pending the Board's receipt of requested items and public *re-noticing* requirements with respect to *Final* Major Subdivision Approval, the application was scheduled for the January 21, 2015 Meeting; the *Final* Major Subdivision portion of the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**

Item #13

Submissions: 11/12/14; 2/9/15
Taxes: 4th Quarter (2014)
Consecutive Postponements: 0

Newspaper: 1/9/15
200' List: 1/9/15

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) statues, 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, 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; the application was approved by the Board; **awaiting prepared Resolution by Board Attorney to memorialize.**