

**MINUTES  
OF  
THE NEWARK BOARD OF ADJUSTMENT  
REGULAR HEARING  
May 14, 2015  
COUNCIL CHAMBER  
7PM**

**OPEN PUBLIC MEETINGS ACT**

**ROLL CALL OF COMMISSIONERS**

**PRESENT**

**Terence Baine**

**Katiria Cobian**

**Barry E. Dobson**

**Anton L. Lendor**

**Rose Marie Ruivo (Late)**

**Charles Auffant, Chairman**

**ALSO PRESENT**

**N'dela Costley, Acting Board Secretary**

**Maria Hernandez, Recording Secretary**

**Angelo Cifelli, Board Attorney**

**ABSENT**

**Charles N. Hall**

**Julius Montford**

**COMMUNICATION**

**Bertha A. Freeman, West Ward Board Member, resigned effective immediately**

## Pending Application:

Application: ZBA-15-5  
Ward: East  
Premises: 360 New York Avenue  
Applicant: Bocer Associates Urban Renewal, LLC  
To Permit: In the Third Residential District, proposed new construction of a 4 story mixed use structure consisting of an educational use on the ground and second floors, a total of 37 residential units and a total of 50 underground and ground level parking spaces. Project does not conform to the Zoning Regulations. **D Variance for exceeding permitted lot area per family; C Variances for insufficient rear yard and insufficient parking were approved March 26, 2015. Preliminary and Final Site Plan approval required. The application was amended to reduce the number of residential units from 37 to 35. The building footprint is reduced by 8 inches in the rear to allow for a minimum 3 foot clearance from the adjacent residential dwelling. Due to the building reduction, the western drive aisle width is adjusted accordingly.** Fausto Simoes, Esq. requested an adjournment to allow the architect time to revise the plans. There were eight objectors present. A motion was made by Commissioner Baine and seconded by Commissioner Lendor to adjourn this application to May 28, 2015. Motion carried 5- 0.

Application: ZBA-15-9  
Ward: West  
Premises: 573-581 Central Avenue  
Applicant: Vrund Vrusha Inc.  
To Permit: Under Title 41 of the Newark Zoning & Land Use Regulation, in the C2 Commercial District, Formerly in the Northern Fairmount Redevelopment Plan Area, proposed change of use from an vacant night club to a retail liquor store and retail cell phone store. Liquor Stores are not permitted under Title 41 Newark Zoning Land Use Regulations. **Seeking a D<sup>1</sup> Use Variance; and C Variances for insufficient rear yard and insufficient side yard. Preliminary and Final Site Plan approval required. Postponed April 9, 2015 and April 23, 2015.** The applicant requested an adjournment because there was not a full complement of board members present. There were two objectors present. A motion was made by Commissioner Baine and seconded by Commissioner Lendor to adjourn this application to May 28, 2015. Motion carried 5-0.

Application: ZBA-15-10  
Ward: North  
Premises: 2-12 Gouverneur Street  
Applicant: United Auto body Works, LLC  
To Permit: In the Third Business & Fourth Residential District, proposed change of use from auto mechanic to commercial retail building and a 1,990 sq. ft. addition. Commercial/Retail is not permitted in the R4 District under Title 40 of the Zoning Regulations. **Seeking a Use Variance; C Variance for insufficient rear yard; Variance for a pylon sign. Preliminary and Final Site Plan approval required.**

**Postponed April 9, 2015.** Application adjourned to May 28, 2015. There were two objectors present.

**New Application:**

Application: ZBA-15-17  
Ward: South  
Premises: 505-509 Clinton Avenue  
Applicant: City of Newark  
To Permit: Under Title 41 of the Newark Zoning & Land Use Regulation, in the C2 Commercial District and R2 Residential District, proposed change of use from a vacant bank to a mixed use structure consisting of ground floor commercial and performance space and 23 residential units. Project exceeds maximum permitted density. **Seeking D Variances for Density; Ground floor residential units in a commercial district; ground floor commercial space in a residential district and exceeding maximum permitted building height over 10%. C Variances for exceeding impervious lot coverage; insufficient parking; insufficient floor to floor height; insufficient side yard setback; insufficient building transparency. Preliminary and Final Site Plan approval.** Application adjourned to June 25, 2015. There were no objectors present.

**Memorialization**

**ZBA-15-14 90-92 Frelinghuysen Avenue**

**Next Regular Meeting: May 28, 2015**

**Adjournment**