

City of Englewood Zoning Board of Adjustment

Minutes

Regular meeting

Monday May 22, 2023 8:00 p.m.

REMOTE MEETING/ZOOM MEETING

Members present: Angelina Rivera, Juanita Harris, Mateo Duque, Dr. Thom Kelly, Ayala Geva,
David Maron, and Adam Brown

Members absent: Kenneth Senkyire, Uri Moche, Theresa Thomas, and Marc McDonald

Attorney Present: Michael Kates, Esq.

Advisors Present: Frantz Volcy P.E., John Szabo, Jr., PP, AICP

Certified Court Reporter: Donna Lynn Arnold, CCR, RPR

Meeting called to order at 8:00 p.m.

Roll call, reading of open public meeting statement

Continued Application

File 2022-12 Landmark Development Group LLC

173-183 W. Forest St., Englewood, NJ 07631, Block 2207 Lot 10.02

D(1), D(6), C(1) and C(2) variances are requested to permit a construction of an elevated 4 story over parking 119 unit multifamily apartment building in a one-family residence district. Applicant is seeking a relief from front and rear setback requirements, building height, building coverage, and impervious coverage requirements, as well as parking requirements.

Mr. Gregg Paster, the attorney representing the applicant, addressed the Board and requested to adjourn the hearing to July 24, 2023. The request was granted.

New Business

Annual Report 2022

Chairman Brown explained the purpose of the annual report and presented the draft of the document. David Maron raised concern over the number of variances granted to applicants proposing construction of swimming pools as well as construction of breezeways from the principle structures to the swimming pools. Board members and professionals discussed the recommendations on the report. Mr. Brown agreed to add a paragraph with David Maron's comments to the Annual Report 2022. Mr. Brown also asked Mr. Szabo to add comments pertaining to the recommendations to the Master Plan, specifically regarding storm water management. Without any objections Mr. Brown asked Ms. Rivera, Mr. Kates and Mr. Szabo to continue working on the annual report. Lastly, Mr. Brown asked Mr. Kates to email the final version of the document with aforesaid revisions to the entire Board for approval. Later, if no objections received in 24 hours, the document is to be forwarded by Mr. Kates to the City. Angelina Rivera was encouraged by Mr. Brown to continue collecting data for the annual report 2023 and have it ready for the presentation at one of the meetings in January of 2024.

By-Laws 2023

Chairman Brown presented the draft of the By-Laws document and explained the purpose of the By-Laws and the reasons for the rules in the document. There was a discussion about the date for re-organization meeting being

scheduled on the first meeting of the calendar year. Mr. Brown raised a question about the “continued service until conclusion of case” (1.4.3., page 6). Mr. Brown and Mr. Kates discussed the matter, and agreed to postpone the decision whether or not to revise this item until Mr. Kates further researches case law pertaining to that. Mr. Brown requested for Ms. Leonovich to check with the City if a rule could be made permanent for the pdf files of the applications and all pertaining documents to be posted on the City’s website. Mr. Brown also asked Ms. Leonovich to place a note on the Board of Adjustment web page that the Zoom recordings of the Board meetings are available for viewing by any member of public through an OPRA request. Mr. Brown asked Mr. Kates to make an addition to By-Laws that the applicants are required to submit applications and all pertaining documents in pdf format. Such requirement should also be added to the applications’ checklists. Mr. Brown asked Mr. Kates to continue with the revisions of the document, so it could be presented at one of the nearest meetings.

Minutes

March 16, 2023

Motion to approve: Mr. Maron, Second: Ms. Rivera

Approved by a vote of 6 yes (Rivera, Harris, Duque, Kelly, Maron, Brown), 0 no

March 27, 2023

Motion to approve: Ms. Harris, Second: Mr. Maron

Approved by a vote of 5 yes (Harris, Kelly, Geva, Maron, Brown), 0 no

April 20, 2023

Motion to approve: Ms. Rivera, Second: Mr. Duque

Approved by a vote of 7 yes (Rivera, Harris, Duque, Kelly, Geva, Maron, Brown), 0 no

April 24, 2023

Motion to approve: Ms. Harris, Second: Ms. Rivera

Approved by a vote of 6 yes (Rivera, Harris, Duque, Kelly, Geva, Brown), 0 no

Resolutions

File 2022-20, Phillip and Tamar Katz, 345 Maple St., Block 3202, Lot 11

Motion to approve: Ms. Harris, Second: Mr. Kelly

Approved by a vote of 6 yes (Rivera, Harris, Duque, Kelly, Geva, Maron), 0 no

File ZBA 2023-5, 15 S Dean St LLC, 20 Grand Ave., Block 2404, Lot 23.01

Motion to approve: Mr. Brown, Second: Ms. Harris

Approved by a vote of 6 yes (Rivera, Harris, Duque, Kelly, Maron, Brown), 0 no

Approved with a notion that a revision would be prepared by Mr. Kates to add a condition to consult David Maron and Frantz Volcy prior to the final approval of site plans, specifically the design of the space in the front of the property conforming to the look of the retail space

File 2022-22, Daniel and Jessica Sultan, 95 Dana Pl., Block 3201, Lot 1

Motion to approve: Ms. Harris, Second: Mr. Duque

Approved by a vote of 6 yes (Rivera, Harris, Duque, Kelly, Geva, Brown), 0 no

Chairman Brown adjourned the meeting at 10:15 pm.

Respectfully submitted,

Oksana Leonovich

Board Secretary