



Zoning Board of Adjustment

October 21, 2015

Work Session @ 7:30 pm

&

Meeting @ 8:00 pm

Agenda

- A.) Opening Remarks;
- B.) Pledge of Allegiance;
- C.) Attendance;
- D.) Correspondence: September 17, 2015 - October 21, 2015;
- E.) Approval of Minutes: September 16, 2015 Meeting;
- F.) Subcommittee Assignments: October 28, 2015 Work Session- **CANCELLED**;
- G.) Open to the Public;
- H.) Caseload: Item #'s 1 - 6 (see below);
- I.) Memorialization of Resolution(s): *Case #Z-2014-11 (265 Demarest Avenue/Gajera)*;
- J.) Miscellaneous;
- K.) Adjournment of Meeting;

Item #1

Submissions: 10/5/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 0

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

Case #Z-2015-05
511 Durie Avenue
(Block 1316/Lot 9)

Applicant(s):
Representation:

Five Eleven Durie Avenue, LLC
David Watkins, Esq.

The applicant is seeking a Use Variance and Site Plan Approval for the conversion of an abandoned public school (formerly Village Middle School) to 33 condominiums (market rate) at the subject property; the application was received October 5, 2015 and scheduled for the **October 21, 2015 (Special) Work Session.**

Item #2

Submissions: 10/8/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 0

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

Case #Z-2015-06
8 Wainwright Court
(Block 2208/Lot 12)

Applicant(s):
Representation:

John Yuder & Julie Nee-Yuder
David Watkins, Esq.

The applicants are seeking Amendment Approval for the as-built construction of an in-ground swimming pool (spa and waterfall inclusive) and patio (on-grade) at the subject property; **NOTE:** the applicants originally obtained Bulk Variances for said project via Case #Z-2011-04; the application was received October 8, 2015 and scheduled for the **October 21, 2015 (Special) Work Session.**

Item #3

Submissions: 5/1/15; 6/1/15; 6/10/15; 10/2/15; 10/9/15
Taxes: 2nd Quarter (2015)
Consecutive Postponements: 0

Newspaper: 10/5/15
200' List: 10/1/15

Case #Z-2015-04
596 High Street
(Block 1707/Lot 2)

Applicant(s):
Representation:

Nami Properties, LLC
Michael Song, Esq.

The applicant is seeking Bulk Variances for the construction of a new 1-family house at the subject property; the application was received May 1, 2015 and scheduled for the May 20, 2015 (Special) Work Session, at which time, it was deemed incomplete; pending the Subcommittee's receipt of requested items, the application was rescheduled for the June 17, 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 July 15, 2015 Meeting; being the applicant did not fulfill public noticing requirements, the case was postponed to the August 19, 2015 Meeting; due to unforeseen site conditions resulting in a potential redesign, the case was postponed to the September 16, 2015 Meeting and, again, to the **October 21, 2015 Meeting.**

Item #4

Submissions: 10/28/14
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 1

Newspaper: 4/3/15; 8/7/15
200' List: 4/2/15; 8/7/15

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; due to the Board's heavy caseload, the application was postponed to the April 15, 2015 Meeting; due to reasons not specified by the applicant's attorney, the case was postponed to the May 27, 2015 (Special) Meeting; due to the unavailability of the applicant's attorney, the case was postponed, pending the Board's receipt of public *re-noticing* requirements, to the July 15, 2015 Meeting; due to the Board's heavy caseload, the application was postponed, pending the Board's receipt of public *re-noticing* requirements, to the August 19, 2015 Meeting and, again, to the September 16, 2015 Meeting; being the applicant's attorney requested additional time to adjust legal strategies, the case was postponed to the **October 21, 2015 Meeting**.

Item #5

Submissions: 10/9/14; 11/7/14; 12/8/14; 1/23/15; 3/11/15; 4/14/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 3

Newspaper: 2/3/15; 5/8/15
200' List: 2/2/15; 5/8/15

Case #Z-2014-17
59 West Street, 11 & 15 Van Sciver Street
(Block 1104/Lots 15.02, 15.03 & 15.04)

Applicant(s): Closter Assisted Living, LLC
Representation: David Watkins, 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; the applicant (via 10% owner of 1 of 4 principals forming entity) completed initial testimony and the case was adjourned, with no items required, to the March 25, 2015 (Special) Meeting; the applicant's engineer completed initial testimony and the case was adjourned, with no items required, to the April 22, 2015 (Special) Meeting; due to a pending determination by the New Jersey Department of Environmental Protection relating to wetlands on-site, the application was postponed, pending the Board's receipt of public *re-noticing* requirements, to the May 20, 2015 Meeting; the applicant's architect completed initial testimony and the case was adjourned, with no items required, to the June 17, 2015 Meeting; the applicant's planner completed initial testimony and the case was adjourned, with no items required, to the July 15, 2015 Meeting; both the applicant's planner and applicant (via 10% owner of 1 of 4 principals forming entity) completed additional testimony and the case was adjourned, with no items required, to the August 19,

2015 Meeting; due to a potential redesign, the application was postponed to the September 16, 2015 Meeting and, again, to the October 21, 2015 Meeting; due to a change in legal counsel, the application was postponed to the ***November 18 2015, Meeting.***

Item #6

Submissions: 6/25/14; 10/14/14; 11/6/14; 2/24/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 0

Newspaper: 12/5/14; 2/13/15; 5/15/15; 8/7/15
200' List: 12/5/14; 2/12/15; 5/15/15; 8/7/15

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; being the applicant's attorney requested further review of Borough records on the subject property, the case was postponed, pending the Board's receipt of public *re-noticing* requirements, to the April 15, 2015 Meeting; due to reasons not specified by the applicant's attorney, the case was postponed to the May 27, 2015 (Special) Meeting; due to the unavailability of the applicant's attorney, the case was postponed to the July 15, 2015 Meeting; due to the Board's heavy caseload, the application was postponed, pending the Board's receipt of public *re-noticing* requirements, to the August 19, 2015 Meeting and, again, to the September 16, 2015 Meeting; the applicant withdrew his appeal of the determination by the Zoning Officer, and the application was approved by the Board (via Use Variance); ***awaiting prepared Resolution by Board Attorney to memorialize.***