

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 JULY 13, 2016

The July 13, 2016 regular and meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:37p.m. followed by the Flag Salute. Attorney Brigliadoro read the Open Public Meetings Act.

A motion to accept the minutes of the June 8, 2016 meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Patten. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: MILUN KONATAR
174 BOGART STREET, BLOCK 149, LOT 7

Attorney Brigliadoro addresses the Board and members that this case will be carried to the August 10th, 2016 meeting because of an error in the newspaper publication. The applicant does not need to re-notify the public, they just have to put a new publication in the paper with the correct information. The newspaper made the error.

2ND CASE: 534 UNION BOULEVARD LLC
534 UNION BLVD, BLOCK 139, LOT 8

Attorney Brigliadoro addresses the Board and members that this case will be carried to the August 10th, 2016 meeting because of an error in the newspaper publication. The applicant does not need to re-notify the public, they just have to put a new publication in the paper with the correct information. The newspaper made the error.

3RD CASE: ANITRA MARTUCCI
23 COOLIDGE AVENUE, BLOCK 102, LOT 21

Attorney Brigliadoro swore in applicant Anitra Martucci and Thomas Dakaka, both reside at 23 Coolidge Ave. The applicant is proposing an addition to the back of the pre-existing structure which is non-conforming. The applicant would like to add a second level to the whole area which would include a 2nd floor with 4 bedrooms, the 1st floor would lose a room and the basement is half finished.

Engineer Murphy goes over the application of a 3 car garage where a 1 car garage exist and to construct a driveway off of Coolidge Ave where an existing driveway is off of Garfield Ave. The detached garage needs to be added to the F.A.R. which brings the total to 48% and max. allowed is 40%. The existing single car garage calculations must be provided by the applicant. Engineer Murphy states the plans need to be revised by the applicant's architect, there needs to be information about drainage. Engineer Murphy informs the applicant that the sidewalks need to be replaced and the applicant will comply. If application is approved, the Board should recommend that it be conditioned upon the replacement of sidewalks along Coolidge Ave property front and re-placement of concrete curb along Garfield Ave frontage.

Commissioner Patten addresses Engineer Murphy if the rear and side yard setbacks do not include the proposed addition to the garage. Engineer Murphy states it does and is for the house and the garage is for accessory structure. Vice Chairman Krautheim addresses Engineer Murphy's item line 5 that the accessory structure only and the accessory structure does not address the basement. Chairman Fierro is concerned about the water run off with the new driveway. The applicant feels he can get something to take care of the water issue. Attorney Briigliadorio states that since the home is single family there is no site plan jurisdiction, but the applicant would be required to give a plot plan to the building department if approved. Vice Chairman Krautheim would like to know if there are any changes with the curb cuts. Engineer Murphy states typically for a single family if there is a conflict with another driveway or stop sign. Engineer Murphy asked the applicant if there are any other properties in the area with a 3 car garage, the applicant states there are homes with a 2 car garage and they would not have a problem scaling back to a 2 car garage instead of a 3 car garage. Commissioner Patten asked the applicant how many people will be living at the home the applicant Anita has 3 daughters and Tomas has a son.

Chairman Fierro opens the meeting to the public:

William Saracino, Attorney for Sharon Rickert who resides at 21 Coolidge Ave was sworn in by Attorney Briigliadorio. Attorney Saracino reviews the concerns of his client. Mrs. Rickert feels a three car garage is too much and would prefer the applicant to reduce that to a 2 car garage and would like the existing one removed. Attorney Saracino shows us photos marked Exhibit 01-, 0-2, and 0-3 which were taken by Mrs. Rickert the 2nd week in June. The pictures accurately depict content that is in the existing driveway, which is work trucks and equipment. The area is residential and does not call for a 3 car garage. Mrs. Rickert would like to know where the trucks will be going after the construction because they are the applicant's work trucks. Attorney Saracino has no objection to a 2 car garage with the existing removed and replaced with grass.

James D'Antonio, resides at 19 Coolidge Avenue, was sworn in by Attorney Briigliadorio. Mr. D'Antonio would like to commend the applicant for the improvements on the lot, but also has the concern of too much driveway space. If the applicant will take down the existing garage he has no objection to the application.

Louis Cafiero, resides at 55 Harding Ave, was sworn in by Attorney Brigliadorio. Mr. Cafieros concerns are the back wall where the garage and pavers are, this area is a retaining wall with a 5' drop. Applicant had planned to put a new retaining wall and stipulates that his property is actually 3' beyond the existing retaining wall. Attorney Brigliadorio states there is nothing on the plans noting the retaining wall and we have not been supplied with an accurate survey of the lot to make any assessments. Engineer Murphy explains to the applicant that they need to submit a survey to the building department.

Amel Balega Jr., resides at 43 Harding Ave, was sworn in by Attorney Brigliadorio. Mr. Balega says the proposed paver driveway is too much and is concerned about the water runoff and how much excavation is going to. The integrity of 80' trees being disturbed is also a concern with the roots and when the trees die. Mr. Balega Jr. would like to know if the existing chain link fence is going to remain or be removed. Mr. Dakake has intentions of installing a nicer fence. Engineer Murphy says this corner lot would require a 4' fence and an additional waver will be required if the fence changes. Commissioner Patten asks Engineer Murphy is a storm water runoff report would be needed. Engineer Muprhy says a 25 yr. storm report would be required.

Mariette Martin, resides at 192 Garfield Place, was sworn in by Attorney Brigliadorio. Mrs. Martin also has the same concerns about the water runoff.

Ezzat Gadallah and son Pierre Gadallah, reside at 20 Coolidge Ave and were both sworn in by Attorney Brigliadorio. Residents are concerned about the property being used for commercial use and has no issues with the house being made bigger or the amount of garages, he just wants the neighborhood to stay quiet and a nice place for families and the children.

Attorney Saracino has his closing statement; if the applicant removes the existing garage and eliminates the current driveway the impervious coverage will be reduced and might make 2 of the variances be eliminated. This will make the application more conforming and will also satisfy his clients concerns.

Chairman Fierro closed the meeting to the public.

Commissioner Mancini states by removing the 3rd garage the driveway will be removed from the wall and help the water concerns. Attorney Brigliadorio informs the board and the public that there are a number of variances that is needed and goes over them.

A motion was made by Commissioner D'Ambrosio to carry this case so the applicant can revise the plans showing all the items addressed this evening, lower the F.A.R., and decrease the coverage. Attorney Brigliadorio informs everyone this application will be carried to the August 10th, 2016 meeting with the terms we spoke about tonight and the elimination of the driveway, changing to a 2 car garage, the fence issue, etc. This motion was seconded by Commissioner Mancini with a 7 – 0 vote in favor. There is no need for the Applicant to send certified letters to the public or to publicize in the newspaper.

RESOLUTIONS TO BE MEMORIALIZED:

MADE IN ITALY

590 UNION BLVD, BLOCK 139, LOT 1

Amended site plan was approved for outdoor dining.

SUNSET RIDGE

617 PREAKNESS AVE, BLOCK 2, LOT 1, 2, 3, &4, BLOCK 3, LOT 1, 1.01, 3, 6, 7,
&8

Preliminary and final site plan were approved.

A motion to adjourn the meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Nash. The meeting was adjourned at 8:52 PM.

Respectfully submitted,
Pam Steinhilber, Secretary