Zoning Board of Adjustment

September 16, 2015

Meeting @ 8:00 pm

Agenda

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A.)	Opening Remarks;	
B.)	Pledge of Allegiance;	
C.)	Oath of Office:	*RICHARD DALY* (Appointed as Full Member <West>); *Existing 4-Year Term Expires: December 31, 2016*;
D.)	Attendance;	
E.)	Correspondence:	August 20, 2015 - September 16, 2015;
F.)	Approval of Minutes:	August 19, 2015 Meeting;
G.)	Subcommittee Assignments:	September 23, 2015 Work Session- **CANCELLED**;
H.)	Open to the Public;	
I.)	Caseload:	Item #'s 1 - 5 (see below);
J.)	Memorialization of Resolution(s):	*Case #Z-2014-14 (49 John Street/Crimmins)*;
K.)	Miscellaneous:	Land Use Board Mandatory Training Program- (Sunday, September 27, 2015/Morning);
L.)	Adjournment of Meeting;	

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Item #1

Submissions: 6/25/14; 10/14/14; 11/6/14; 2/24/15
Taxes: 2nd 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***.

Item #2

Submissions: 10/28/14
Taxes: 1st Quarter (2015)
Consecutive Postponements: 0

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***.

Item #3

Submissions: 10/9/14; 11/7/14; 12/8/14; 1/23/15; 3/11/15; 4/14/15 5/28/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 2
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: 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; 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, pending the Board's receipt of public *re-noticing* requirements, to the ***October 21, 2015 Meeting***.

Item #4

Submissions: 5/1/15; 6/1/15; 6/10/15
Taxes: 2nd Quarter (2015)
Consecutive Postponements: 3
Newspaper: Not Received
200' List: Not Received

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

Applicant(s): Nami Properties, LLC
Representation: 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 #5

Submissions: 9/3/14; 3/25/15
Taxes: 3rd Quarter (2015)
Consecutive Postponements: 0

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

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, March 18, 2015 Meeting and, again, to the April 15, 2015 Meeting; the applicant's planner completed initial testimony and the case was adjourned, with no items required, to the May 20, 2015 Meeting; due to a scheduling conflict with the applicant's attorney, the case was postponed to the June 17, 2015 Meeting; due to recent feedback from the Governing Body to the applicant that it would consider re-zoning the area in which the subject property lies, the application was postponed (so to evaluate the ramifications of such action), 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 to the August 19, 2015 Meeting; the application was denied by the Board; ***awaiting prepared Resolution by Board Attorney to memorialize***.