

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

OPEN PUBLIC MEETINGS ACT

ROLL CALL OF COMMISSIONERS

PRESENT

**Terence Baine
Bertha A. Freeman
Charles N. Hall
Anton L. Lendor
Julius Montford
Rose Marie Ruivo
Charles Auffant**

ALSO PRESENT

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

COMMUNICATION

Robert Foster, Alternate #2 resigned from the Board effective immediately. Mr. Foster was appointed by Hon. Eddie Osborne, Councilman At-Large.

Katiria Cobian was sworn in as a member of the Board of Adjustment, Alternate #1 on October 20, 2014.

PENDING APPLICATIONS

Appeal No: 15-14-E
Ward: East
Premises: 418-428 Market Street
Applicant: TD Bank, N.A.
To Permit: A one year extension of final site plan approval to construct a 2,943 square foot bank with four detached drive-thru lanes and 25 parking spaces in the First Industrial District. Drive-thru lanes are prohibited in the I1 District. The BOA granted a Use Variance; C Variances for internally illuminated signs, exceeding the maximum number of signs, exceeding the 50 square feet maximum for signage and Preliminary and Final Site Plan approval. On October 11, 2012 and the decision was memorialized October 25, 2012. Applicant is also seeking Amended Final Site Plan approval to reduce the building by approximately 400 square feet and a reduction in the size of the proposed signage. Postponed October 23, 2014. The applicant submitted correspondence to withdraw the application.

Appeal No: 7-14-C
Ward: East
Premises: 20-26 Bruen Street
Applicant: Nino Perira
To Permit: In the First Industrial District, proposed creation of a paid public parking lot with 75 parking spaces. Paid Public Parking Lots are prohibited in I1 Zone. Seeking D' Use Variance; Sign Variance and Lighting Variance. Preliminary and Final Site Plan approval required. Postponed April 10, 2014 and May 22, 2014. Application was revised to reduce the number of parking spaces from 75 to 73 and to increase the landscape area from 7.59% to 11.58%. Postponed July 10, 2014 and September 11, 2014. Fausto Simoes, Esq., Renee Steinhagen, Attorney for Planners Land Use Group (PLUG) appeared before the Board. There were 53 objectors present and 48 supporters present. A motion was made by Commissioner Ruivo and seconded by Hall to Deny this application. Motion carried 7-0.

Memorialization

15-14-A 505-511 Summer Avenue
15-14-D 93-101 14th Avenue
1514-C 253-255 Ferry Street

Adjournment

Next Regular Meeting: November 20, 2014