

**MINUTES
OF
THE NEWARK BOARD OF ADJUSTMENT
REGULAR HEARING
JUNE 26, 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

**Charles Auffant
Terence Baine
Osvaldo Geronimo
Anton L. Lendor
Pedro Massieu
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**

New Applications:

Appeal No: 11-14-A
Ward: Central
Premises: 422 Broad Street
Applicant: Lamar Advertising of Penn, LLC
To Permit: In the Broad Street Station Redevelopment Plan Area, Sub District A, proposed conversion of existing static billboard into a LED Digital Billboard. Modification of an existing non-conforming billboard is prohibited. Billboards are not permitted under the redevelopment plan. **D² Variance and Use Variance. Preliminary and Final Site Plan approval required. Michael Oliveira, Esq., Albert Beyea, Applicant, Glenn Wieb, Expert on Electronic Billboards, John McDonough, Professional Planner and Derek Blatt, Operations Manager appeared before the Board. There were nine objectors present. Commissioner Auffant recused himself. A motion was made by Commissioner Baine and seconded by Commissioner Geronimo to approve this application with conditions. Motion carried 6-1.**

- Applicant agreed to provide Public Service Announcements for the City, one minute every hour, 24 hours a day, 7 days a week.

Appeal No: 11-14-B
Ward: Central
Premises: 113 Bloomfield Avenue
Applicant: Maria Morales
To Permit: In the Second Business District, proposed conversion of a residential structure into a mixed use structure to be used as an office on the first floor, one apartment on the second floor and one apartment on the third floor to remain. Project does not meet the requirements of the zoning regulations. Insufficient lot width, lot size, side yard setback; insufficient lot area per family; exceeds maximum building height. **Seeking Density Variance; C Variances for exceeding building height, insufficient lot width, lot size, side yard setback. Preliminary and Final Site Plan approval required. Fausto Simoes, Esq., Jose Gennaro, Architect and Maria Morales, Applicant appeared before the Board. There were no objectors present. A motion was made by Commissioner Auffant and seconded by Commissioner Montford to approve this application with conditions. Motion carried 7-0. Preliminary and Final Site Plan approved.**

- 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 June 23, 2014.
- Hours of operation are Monday thru Friday, 10:00am-6:00pm and Saturday, 12:00pm-6:00pm.

Appeal No. 11-14-C
Ward: Central
Premises: 987-997 Broad Street
Applicant: RNJ Broad Street, LLC
To Permit: In the Living Downtown Redevelopment Plan Area, proposed minor subdivision and new construction of a five story mixed-use building consisting of a temporary emergency shelter for victims of fires and natural disasters on the ground floor and a total of 83 residential units on the upper floors. Emergency shelters are not permitted in the redevelopment plan area. Seeking D' Use Variance; C Variances for insufficient ground level floor to floor height, insufficient off street parking and site illumination and a waiver for parking stall size. Preliminary and Final Site Plan approval required. Jennifer Carrillo-Perez, Esq., Bill McMarrow, Civil Engineer, Mike Donovan, Architect and William Mikesell, Professional Planner appeared before the Board. There was one objector present. A motion was made by Commissioner Auffant and seconded by Commissioner Geronimo to approve this application with conditions. Motion failed to receive five affirmative votes. 4-3. Application denied.

Appeal No: 11-14-D
Ward: East
Premises: 84 Clinton Avenue
Applicant: 84 Clinton Avenue, LLC
To Permit: In the Lincoln Park Redevelopment Plan Area, Historic Park Sub District, proposed conversion of a vacant day care facility into a commercial structure to be used as an office, restaurant recording studio and gallery. Project does not conform to the requirements as stipulated in the redevelopment plan. Recording studio is prohibited. Building type storefront mixed use is not permitted. Seeking Use Variance; C Variances for insufficient side and rear yard setback. Insufficient parking. Preliminary and Final Site Plan approval required. Application carried to August 14, 2014 due to the late hour.

Appeal No: 11-14-E
Ward: West
Premises: 573, 575-577, 579-581 Central Avenue
Applicant: Vrund Vrusha Inc.
To Permit: In the Northern Fairmount Redevelopment Plan Area/Second Business District, proposed interior alterations to a vacant nightclub to be used as a retail liquor store, which is not a permitted use. Seeking a Use Variance; C Variances for insufficient front and side yard setback; a waiver for no landscaping. Preliminary and Final Site Plan approval required. Application carried to August 14, 2014 due to the late hour.

Memorialization

**10-14A 116 Wright Street
10-14-B 86 Elm Road
10-14-D 192 Market Street**

Adjournment

Next Regular Meeting: July 10, 2014