

## MINUTES

### CLIFTON PLANNING BOARD MEETING OF October 26, 2023

Minutes of the regular meeting of the Planning Board of the City of Clifton, New Jersey, held at the City Hall, Clifton, New Jersey on October 26, 2023. Pursuant to the “Open Public Meeting Act” all notice requirements were satisfied. The time, place, date, and form of notice was announced as well as advising all applicants that formal action may be taken on the matters on the agenda.

Those present: Comrs. Binaso, Greco Trella, Korbanics, Lataro, Welsh, City Manager Villano Mayor Grabowski, Chairwoman Kolodziej

Those absent: Councilman Gibson, Vice Chair Withers

The minutes of the September 28, 2023 meeting were approved.

#### **Resolutions**

##### 1. RESOLUTION

- A. Matthew Miazga  
22 Mt. Washington Drive  
Block 32.09, Lot 2  
Minor subdivision approval

Upon motion duly made and seconded, the resolution approving the application was adopted.

- B. PB Nutclif Master, LLC  
340 Kingsland Street  
Block 80.02, Lot 4.10 & 4.11  
Minor subdivision, amended preliminary & final major site plan approval

Upon motion duly made and seconded, the resolution approving the application was adopted.

##### 2. NEW HEARINGS

- A. PLJ Properties LLC  
52 Valley Road  
Block 14.01, Lot 12  
Minor subdivision approval and variances

Gary Zalarick, Esq. represents the applicant which is seeking a minor subdivision with variances for one side yard and both side yards. Thomas Stearns was Sworn and qualified as a professional engineer and surveyor. He prepared the subdivision plan. The property is on the westerly side of Valley Road. There is a single-family home on the lot. There is a 12-foot wide right of way on the north side of the property. The new proposed lot 12.02 will be fully conforming and requires no variance. The existing dwelling will be on Lot 12. 01 and will require variances for side yard setback for one side and for both sides. Mr. Stearns stated that there is no variance needed for lot width because lot width is defined by the width at the building set back line, which will comply. The applicant has stipulated that for lot 12.02, when built, that the northerly side yard will be the 10-yard setback in order to create more separation from the dwelling on 12. 01. The applicant will rebuild the masonry wall on the left side of the driveway to remove the encroachment on the 12 foot right of way. The applicant has also stipulated that it will remove or restructure the wall in the rear where it encroaches on the 12 foot right of way. The applicant has also agreed to keep the existing large trees in the rear of both proposed lots. The applicant will also clean up the rear line to the extent the clean up does not interfere with the existing trees. The applicant stated that it will comply with all of the recommendations. The meeting was opened to the public. Edward Parkin came forward to question the 12 foot right of way. The applicant stated that the right of way was not being affected by, was being improved. City Manager questioned the need to pave or add pavers to the right of way. The applicant stipulated that the applicant will pave, or add paving stones or pavers, on the right of way. Another member of the public asked how one gets to the right of way to Thomas Street. The City Manager provided an explanation about how the right of way functions. Another resident said that her backyard to the proposed lot 12.02 and asked about how the grade of the property would be done. The resident said that a retaining way must be installed in the rear of 12.02. Mr. Stearns stated that the house design could function as a retaining wall and he says the grade is higher in the rear. This resident also stated that someone has installed large rocks in the area to impede access. The applicant indicated that it would remove or rearrange rocks to open the right of way. The principal of the applicant, Lou Popstupanos stated that he agreed with the stipulations made on the record. The meeting was again opened to the public. Ed Parkin reappeared, and he said he had spoken with the prior neighbor and was concerned about the condition of the house. The applicant stated that he is a builder, and he inspected the house and that it was in good condition. No one came forward to present any testimony other than previously presented. The Board Engineer stated that the stipulated improvements should be completed before any building permit is issued for lot 12.02.

Motion by Comr. Binasso moved to approve the application subject to the following:

1. Applicant shall comply with all of the requirements of Neglia Engineering in its review report.
2. Only one family houses shall be maintained on each lot.
3. The variances shall be granted subject to the stipulations herein.
4. The Planning Board shall retain jurisdiction over the application.
5. The application shall protect the large trees in the rear of the property.
6. The applicant shall repair the rear retaining wall area to the extent that this can be done without interfering with the health of the trees.
7. The applicant shall remove or relocate the retaining walls that are within the right of way.
8. The applicant shall pave or shall install pavers or paving stones over the right of way area.
9. On Lot 12. 02, the applicant shall provide the 10 feet side yard on the side facing lot 12. 01 so as to increase the distance between the two dwellings.

10. The applicant shall comply with any and all other stipulations made at the public hearing.
11. The applicant shall provide revised conforming plans prior to the adoption of the resolution.
12. Neglia Engineering shall monitor the progress of the development to insure it is done in accordance with this resolution and shall report back to the Planning Board as to any compliance or non-compliance.

Second by Comr. Welsh

Those in favor: Comr. Binaso, Comr. Greco, Comr. Korbanics, Comr. Trella, Comr. Lataro, Comr. Welsh, City Manager Villano, Mayor Grabowski, Chairwoman Kolodziej.

There being no further business, the meeting was adjourned

Respectfully submitted,

Robert A. Ferraro

Secretary/Counsel.