



Zoning Board of Adjustment

September 21, 2016

Meeting
(Minutes)

Prepared by:

Paul Demarest

◇ **OPENING REMARKS** (Commenced at 8:20pm) ◇

◇ **PLEDGE OF ALLEGIANCE** ◇

◇ **ATTENDANCE** ◇

Present

Joseph Bianco, RA/PP- Chairman
Mitchell Monaco- Vice Chairman
Thomas Hennessey- Secretary
Dharamraj Baboo
Evan Elias
Antranig Ouzoonian, PE- Alternate #1
Phillip Kwon, Esq.- Alternate #4
Jannie Chung- Council Liaison
Daniel Steinhagen, Esq.- Board Attorney
Jeffrey Morris, PE- Board Engineer
Paul Demarest- Board Coordinator

Absent

Heena Dhorajia, EIT
Richard Daly
Joan Marks- Alternate #2
Mindy Rothbaum- Alternate #3
Leonard Sinowitz- Zoning Officer

◇ **CORRESPONDENCE** ◇

Secretary Hennessey read mail received by the Land Use Department into the record.

◇ **MINUTES** ◇

A motion was made by Mr. Elias and seconded by Mr. Ouzoonian, to approve the minutes for the August 17, 2016 Meeting. The motion passed (6-0-0):

YES- Kwon/Ouzoonian/Elias/Baboo/Hennessey/Bianco;

NO- n/a;

ABSTAIN- n/a;

LATE ARRIVAL- Monaco;

◇ **SUBCOMMITTEE ASSIGNMENTS** ◇

September 28, 2016 Work Session: ***CANCELLED***;

◇ **MISCELLANEOUS** ◇

Chairman Bianco said the Board should have a subcommittee convene to assist Mr. Steinhagen in drafting the 2015 Annual Report to both the Governing Body and Planning Board; he reminded that last year the Board adopted a merged Report for the calendar years 2013 and 2014. Mr. Demarest stated he had already prepared and distributed the disposition list of the Board's caseload for 2015. Chairman Bianco asked that those Board members who could volunteer for the subcommittee should contact Mr. Demarest.

◇ OPEN TO THE PUBLIC ◇

n/a;

◇ MEMORIALIZATION OF RESOLUTION(S) ◇

A motion was made by Secretary Hennessey and seconded by Mr. Elias, to memorialize the Resolution for Case #Z-2016-04 (27 Brook Street/Strouth & Mahmarian-Strouth). The motion passed (4-0-0):

YES- Elias/Baboo/Hennessey/Bianco;

NO- n/a;

ABSTAIN- n/a;

LATE ARRIVAL- Monaco;

A motion was made by Secretary Hennessey and seconded by Mr. Baboo, to memorialize the Resolution for Case #Z-2016-05 (20 Ryerson Place/Vinson). The motion passed (4-0-0):

YES- Elias/Baboo/Hennessey/Bianco;

NO- n/a;

ABSTAIN- n/a;

LATE ARRIVAL- Monaco;

A motion was made by Secretary Hennessey and seconded by Mr. Elias, to memorialize the Resolution for Case #Z-2016-06 (40 Chestnut Avenue/Khorozian). The motion passed (4-0-0):

YES- Elias/Baboo/Hennessey/Bianco;

NO- n/a;

ABSTAIN- n/a;

LATE ARRIVAL- Monaco;

◇ CASELOAD ◇

<p>Case #Z-2016-07 CrossFit Steam 2, LLC 81 Ruckman Road (Block 1501/Lot 4.01) District #5- Industrial</p>

Case History

The applicant is seeking a Use Variance and Site Plan Approval for the tenancy by a fitness center/health club at the subject property; the application was received August 5, 2016 and scheduled for the August 17, 2016 (Special) Work Session, at which time, it was deemed

complete; pending the Board's receipt of requested items and public noticing requirements, the application was scheduled for the September 21, 2016 Meeting.

Representation

1.) David Watkins, Esq., 285 Closter Dock Road, Closter, New Jersey;

Witnesses

#1: Michael Hubschman, PE, Hubschman Engineering, PA, 263(A) South Washington Avenue, Bergenfield, New Jersey;

#2: Roger De Niscia, PP, 347 Upper Mountain Avenue, Montclair, New Jersey;

#3: Eugene Camali, 21 Birchwood Road, Old Tappan, New Jersey;

Exhibits

A-1: 6 photographs depicting existing conditions of subject property, prepared by Witness #2 and undated;

A-2: pre-filed architectural (conceptual only) prepared by De Graw & De Haan Architects Co. (uncredited), deciphering which portion of subject floor area is to be occupied by applicant and dated August 18, 2016;

A-3: colorized version of pre-filed site plan prepared by Witness #1 and dated June 18, 2016;

A-4: aerial map depicting subject property and surrounding neighborhood, prepared by Witness #1 and dated September 21, 2016;

Relief Sought

1.) Use Variance: fitness center/health club is not permitted in District #5;

2.) Site Plan Approval-

a.) Bulk Variance: front yard setback (50' minimum required/42' provided);

b.) Bulk Variance: impervious coverage (75% maximum allowed/76.04% provided);

c.) Bulk Variance: green space (25% minimum required/23.96% provided);

d.) Bulk Variance: buffer zone around perimeter of building (5' minimum required/0' provided);

e.) Design Waiver: parking space dimensions (9'x20' required/9'x18' provided);

f.) Design Waiver: parking space area (180' required/162 sf provided);

Response to Prior Board and/or Subcommittee Requests

n/a;

New Board Requests

n/a;

Public Questions

1.) Eugene Camali, 21 Birchwood Road, Old Tappan, New Jersey;

Public Comments

1.) Eugene Camali, 21 Birchwood Road, Old Tappan, New Jersey;

Decision

A motion was made by Secretary Hennessey and seconded by Mr. Ouzoonian, to approve the application (both Use Variance and Site Plan Review). The motion passed (6-0-0):

YES- Kwon/Ouzoonian/Elias/Baboo/Hennessey/Bianco;

NO- n/a;

ABSTAIN- n/a;
LATE ARRIVAL- Monaco;

Conditions

- 1.) ensure no activities related to proposed establishment are conducted outside of subject building;

◇ CLOSED SESSION ◇

A motion was made by Mr. Baboo and seconded by Mr. Elias, to have the Board go into closed session at 9:48pm. The motion passed by acclamation.

Chairman Bianco reopened the meeting to the public at 10:18pm.

Due to the topic(s) discussed, the minutes for this closed session will be released upon the resolution of said matter(s).

◇ ADJOURNMENT OF MEETING ◇

A motion was made by Secretary Hennessey and seconded by Vice Chairman Monaco, to have the Board adjourn at 10:19pm. The motion passed by acclamation.
