

**MINUTES
OF
THE NEWARK BOARD OF ADJUSTMENT
REGULAR HEARING
JUNE 22, 2017
COUNCIL CHAMBERS
7PM**

The meeting was called to order at 7:08 PM by the Chairman with the reading of the Open Public Meetings Act

Roll Call

Request for Withdrawals or Adjournments 7:10 PM

Commissioners Present

Katiria Cobian
Barry Dobson
Charles N. Hall
Terry Pringle-Khalif
Rose Marie Ruivo
Terence Baine, Vice Chairman
Charles Auffant, Chairman

Commissioners Absent

Wesley Jenkins
Julius Montford

Also Present

Susan Brown, Zoning Officer
Angelo Cifelli Jr., Esq., Board Attorney
Gerard Haizel, P.P, AICP, Planning Consultant
John Barree, P.P, AICP, Planning Consultant
Maria Hernandez, Recording Secretary
Nana Jumah, Acting Board Secretary

Agenda Items

New Applications:

Application: ZBA-16-72
Premises: 483-491 Washington Street
Ward: Central
Applicant: Sawab Shabazz

To Permit: In the Lincoln Park Redevelopment Plan Area Mixed Level Sub-district, proposed renovation of a vacant homeless shelter to be used as a house of worship on the first floor and community center on the second floor. A house of worship is not permitted on the first floor in the Mixed Level Sub-district. **Seeking a D¹ Use Variance; C Variance for insufficient off-street parking. Preliminary and Final Site Plan approval required. Stacy Santola, Esq., the applicant's attorney, Sawab Shabazz, the President of Masjid Rahmah, and Ashraf M. Ragab, the Architect, appeared before the Board. There were no objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Pringle-Khalif to approve preliminary site plan only with conditions. Motion carried 7-0.**

- **Applicant agreed to comply with the Department of Engineering and the Division of Water/Sewer Utilities to satisfy their recommendations.**

Application: ZBA-17-29
Premises: 1234-1240 McCarter Highway
Ward: Central
Applicant: Thomas Patterson for PSEG

To Permit: In the Newark Riverfront Redevelopment Plan Area, Lower Broadway Mixed Use 3 Sub district, proposed upgrade and expansion of the existing PSEG Clay Street substation to include a three story Gas Insulated Switchgear building, three transformers and electrical process equipment. Project does not conform to zoning bulk regulations. **Seeking a D² Variance for expansion of non-conforming use; C Variances for excessive front yard setback on Clay Street and McCarter Highway, excessive side yard setback on McCarter Highway, insufficient building transparency, insufficient ground floor transparency, insufficient building façade and street setback ratio, insufficient impervious coverage, insufficient on-site trees, insufficient shade trees, insufficient street trees, to permit decorative steel fence with spikes, exceeding maximum number of driveways. Preliminary and Final Site Plan approval is required. Glenn C. Kienz, Esq., the applicant's attorney, Randolph Koncelik, the Project Manager, Steven P. Hanson, the Civil Engineer, Nicholas Ginther, the Landscaping Architect, Kyle King, the Electrical Engineer, and John Mele, the Planner, appeared before the Board. There were three objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Ruivo to approve this application and preliminary site plan only with conditions. Motion carried 6-0.**

- Applicant agreed to work in conjunction with the Department of Engineering and the Division of Water/Sewer Utilities to satisfy their recommendations.
- Applicant agreed to comply with the comments outlined in the Planner's Staff Report dated June 19, 2017.
- Applicant agreed to work in conjunction with the Office of Planning to do the following:
 - a) incorporate landscaping along the property's fence and minor architectural renovations to beautify the overall appearance of the building.
 - b) use black goose neck lighting fixtures as a lighting alternative
 - c) to use an alternative gate at the equipment egress rather than the proposed roll up gate
- Applicant agreed to work with the Department of Engineering to find an alternative to the proposed 60 foot monopoles
- Applicant agreed to inquire whether their project will interfere with the neighboring park's development.

Memorialization [10:31 PM](#)

ZBA-17-1	99-101 Pulaski Street
ZBA-17-9	176-192 McClellan Street
ZBA-17-10	145 Thomas Street
ZBA-17-13	66-72 Dr. Martin Luther King Boulevard
ZBA-17-22	167 Lafayette Street

Adjournment [10:34 PM](#)

Next Regular Meeting: July 13, 2017