

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT
TOWNSHIP OF LIVINGSTON, NEW JERSEY**

Application #: 2002-43 PFSV
Decided: May 24, 2016
Memorialized: June 28, 2016

FINDINGS AND CONCLUSIONS

The Zoning Board of Adjustment of the Township of Livingston, having considered the Application and plans filed in this matter, and the testimony and evidence presented at the hearing on May 24, 2016, the following findings of fact and conclusions are made:

1. The Applicant is Stephen W. Schwartz;
2. The Property is commonly known as 310 Eisenhower Parkway, and is taxed as Block 107 Lot 14 & 16. The Property is in the R-4 Zone.
3. The Applicant has satisfied the statutory procedural requirements of service and publication of notice, and there are no taxes or assessments due or arrearages.
4. The Applicant previously filed an application for a use variance to construct an office building in a residential R-4 Zone. The variance was granted at a meeting of the Livingston Zoning Board of Adjustment on April 27, 2004 (referred to hereinafter as "the Approval"). The Approval was memorialized in a Resolution dated June 27, 2004.
5. The Approval is about to expire, but the Applicant has been unable to proceed with construction due to economic conditions. The Applicant requests an extension of time for the variance.
6. The following persons testified at the hearing: The Applicant.
7. The following persons objected to or expressed interest in the application at the hearing: none.
8. At the April 27, 2004 meeting of the Livingston Zoning Board of Adjustment the Applicant satisfied the statutory requirements of N.J.S.A. 49:55D-70(d) for a use variance.

9. The Applicant stated that an appropriate tenant for the property has been found, and that a final site plan for the property will soon be submitted.
10. Based on the foregoing, after weighing the equities of the matter and considering the various factors referred to herein, the Board determined that the extension of the Approval will not cause substantial detriment to the public good and there will not be an impairment of the zoning plan or municipal zoning ordinance.

Now, therefore, be it **RESOLVED** for the reasons set forth above and on the record of testimony by the members of the **ZONING BOARD OF ADJUSTMENT** of the Township of Livingston, that the Approval of the variances be and hereby is extended for one (1) year until June 30, 2017 subject to the terms and conditions set forth in the original Resolution granting the variances.

This Resolution is a memorialization of the action of the Board of Adjustment of the Township of Livingston taken on May 24, 2016 in which Board voted seven in favor and none opposed to approve the application in accordance with and subject to the conditions and terms set forth herein on the record.

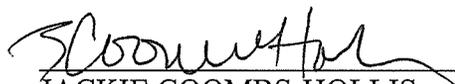
CHAIRMAN:



JAMES HOCHBERG

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Zoning Board of Adjustment of the Township of Livingston on May 24, 2016 by the affirmative votes of Ms. Tabak Fass, Mr. Resnick, Mr. Gillman, Ms. Hwang, Mr. Vieira, Mr. Bier and Mr. Nardone; they being all of the Members present and eligible to vote.

PLANNING ADMINISTRATOR:



JACKIE COOMBS-HOLLIS

Prepared by: Alan Ozarow, Esq.