

**MINUTES  
OF  
THE NEWARK BOARD OF ADJUSTMENT  
REGULAR HEARING  
MARCH 09, 2017  
COUNCIL CHAMBERS  
7PM**

The meeting was called to order at 7:25 PM by the Acting Chairman with the reading of the Open Public Meetings Act

Roll Call

Request for Withdrawals or Adjournments: 7:29 PM

Commissioners Present

Katiria Cobian  
Barry Dobson  
Charles N. Hall  
Julius Montford  
Terry Pringle-Khalif  
Terence Baine, Acting Chairman

Commissioners Absent

Charles Auffant  
Wesley Jenkins  
Rose Marie Ruivo

Also Present

Mark Barksdale, Director of Planning  
Susan Brown, Zoning Officer  
Angelo Cifelli, Board Attorney  
Gerard Haizel, Planning Consultant  
Maria Hernandez, Recording Secretary  
Nana Jumah, Acting Board Secretary

## Agenda Items

### Pending Applications:

Application: ZBA-16-70  
Premises: 650-656 Springfield Avenue  
Ward: South  
Applicant: 650-656 Springfield Avenue, LLC  
To Permit: In the Kent/Brenner/Springfield Redevelopment Area, Residential and MUCR sub-districts, proposed realignment and merger of 18 lots to become two lots. Demolition of a three story dwelling and construction of a four story building consisting of 59 residential units and 28 surface parking spaces on one lot; and construction of a five story apartment building consisting of 56 residential housing units and 30 ground floor parking spaces on second lot. Mid-rise apartment buildings are not permitted in Residential or MUCR sub-district. **Seeking a D<sup>1</sup> Use Variance, D Variance for exceeding permitted height; C Variances for insufficient front yard setback, insufficient lot area per dwelling, insufficient number of off-street parking spaces. Preliminary and Final Site Plan approval required Lisa H. Richardson, Esq., Jennifer Palermo, R.A, Andrew Jafolla, Traffic Engineer, Charles Heydt, Senior Planner, Alberto Goncalves, Manager of 650-656 Springfield LLC., appeared before the Board. There were no objectors present. A motion was made by Commissioner Montford and seconded by Commissioner Hall to approve this application with conditions. Motion carried 6-0.**

- Applicant agreed to comply with the comments outlined in the Planner's Staff Report dated January 16, 2017.
- Applicant agreed to comply with the directives from the Dept. of Engineering and the Div. of Water/Sewer Utilities.

### New Applications:

Application: ZBA-16-64  
Premises: 217-221 Fairmount Avenue  
Ward: West  
Applicant: Calvin W. Souder, Esq./City of Newark  
To Permit: In the R3 Third Residential District, proposed minor subdivision and (2) three story 3 family dwellings and 4 parking spaces. Project does not conform to Zoning bulk regulations. **D<sup>5</sup> Variance for insufficient lot area per dwelling; C Variances for insufficient lot size, insufficient lot width, excessive front yard impervious coverage, insufficient front yard trees, insufficient shade trees and excessive fence height. Subdivision approval required. Preliminary and Final Site Plan Approval required. Attorney Calvin Souder appeared before the Board to request an adjournment due to having deficient notices. This application was adjourned to April 27, 2017.**

Application: ZBA-16-65

Premises: 224 Fairmount Avenue

Ward: West

Applicant: Calvin W. Souder, Esq./City of Newark

To Permit: In the R3, Third Residential District, proposed three family dwelling and two parking spaces. Project does not conform to Zoning bulk regulations. **D<sup>5</sup> Variance for insufficient lot area per dwelling; C Variances for insufficient lot size, insufficient lot width, insufficient off-street parking, insufficient front yard trees, insufficient shade trees and excessive fence height. Preliminary and Final Site Plan Approval required. Attorney Calvin Souder appeared before the Board to request an adjournment due to having deficient notices. This application was adjourned to April 27, 2017.**

Application: ZBA-16-66

Premises: 227-229 Fairmount Avenue

Ward: West

Applicant: Calvin W. Souder, Esq./City of Newark

To Permit: In the R3 Third Residential District, proposed minor subdivision and (2) three story 3 family dwellings and 4 parking spaces. Project does not conform to Zoning bulk regulations. **D<sup>5</sup> Variance for insufficient lot area per dwelling; C Variances for insufficient lot size, insufficient lot width, excessive front yard impervious coverage, insufficient front yard trees, insufficient shade trees and excessive fence height. Subdivision approval required. Preliminary and Final Site Plan Approval required. Attorney Calvin Souder appeared before the Board to request an adjournment due to having deficient notices. This application was adjourned to April 27, 2017.**

Application: ZBA-16-67

Premises: 228 Fairmount Avenue

Ward: West

Applicant: Calvin W. Souder, Esq./City of Newark

To Permit: In the R3 Third Residential District, three family dwelling and two parking spaces. Project does not conform to Zoning bulk regulations. **D<sup>5</sup> Variance for insufficient lot area per dwelling; C Variances for insufficient lot size, insufficient lot width, insufficient off-street parking, insufficient front yard trees, insufficient shade trees and excessive fence height. Preliminary and Final Site Plan Approval required. Attorney Calvin Souder appeared before the Board to request an adjournment due to having deficient notices. This application was adjourned to April 27, 2017.**

Application: ZBA-16-82  
Premises: 66-68 Blanchard Street  
Ward: East  
Applicant: Northeastern ITS, LLC  
To Permit: In the I3, Third Industrial zone, proposed installation of wireless telecommunication tower including antenna equipment within an enclosure. Proposed wireless telecommunication tower does not conform to conditional use requirements. **Seeking D<sup>3</sup> Variance for failing to meet conditional use requirements; C Variance for exceeding maximum building height and to permit the proposed structure installation that is not camouflaged. Preliminary and Final Site Plan approval required. Gregory Meese, Esq., Gary Clower, Senior Engineer, Aaron Marsh, Vice President of Northeastern ITS, LLC, Gary Hartman, Radio Frequency Engineer, David Karlebach, Planner and Alison Gulino, Court Recorder, appeared before the Board. There were no objectors present. A motion was made by Commissioner Cobian and seconded by Commissioner Montford to approve this application. Motion carried 6-0.**

- Applicant agreed to comply with the comments outlined in the Planner's Staff Report dated March 2, 2017.

**Memorialization [9:17 PM](#)**

ZBA-16-27 353 Elm Street  
ZBA-16-1 472-482 Bloomfield Avenue  
ZBA-16-69 548 Springfield Avenue

**Adjournment [9:20 PM](#)**

**Next Special Hearing: March 16, 2017**

**Next Regular Meeting: March 23, 2017**