

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY



BOARD OF
ADJUSTMENT

MUNICIPAL BUILDING
537 TOTOWA ROAD
TOTOWA, NJ 07512

Phone (973) 956-7929

BOARD OF ADJUSTMENT MINUTES OF APRIL 8, 2015

The April 8, 2015 regular and reorganization meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:47 p.m. followed by the Flag Salute. Attorney Tomasello read the Open Public Meetings Act.

A motion to accept the minutes of the March 11, 2015 meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: FORTRESS HOLDINGS, LLC (CARRY OVER)
555 PREAKNESS AVENUE, BLOCK 6, LOT 2

Attorney Tomasella stated that the Borough Engineer said the plans were incomplete. This case will be carried over to the May 13th, 2015 meeting. No notices need to be resent to the residents.

2ND CASE: JERRY CURCIO
357 UNION BOULEVARD, BLOCK 94, LOT 9

Attorney Tomasella stated that the plans were incomplete. This case will be carried over to the May 13th, 2015 meeting. No notices need to be resent to the residents.

3RD CASE: JEFF & BARBARA WELLS
52 ST. JAMES PLACE, BLOCK 84, LOT 2

Applicant requesting variance(s) for construction of 4-car garage addition to a 2-family home in an R-7 zone where maximum size is 3 vehicles-expansion of non-conforming use and any others that may be required.

The non-conforming issue is the front yard setback, which 25 is required and existing and proposed are 24.3. The applicant states that if application is approved it will help the surrounding neighbors; because currently the tenants park on the street and with this approval all cars will be able to park in the driveway.

Attorney Tomasella sworn in Jeff Wells, he currently resided at 60 Kiwanis Drive in Wayne. Resident will be moving in to the Totowa home on St. James Place with his wife. He would like the variance for the 4-car garage for storage of his two antique cars, plus his wife and his everyday cars.

Commissioner D'Ambrosio asked how many cars the tenants have now. Mr. Wells believes that there are 5 vehicles. Engineer asked if the cars will be stacked and Mr. Wells states they will be stacked. Commissioner Patten asked if there is an entrance to the garage from the main house. Mr. Wells stated there will be no entrance from the house to the garage. Commissioner Patten also inquired when the applicant will be purchasing the home on St. James Place. Mr. Wells states sometime in September of this year.

Chairman Fierro asked the applicant if there are any other 3-4 car garages in the neighborhood and Mr. Wells states that there are not, but he feels as if it will enhance the look of the home and neighborhood. Engineer states that the architectural plans do not match the survey. Chairman Fierro asked about the revision to the plans that Engineer Murphy stated in his report. Mr. Wells stated that the storm water will drain into the street seepage pit or something to contain additional run off, he will take care of anything that needs to be done so that flooding is not an issue.

Mr. Wells states that the existing curbs and sidewalks would be replaced after the work is done in case the workers do any more damage to it. Commissioner Patten stresses a concern for the need of the 4th garage and thinks it may be overpowering for the neighborhood. Mr. Wells says part of the garage is hidden by his house and the neighbor's house. Mr. Wells, also states again that he will be eliminating off street parking by allowing the tenants to park in the driveway and not on the street.

Carmella Band who resides at 50 St. James Place has two concerns. Her first concern is the water runoff and that currently the area floods and the second concern is parking. Kimberly Frank who resides at 49 St. James Place also has concerns about the parking and believes that a 4 car garage is extremely large but as long as the applicant has the tenants parking in the driveway she would be ok with it, but her preference would be a two car garage. Carmen Fugate who resides at 53 St. James Place is also concerned about the parking.

Commissioner Mancini asked the applicant if a two car garage would suffice. Mr. Wells said he could use the two car garage to park his antiques, but that would mean that his two daily cars would have to park on the street. Commissioner Patten asked since the first floor of the home is a 3 bedroom, who else besides him and his wife will be living there. Mr. Wells states it will just be his wife and himself residing at the residence. Attorney Tomasella asked the applicant if the application is rejected that he would still need a use variance for a two or three car garage.

Motion was made to accept the application-motion was denied by Commissioner Patten and also denied by Commissioner D'Ambrosio. Vote was 7-0 and deny at 8:18pm.

THE FOLLOWING RESOLUTION(S) WAS MEMORIALIZED:

1ST CASE: GIORDANA OLDJA & MILUN KONATAR
14 WENTICK STREET, BLOCK 137, LOT 11

Applicant was approved for variance(s) for minor subdivisions creating 2 undersized lots in R-7 zone-construction of new single family home on undersized lot/variance(s) F.A.R., front and side yard setback. Accessary structure requiring variance(s) for coverage and setbacks and any others that may be required.

2ND CASE: GIORDANA OLDJA & MILUN KONATAR
14 WENTICK STREET, BLOCK 137, LOT 11

Applicant was approved for construction of new single family home on undersized lot/variance(s) F.A.R., side and rear yard setbacks and any others that may be required.

Chairman Fierro notifies the board and announces a complaint in lieu of prerogative writ has been filed in the Superior Court of New Jersey regarding the Board's granting the applicant of 75 Lackawanna Properties, LLC. Nick would like to make a motion authorizing Planning Board Attorney, Rich Brigliadoro, to retain and defend the litigation on behalf of the Zoning Board of Adjustment of the Borough of Totowa.

A motion was made by Chairman Fierro and seconded by Commissioner D'Ambrosio at 8:25pm.

Motion to adjourn the meeting was made by Commissioner Nash and seconded by Commissioner Bavazzano at 8:27pm.

Respectfully submitted,
Pam Steinhilber, Secretary