

**MINUTES  
OF  
THE NEWARK BOARD OF ADJUSTMENT  
REGULAR HEARING  
MARCH 13, 2014  
COUNCIL CHAMBERS  
7PM**

**CHAIRPERSON MARGARET EL CALLED TO ORDER THE MEETING OF THE BOARD OF ADJUSTMENT BY READING THE "OPEN PUBLIC MEETING ACT".**

**ROLL CALL OF COMMISSIONERS:**

**PRESENT**

**Terence Baine  
Osvaldo Geronimo  
Anton L. Lendor  
Julius Montford  
Rose Marie Ruivo  
Malik Arbubakrr  
Margaret J. El**

**ALSO PRESENT**

**Ade Afolabi, Zoning Officer  
N'dela Costley, Acting Board Secretary  
Walford Ennis, Recording Secretary  
Angelo Cifelli, Board Attorney**

**NOT PRESENT**

**Charles Auffant  
Pedro Massieu**

New Applications:

4-14-A                      Ward: South  
PREMISES:                1143-1145 Bergen Street  
APPLICANT:              Sigmond Daughety  
TO PERMIT:              In the First Residential District, proposed addition and interior alterations to an existing single family to be converted into a two family dwelling. Two family dwelling are not permitted in R1 District. **Seeking Use Variance; D; C Variance for insufficient lot width and insufficient rear yard setback. Due to a deficient notice, the application could not be heard. A motion was made by Commissioner Geronimo and seconded by Commissioner Baine to postpone the application to March 27, 2014.**

4-14-B                      Ward: South  
PREMISES:                2-12 Renner Avenue AKA 555 Elizabeth Avenue  
APPLICANT:              Heritage Estates, LLC  
TO PERMIT:              In the Fourth Residential District, proposed change of use and conversion of a vacant child care center into three commercial/retail units and a tenants lounge on the first floor of the existing 246 unit senior apartment building. Expansion of legal non-conforming structure is prohibited. Commercial/Retail is not a permitted use in residential districts. **Seeking D Variances for non-permitted use and expansion of a legal non-conforming structure. C Variances for no on-site parking for commercial units, insufficient side yard and insufficient rear yard. Preliminary Site Plan approval required. Lisa Richardson, Esq., John Saracco, Architect and Jennie Williams, Property Manager appeared before the Board. There were no objectors present. A motion was made by Commissioner Montford and seconded by Commissioner Geronimo to approve this application with conditions. Motion carried 7-0. Preliminary and Final Site Plan approved 7-0.**

- Applicant agreed to comply with the directives from the Dept. of Engineering and the Div. of Water/Sewer Utilities.
- Applicant agreed to comply with the recommendations outlined in the Planner's Staff Report dated March 10, 2014.

4-14-C                      Ward: East  
PREMISES:                114-118 Monroe Street  
PREMISES:                114, 116-118 Monroe Street & 269-271 Lafayette Street  
APPLICANT:              Lafayette Street Development, LLC  
TO PERMIT:              In the Third Residential District, construction of a new 6 story hotel with 94 guest rooms and ground floor retail. Hotels are prohibited in the Third Residential District. **Seeking Use Variance; D<sup>6</sup> Variance for exceeding max height; C Variance for insufficient rear yard setback. Preliminary and Final Site Plan approval required. Michael Bertone, Esq.,**

Gregory Comito, Architect, Carlos Pedro, Hotel Owner, David Zimmerman, Professional Planner and Augusto Amador, East Ward Councilman appeared before the Board. There were no objectors present. A motion was made by commissioner Ruivo and seconded by Commissioner Geronimo to approve this application with conditions. Motion carried 7-0. Preliminary and Final Site Plan approved 7-0.

- Applicant agreed to comply with the directives from the Dept. of Engineering and the Div. of Water/Sewer Utilities.
- Applicant agreed to comply with the recommendations outlined in the Planner's Staff Report dated March 10, 2014.

#### **Memorialization**

1-14-A 307 Chestnut Street  
3-14-A 20 ½ Lentz Avenue  
3-14-B 69 Merchant Street  
3-14-C 124-130 Fairmount Avenue  
3-14-D 107-117 11<sup>th</sup> Avenue