

**MINUTES
OF
THE NEWARK BOARD OF ADJUSTMENT
REGULAR HEARING
JUNE 11, 2015
COUNCIL CHAMBER
7PM**

OPEN PUBLIC MEETINGS ACT

ROLL CALL OF COMMISSIONERS

PRESENT

**Andrea Bryant
Katiria Cobian
Barry E. Dobson
Charles N. Hall
Anton L. Lendor (Late)
Charles Auffant, Chairman**

ALSO PRESENT

**N'dela Costley, Acting Board Secretary
Walford Ennis, Recording Secretary
Angelo Cifelli, Board Attorney**

ABSENT

**Terence Baine
Julius Montford
Rose Marie Ruivo**

New Applications:

Application: ZBA-15-22
Premises: 148 Ferry Street
Ward: East
Applicant: McDonald's
To Permit: In the C2 Community Commercial District, proposed addition of a wall sign to the existing fast food restaurant. Project does not meet the requirements of the Sign Ordinance. Seeking a sign variance for exceeding number of permitted wall signs. John Marmora, Esq. and Bradford Bohler, Engineer appeared before the Board. There were no objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Dobson to approve this application. Motion carried. 5-0.

Application: ZBA-15-11
Premises: 842-862 McCarter Highway
Ward: North
Applicant: Outfront Media LLC
To Permit: In the Newark Riverfront Redevelopment Plan Area, proposed upgrade of existing static billboard to Digital LED Billboard. Sign does not conform to the Sign Ordinance. Seeking a D Variance for expansion of a non-conforming use; C Variances for exceeding permitted distance between signs; exceed maximum advertising area, exceeds height limitation by 5 feet. The applicant's attorney requested an adjournment to address the comments outlined in the Planner's Staff Report. A motion was made by Commissioner Hall and seconded by Commissioner Dobson to adjourn this application to August 13, 2015. There were no objectors present. Motion carried 5-0.

Application: ZBA-15-20
Premises: 17 Merchant Street
Ward: East
Applicant: Capa Construction, Inc.
To Permit: In the R4 Low Rise Multifamily Residential District, proposed demolition of an existing structure and construction of a new two family dwelling on a 2,182 square foot lot. Project does not conform to the Zoning and Land Use Regulations. Seeking a D Variance for D Variance for insufficient lot area per family; C Variances for insufficient lot size, insufficient rear yard setback, and exceeding maximum imperious rear yard. Fausto Simoes, Esq., Chintan Desai, Architect and Pedro Peixoto, Applicant appeared before the Board. There were no objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Lendor to approve this application with conditions. Motion carried 6-0.

- Applicant agreed to comply with the comments outlined in the Planner's Staff Report dated June 9, 2015.
- Applicant will record a deed restriction for a two family dwelling.
- The staircase from the recreation room to the 1st floor must be opened.

Application: ZBA-15-24
 Premises: 153-163 Ridge Street
 Ward: North
 Applicant: Dumac, Inc.
 To Permit: In the R3 Third Residential District, proposed Trade Contractor Office with a Garage and Equipment Storage. Trade Contractor and other related uses are prohibited in R3 District. Seeking a Use Variance; C Variances for no rear yard setback, side yard setback and building type. Preliminary and Final Site Plan approval is required. Applicant requested an adjournment since there was not a full compliment of Board Members present. There were no objectors present. Adjourned to August 13, 2015.

Application: ZBA-15-19
 Premises: 58-60 Elm Street
 Ward: East
 Applicant: GSMJ Group
 To Permit: In the Mixed Use MX1 Residential/Commercial District, proposed demolition of existing buildings and new construction of a 6 ½ story building consisting of 30 residential units over parking. Project does not conform to the Zoning and Land Use Regulations. Seeking a D Variance for insufficient Lot Area Per Dwelling; exceeding permitted building height by 10%, C Variances for insufficient rear yard setback, insufficient parking, exceeding impervious lot coverage, insufficient lot size and insufficient side glazing. Preliminary and Final Site Plan approval required. Applicant requested an adjournment since there was not a full compliment of Board Members present. There were no objectors present. Adjourned to August 13, 2015

Next Special Meeting: June 16, 2015

Next Regular Meeting: June 25, 2015

Adjournment