

MINUTES

CLIFTON PLANNING BOARD MEETING OF November 1, 2023

Minutes of the special meeting of the Planning Board of the City of Clifton, New Jersey, held at the City Hall, Clifton, New Jersey on November 1, 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, Trella, Korbanics, Welsh, City Manager Villano, Councilman Gibson Mayor Grabowski, Chairwoman Kolodziej

Those absent: Councilman Comrs. Greco & Lataro, Vice Chair Withers

2. NEW HEARINGS

A. International Delights LLC

230 Brighton Road

Block 48.04 , Lot 32

The Applicant seeks preliminary and final major site plan, bulk variance and design waiver/exception approval in connection with the Application. The Applicant seeks bulk variance and design waiver/exception relief for:

1. Loading spaces fewer than required (20 required; 13 proposed)
2. Parking and loading space setback closer to lot line than permitted (5 ft. required)
3. Maximum driveway width greater than permitted (30 ft. permitted; 30.8 ft. existing)
4. Parking less than required (148 spaces required; 124 spaces propose.

The Applicant presented the sworn testimony of the following witness:

1. **Matt Seckler, PE, PP** who testified as a civil engineer to the submitted Plans and the existing and proposed site conditions, as well as traffic and planning justification.
2. **Spiro Sayegh**, property owner, who testified as to the site operations.

Mr. Seckler was qualified as an expert in the fields of civil engineering, traffic engineering, and professional planning and testified as follows:

1. The Property is a 9-acre parcel located on Brighton Road off Webro Road.
2. The Property is currently improved with a 163,000 sq. ft. two- and three-story manufacturing and storage plant, as well as a parking area.

3. The Applicant proposes to add an 8,419 sq. ft. 1-story addition to the building on the Property for the purposes of additional storage and freezer space.
4. The variances sought all relate to the parking area. The site has been operational since 2013 with no issues related to loading, parking, or site circulation.
5. The increase in square footage is *de minimis*, increasing the building size by approximately 5%.
6. There will be a slight reduction on overall lot coverage due to the addition of a landscaping strip along the shared property line.
7. The relief sought promotes various purposes of the Municipal Land Use Law, including: **Purpose A and Purpose I** in that the application allows a business owner to expand in place with no impact to the neighborhood and that the addition is visually attractive with no detriment to the zone plan in that it is massing compliant and offers a reduction in impervious coverage while maintaining all current landscaping.
8. There are no substantial detriments to the public good, nor substantial impairments of the zone plan or zone ordinance, as a result of the deviation, in that the Application proposes a *de minimis* increase in the building coverage, there will be no additional stormwater runoff created as a result of the expansion, and there will be a slight reduction in lot coverage.
9. The benefits of the relief sought substantially outweigh any detriments associated with same.

The Application was opened to members of the public as required by law and no members of the public appeared..

Motion by Comr. Binaso to approve the Application as presented. Seconded by Comr. Welsh. With respect to the relief sought for the proposed building coverage greater than permitted, the Board agrees with the Applicant that the purposes of the Municipal Land Use Law as detailed by the Applicant's professional planner are justified accordingly, and that any detriments associated with the relief sought are substantially outweighed by the benefits of granting same, and hereby grants the Application as presented. The Board concludes that the Application will cause no substantial detriment to the public good nor substantial impairment of the intent and purposes of the zone plan and zoning ordinance.

For the reasons set forth above, that the Applicant is granted preliminary and final major site plan, bulk variance and design waiver/exception approvals for construction of the building addition in connection with the existing manufacturing plant, subject to the following conditions:

1. The Applicant shall comply with all review letters prepared by the Board's professionals.
2. The Applicant shall obtain all other governmental approvals, as required.
3. The Applicant shall comply with all stipulations made during the public hearing before the Board, including working with the town engineer on the landscaping plan along the Northern side of the Property.

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

There being no further business, the meeting was adjourned

Respectfully submitted,

Robert A. Ferraro

Secretary/Counsel.