

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 JANUARY 11, 2017

The January 11, 2017 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 7:34 p.m.; followed by the Flag Salute. Attorney Brigliadoro read the Open Public Meetings Act.

The 2017 Oaths of Office were received from Municipal Clerk Wassel for Vice Chairman Krautheim, Commissioner Nash for a 4-year term and Alternate Masi for a 2-year term. All Commissioners were sworn.

Nomination for Board Chairman was requested. A motion to appoint Fierro as Chairman was made by Commissioner D'Ambrosio and seconded by Commissioner Bavazzano. There being no other nominations from the floor, the nomination for Chairman was closed. On a roll call vote all members present voted in the affirmative and congratulations were extended to Chairman Fierro.

Nomination for Board Vice Chairman was requested. A motion to appoint John Krautheim as Vice Chairman was made by Commissioner Nash and seconded by Commissioner D'Ambrosio. There being no other nominations from the floor, the nomination for Vice Chairman was closed. On a roll call vote all members present voted in the affirmative and congratulations were extended to Vice Chairman Krautheim.

Nomination for Secretary was requested. A motion to appoint Pam Steinhilber as Secretary was made by Commissioner Mancini and seconded by Commissioner Bavazzano. There being no other nominations from the floor, the nomination for Secretary was closed. On a roll call vote all members present voted in the affirmative and congratulations were extended to Secretary Steinhilber.

Nomination for Board Attorney was requested. A motion to appoint Rich Brigliadoro as temporary Attorney was made by Vice Chairman Krautheim and seconded by Commissioner D'Ambrosio. There being no other nominations from the floor, the nomination for Attorney was closed. On a roll call vote all members present voted in the affirmative and congratulations were extended to Attorney Brigliadoro.

Nomination for Board Engineer was requested. A motion to appoint Alaimo Engineering, Nordan Murphy as Board Engineer was made by Alternative Masi and

seconded by Commissioner Bavazzano. There being no other nominations from the floor, the nomination for Board Engineer was closed. On a roll call vote all members present voted in the affirmative and congratulations were extended to Board Engineer Murphy.

A motion was made by Alternate Masi and seconded by Commissioner Nash that the Board of Adjustment will meet the second Wednesday of every month at 7:30 p.m. in the Council Chambers for the year 2017 through January 2018. On a roll call vote, all members present voted in the affirmative.

The reorganization meeting was over and the regular meeting of the Board of Adjustment was called to order by Chairman Fierro.

A motion to accept the minutes of the December 14, 2016 meeting was made by Commissioner D'Ambrosio and seconded by Alternate Masi. On a roll call vote all Commissioners present voted in the affirmative

1ST CASE: MIKE ABBASI
17 HAVEN AVENUE, BLOCK 38, LOT 11.01

Applicant is requesting a site plan approval for a single family home requiring variance(s) for front yard setback and floor area ratio and any others that may be required.

Attorney Anthony Fiorello explains the application. The parcel of land is 70' x 100', applicant would like a 4 bedroom home consisting of 1 master suite and three bedrooms. The property is in a R-7 zone. The applicant is requiring on the first floor a bird room, a 17' x 17' two story foyer, dining room, 14' x 13' living room, 16' x 17' family room, 7' x 9' office and a ½ bath. The second floor will have a master bedroom with walk in closets and a master bath, 3 bedrooms, 1 is 12' x 14' and 2 are 15' x 16' each with a walk in closet and a bathroom, plus the open area of the foyer. There will be a 2 car garage and a driveway to fit 2 additional cars. The front of the house will be colonial and landscaped. The existing fence in the back yard separates the house behind applicant, but the applicant has no issue with adding an additional fence to the sides.

Demetrios Kaltsis, Architect, is sworn in by Attorney Brigliadoro. Mr. Kaltsis has a current license in the State of NJ and is accepted an expert in his field by the Board. Mr. Kaltsis prepared the plans presented tonight dated January 11, 2017. Exhibit A-1, is the front and rear elevations. The lot is 7,000 square feet in an R-7 zone. The proposed application is a total of 4,451 square feet, which includes the 1st, 2nd, and open area under front porch. Mr. Kaltsis feels the size of the rooms is in proportion to the house and the lot. Actual date of the plans is October 27, 2016. The front elevation shows a center hall colonial with bay windows, arch window above the front door and the finishes of the house will be cultured stone veneer and stucco. The rear elevation will be either hard plank or vinyl siding with double hung windows.

Exhibit A-2 is the Foot Print per ordinance in R-7 Zone. Commissioner D'Ambrosio would like to know if there will be exterior lighting. Mr. Kaltsis states there will be flood lighting in the rear yard and over all doorways and the garage. Commissioner Mancini would like to know how many people will be living at the residence. The applicant replies there will be his wife, his three kids and himself. Commissioner D'Ambrosio questions the need for such a large house with only 5 people living in it. The applicant states he has three older children from a previous marriage and has family meals by him and would like everyone to feel comfortable.

Engineer Murphy refers to his letter and asks the applicant to respond to his concerns. Attorney Fiorello will comply with calculations of the building height. The applicant will eliminate the basement bathroom. The applicant will provide drainage calculations and supply a signed and sealed survey. The applicant will also comply with replacement of trees that are being removed; they will replace the deteriorated curb and sidewalk along Haven Ave, and will supply a detailed plot plan to the building department. Mr. Kaltsis states if the area of porch and the Entry Foyer were removed the F.A.R. would go down to 60%, and if the Garage was also removed it would go down to 55.5% F.A.R. Attorney Fiorello also states if the applicant changed the bay windows to regular windows that also would drop the F.A.R. slightly, but Mr. Kaltsis does not suggest doing that.

Christopher Kok, Professional Planner, was sworn in by Attorney Brigliadoro. Mr. Kok has a valid license in NJ, a Master Degree and drafts landing review for Topology and considered an expert in his field by the Board. Exhibit A-3 is a D-4 Variance Relief dated January 11, 2017. The packet is filed as Exhibit A-4 and Exhibit A-3 is page one of the packet. This shows a lot outlined in red which is the Abbasi residence. Mr. Kok surveyed the area and concluded there are various size homes in the area along with various styles. Exhibit A-5 is Totowa Boro Zoning Map dated with the final revision June 1995. The area is color coded to zoning. Positive criteria are additional side and rear yard and the house will be centered on lot. Negative criteria is there is no detriment to the public welfare, there will be sufficient light and air, light and glare will be diffused by trees, and there will be no undo traffic.

Packet A-4 page 2 is 4 Haven Ave, 50' x 33' house and has a .61 F.A.R. with approx. 5,335 square foot lot area. Page 3, is address 6 Haven Ave, 50' x 50' house and has a .46 F.A.R. with approx. 8,000 square foot lot area. Page 4, is address 11 Haven Ave, 40' x 45' house and has a .64 F.A.R. with approx. 5,018 square foot lot area. Page 5, is address 19 Haven Ave, 55' x 55' house and has a .63 F.A.R. with approx. 7,515 square foot lot area. Page 6, is address 23 Haven Ave, 70' x 57' house and has a .57 F.A.R. with approx. 8,512 square foot lot area. Mr. Fiorello asked Mr. Kok if driving down Haven would you feel this house would stand out. Mr. Kok feels it would not because of the various widths and heights of the houses along Haven.

Engineer Murphy inquired from Mr. Kok if he had found any other applications similar that have been passed in Totowa. Mr. Kok states he had not seen any over the past few years. Attorney Brigliadoro states if the house was reduced the applicant can achieve the approval of the F.A.R. Attorney Brigliadoro also clarifies the minimum lot area is 7,000

square feet and the applicant meets the lot area of minimum requirements. Referring to Exhibit A-4, 4 Haven Avenue is there any way to get the square footage of living space. Mr. Kok states there is not, unless he can get into the house and measure. Engineer Murphy is concerned about the physical appearance of the house and that it will look like a big box, he also states he has no knowledge of a home this size being approved in an R-7 zone. Vice Chairman Krautheim states the F.A.R. was just increased to 40% to accommodate more current living conditions. Vice Chairman Krautheim also states he has been on the Board for a long time and has never passed anything more than .60. He feels .65 is way too much for the Board to absorb. Attorney Briigliodoro recommends this application be continued to February 8th, 2017 meeting to give time for the applicant to make modifications.

RESOLUTIONS:

1ST CASE: ALEXANDER OLDJA
504 & 506 UNION BLVD, BLOCK 101, LOTS 13, 14, & 14.01

Applicant was approved for a subdivision of 2 new buildings, use variance, F.A.R. variance, preliminary and final site plan approval, bulk variance and design waiver relief.

2ND CASE: FRANK GAITA
38 DEWEY AVENUE, BLOCK 117, LOT 52.02

Applicant has a Court Order that property is a pre-existing non-conforming two family dwelling in conformance with the Municipal Land Use Law.

A motion to accept Attorney Briigliodoro's report on Varaince(s) passed the year of 2016 was made by Commissioner Nash and seconded by Commissioner Bavazzano.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Mancini. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary