MINUTES
OF
THE NEWARK BOARD OF ADJUSTMENT
SPECIAL HEARING
SEPTEMBER 29, 2016
COUNCIL CHAMBER
7PM

The meeting was called to order by the Chairman at 7:23pm with the reading of the Open Public Meetings Act

Roll Call

Commissioners Present
Terence Baine
Barry Dobson
Charles N. Hall
Rose Marie Ruivo
Julius Montford
Terry Pringle-Khalif
Charles Auffant, Chairman

Absent
Katiria Cobian
Denise Cook

Also Present
Angelo Cifelli, Board Attorney
Gerard Haizel, Planning Consultant
Walford Enniss, Recording Secretary
Nana Jumah, Acting Board Secretary
Ade Afolabi, Zoning Officer

Agenda Items

New Applications:

Application: ZBA-16-45
Premises: 257-275 Wilson Avenue
Ward: East
Applicant: Innovative Resin Systems Inc.
To Permit: In the I1 First Industrial District proposed installation of an 8 foot tubular fence around the perimeter of the property and erection of a monument sign 4.3 feet from the property line. The proposed fence exceeds the permitted height requirements and the proposed sign does not meet the required setback requirement. **Seeking C Variances for exceeding permitted fence height and insufficient setback for placement of monument sign. No site plan approval required. Frank D.**

Angelastro, Esq. and Jose Gennaro, Architect, appeared before the board. There were three objectors present. A motion was made by Commissioner Ruivo and seconded by Commissioner Hall to approve this application. Motion carried 6-0.

- **Applicant agreed to position monument sign at a setback at least 5 feet from property lines to comply with Newark Zoning & Land Use Regulations**

Application: ZBA-16-49
Premises: 490-498 Broad Street
Ward: Central
Applicant: Broad St Fidelco LLC
To Permit: In the Broad Street Station Redevelopment Plan Area, Sub District A, proposed erection of 12 additional signs on the existing ten story office building. **Seeking C variances for exceeding number of permitted wall signs; exceeding total area for wall signs and exceeding total area for window signs. No site plan approval required. Michael J. Oliveira, Esq., and Daniel Blackburn, representative of Broad Street Fidelco LLC, appeared before the board. There were no objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Montford to approve this application. Motion carried 4 – yes to 3 - no.**

Application: ZBA-16-34
Premises: 91 Chambers Street
Ward: East
Applicant: Victor Goncalves & Idelvani Silva
To Permit: In the R4 Fourth Residential District, proposed legalization of an existing three family dwelling to be used as a tutoring and homework center on the first floor and second floor; one residential unit on the third floor to remain. Project fails to meet the Conditional Use Requirements for site circulation, off street parking and drop-off/pick-up area in front yard. **Seeking a D^3 Variance for failing to meet the conditional use requirements; C Variances insufficient lot size, insufficient lot width, insufficient side yard, insufficient rear yard, exceeding maximum lot coverage, exceeding maximum impervious paved front yard and rear yard, insufficient building transparency for front façade and side façade, insufficient parking, no onsite circulation, insufficient off street parking. Preliminary and Final Site Plan Approval is required. Ricardo Monteiro, Esq., Daniel A. Roma, Architect, John McDonough, Planner and Victor Goncalves, the applicant, appeared before the board. There were no objectors present. A motion was made by Commissioner Pringle-Khalif and seconded by Commissioner Dobson to approve this application with conditions. Motion carried 7-0.**

- **Applicant agreed to comply with the comments from the Department of Engineering.**

Application: ZBA-16-47
Premises: 59-69 Bloomfield Avenue
Ward: Central
Applicant: Verizon Wireless
To Permit: In the C2 Community Commercial district proposed installation of a new wireless telecommunication facility consisting of 12 antennas and equipment on top of an existing rooftop of a commercial building. Project fails to meet conditional use requirements. **Seeking a D^3 Variance for failing to meet the conditional use requirements; C Variances for antenna setback 3.25 feet from roof edge and not flush mounted. No site plan approval required. Applicant requested an adjournment due to lack of full quorum. There were no objectors present. A motion was made by Commissioner Pringle-Khalif and seconded by Commissioner Montford to adjourn this application. Motion carried 6-0. The statutory time limit has been waived. No new notice required.**

Application: ZBA-16-41
Premises: 412-428 N. 5th Street
Ward: West
Applicant: Paramount Bakeries, Inc.
To Permit: In the R3 Third Residential District, proposed demolition of an existing two story structure on lots 16 and 17, demolition of a one story garage on lot 10, proposed second **floor addition to existing bakery on lot 11 and two-story addition on lot 9 and 10. Seeking D^2 Variance for expansion of legal non-conforming use; C Variances for insufficient rear yard, excessive lot coverage, excessive impervious front and rear yards, insufficient off street parking. Preliminary and Final Site Plan Approval is required. Bette R. Grayson, Esq., William Scott, Engineer, and Sharga Vabludovsky, owner of Paramount Bakeries, appeared before the board. There were two neighbors and no objectors present. A motion was made by Commissioner Hall and seconded by Commissioner Pringle-Khalif to approve this application with conditions. Motion carried 6-0.**

- **Applicant agreed to comply with the directives from the Dept. of Engineering and the Div. of Water/Sewer Utilities.**

Adjournment 8:57 pm

Next Regular Meeting Date: October 13, 2016