

**RESOLUTION OF APPROVAL FOR MINOR SITE PLAN APPROVAL
WITH CONTINUATION OF EXISTING VARIANCES**

APPLICANT: **GEORGE HOPPAS (GRIDDLE THIS)**

PREMISES: **21 GRANT AVENUE
BLOCK 504; LOT 4**

WHEREAS, the within Application is brought before the Board by George Hoppas, who operates an existing deli in a leasehold at 21 Grant Avenue known as “Griddle This”; and

WHEREAS, the “Griddle This” leasehold adjoins a vacant store that was formerly the location of a Laundry-Mat and has filed the within Application in order to expand into the newly vacant space; and

WHEREAS, the aforesaid expansion requires Site Plan Approval as well as the continuation of any existing variances for parking. Both “Griddle This” and the prior Laundry-Mat are permitted uses and any non-conforming parking deficiency related to these permitted uses is permitted to continue; and

WHEREAS, the Applicant seeks the continuation of existing “Griddle This” signage across the front of the newly created additional space; and

WHEREAS, the Applicant has made application to the Joint Land Use Board of the Borough of Dumont for Site Plan Approval, and the continuation of variances, and was heard by the Board at public hearing on April 30, 2019 (hereinafter, “the Hearing” or “Public Hearing”) for the required approvals; and

WHEREAS, the Applicant is not seeking any variances or waivers in connection with the within application but is seeking the continuation of pre-existing non-conformities (including parking non-conformities) as well as Site Plan Approval; and

WHEREAS, the Applicant and the Board introduced the following Exhibit into evidence:

Exhibit A-1 2 page Architectural and Site Plan, prepared by Marios Lachanaris, AIA, dated April 8, 2019;

WHEREAS, Planning Board Engineers, Boswell McClave Engineering, Dennis Harrington, PE, submitted a Letter Report, dated April 16, 2019, which report was accepted into evidence and made part of the submission; and

WHEREAS, at Public Hearings, the following relevant testimony was adduced through Applicant's counsel, Craig Bassong, Esq., ("Bassong"), of the law firm of Florio, Perrucci, Steinhardt & Cappelli, LLC, utilizing the following witnesses: 1) Marios Lachanaris, AIA ("Lachanaris"); 2) Additional testimony was provided by Dennis Harrington, PE of Boswell Engineering ("Harrington"); and

The proceedings in this matter were voice recorded. The Testimony, Statements of Fact and Findings of this Resolution are not intended to be all inclusive but merely a summary and highlight of the complete record made before the Board.

1. Bassong set forth the background of his client's ownership and use of the Property. He indicated that the uses on the Property include various commercial uses and that Griddle This presently occupies one leasehold space and desires to expand into a newly vacant space. There is no change to parking, loading areas, lot coverage, and sidewalk width. Any and all deviations are pre-existing. The Applicant does seek to extend existing signage across the front of the new leasehold area (seeking Governing Body approval if necessary).
2. It was testified that the structure is 51' x 54'. There are 11 parking spaces located behind the building which are accessed by passage over an adjoining property. The parking arrangement and number of spaces is the same as presently exists. The required parking for the structure is 11.5 spaces.
3. It was testified that all improvements are interior. The Applicant agreed to install signage at the rear door of the premises to encourage parking and access from the rear of the leasehold.

CONCLUSIONS AND DETERMINATIONS

1. The Applicant requires the following approvals, variances or waivers:
 - Minor Site Plan Approval.
 - Pre-existing variances for Parking, as 11 spaces are provided and 11.5 spaces are provided on the Property.
 - The waiver of various submission requirements.
 2. N.J.S.A. 40:55D-70(c) (2) provides that a variance may be granted where the Board finds that the purposes of the Municipal Land Use Law ("MLUL") would be advanced by a deviation from the zoning requirements and that the benefits of the deviation would substantially outweigh any detriment. The standard is no different for waivers.
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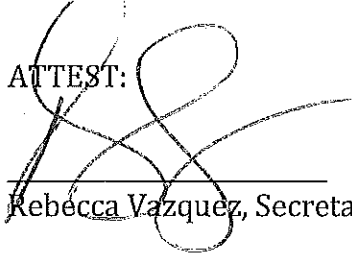
3. N.J.S.A. 40:55D-70 (c) (1) provides that a variance may be granted where the Board finds that property is burdened by a unique hardship or condition
4. The Board must also find that there is no substantial detriment to the zone plan or zoning ordinance to the granting of the requested variances, waivers or deviations.
5. Upon hearing all of the evidence, the Board voted to approve the Application. The variance for parking is de minimus and pre-existing. The Board found that the burden on the neighborhood was the same as presently exists and regardless of the permitted use, the parking remains the same.

This is to certify that the above and foregoing Resolution was duly adopted by the Joint Land Use Board of the Borough of Dumont on the *29th* day of May, 2019.

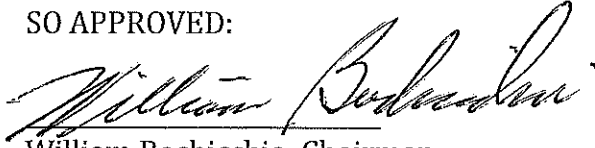
A copy of this Resolution shall be given to the Tax Assessor, Applicants (through counsel), Borough Clerk, Building Department, Zoning Officer and Borough Engineer.

A NOTICE OF THE ADOPTION OF THIS RESOLUTION AND THIS DETERMINATION SHALL IMMEDIATELY BE PUBLISHED IN THE BOROUGH'S NEWSPAPER OF RECORD BY THE APPLICANT.

ATTEST:


Rebecca Vazquez, Secretary

SO APPROVED:


William Bochicchio, Chairman

Adopted:
