

**MINUTES
OF
THE NEWARK BOARD OF ADJUSTMENT
REGULAR HEARING
MARCH 12, 2015
COUNCIL CHAMBERS
7PM**

OPEN PUBLIC MEETINGS ACT

ROLL CALL OF COMMISSIONERS

PRESENT

**Katiria Cobian
Barry E. Dobson
Bertha A. Freeman
Charles N. Hall
Anton L. Lendor
Julius Montford
Terence Baine, Acting Chairman**

ALSO PRESENT

**Ade Afolabi, Zoning Officer
N'dela Costley, Acting Board Secretary
Maria Hernandez, Recording Secretary
Richard Grodek, Acting Board Attorney**

ABSENT

**Charles I. Auffant
Rose Marie Ruivo**

Pending Applications:

Application: ZBA-15-6
Ward: West
Premises: 96-110 Twelfth Avenue
Applicant: Bank of America
To Permit: In the Bergen Street Redevelopment Plan Area, proposed installation of a double walk-up ATM Kiosk in the existing parking lot of Rite Aid Pharmacy. Project does not conform to the Zoning Regulations. Walk Up ATMs are permitted under the plan, however, the fence and signs do not conform. Seeking a C Variance for exceeding permitted fence height; exceeding maximum number of signs; exceeding maximum sign area and letter height and a variance for illumination. Postponed February 26, 2015. Adam Faiella, Esq., Jeffrey Martell, Planner and Engineer 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 7-0.

- Applicant agreed to comply with the recommendations outlined in the Planner's Staff Report dated February 23, 2015.
- Applicant agreed to install at least four panoramic cameras at the site.

Application: 16-14-B
Ward: East
Premises: 485-491 McCarter Hwy; 47-57 Pennington St, 48-56.5 Tichenor Street
Applicant: Costa's Management Co., Inc.
To Permit: In the Lincoln Park Redevelopment Plan Area, amended final site plan approval to permit the modification of an existing pylon sign; installation of a freestanding monument sign and widening of two driveways within the existing Carwash, quick Lube and Detailing Center. Digital sign does not conform to requirements as outlined in the Redevelopment Plan; Monument sign exceeds permitted height; Driveway exceeds permitted width. Seeking Sign Variances for modification of existing monument sign; exceeding permitted sign height, freestanding monument sign. Postponed November 20, 2014, December 11, 2014 and February 5, 2015. Michael J. Oliveira, Esq., attorney for the applicant requested an adjournment to address the issues outlined in the Planner's Staff Report dated November 19, 2014. A Motion was made by Commissioner Lendor and seconded by Commissioner Hall to postpone this application to May 14, 2015. Motion carried 7-0.

Application: 16-14-C
Ward: North
Premises: 507-517 Bloomfield Avenue
Applicant: Better Days Adult Medical Day Care, LLC

To Permit: In the Second Business District, proposed establishment of an adult medical day care facility for 100 participants on the first floor of a vacant building. Second floor will remain vacant. Adult medial day care facilities are not permitted in B2 zone. Seeking a Use Variance and C Variance for insufficient parking. Preliminary and Final Site Plan approval required. Postponed November 21, 2014 and January 22, 2015. Juliana Blackburn, Esq., Edmund Gbanite, Architect, Peter Portella, Architect and Cynthia Palmer, Applicant appeared before the Board. There were no objectors present. A motion was made by Commissioner Freeman and seconded by Commissioner Lendor to approve this application with conditions. Motion carried 7-0.

- Applicant agreed to comply with the recommendations outlined in the Planner's Staff Report dated November 19, 2014.
- Applicant agreed to comply with the directives from the Dept. of Engineering and Water/Sewer Utilities.
- Applicant shall submit all state approvals to the Board of Adjustment prior to obtaining building permits.

Adjournment

Next Regular Hearing

March 26, 2015