

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY

BOARD OF
ADJUSTMENT



MUNICIPAL BUILDING
537 TOTOWA ROAD
TOTOWA, NJ 07512

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BOARD OF ADJUSTMENT MINUTES OF SEPTEMBER 12, 2018

The September 12, 2018 regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:02 p.m. followed by the Flag Salute. Attorney Briigliodoro read the Open Public Meetings Act.

A motion to accept the minutes of the August 8, 2018 meeting was made by Commissioner Nash and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative

1ST CASE: FORTRESS HOLDINGS LLC
555 PREAKNESS AVE, BLOCK 6, LOT 2

Attorney Briigliodoro discussed with the Applicants Attorney, Mr. DelSardo that the hearing will be adjourned to the October 10, 2018 meeting. There will need to be no further notice to the public.

2ND CASE: EMANUAL KHAN
254 UNION BLVD, BLOCK 30, LOT 15

Attorney Al Acquaviva is representing the Applicant Enamual Khan. Attorney Briigliodoro has reviewed the file and the Applicant has provided proper notice so the Board can proceed to hear the case tonight. Attorney advised the Attorney and Applicant that there are only 6 voting Board members present this evening, the Applicant must get 5 approved votes. With that being said we are going to proceed tonight with the Application and continue to proceed next meeting with additional Board members.

Attorney Acquaviva states the Applicant purchased the building in 1995 with a business on the first floor and residents on the second floor. The Applicant is looking for a small expansion on the second floor because his mom moved in and needs special care so he would like to expand bedrooms. At this time Attorney Briigliodoro presented the Applicant with the planning report. The Board took a break at 7:09 pm so the Applicant and Attorney could review. The Board resumed the meeting at 7:19 pm and a rool call was taken.

Architect John Bleeker was sworn in by Attonrey Briigliodoro. Mr. Bleeker's place of business is at 275 Belmont Avenue in Haledon and is considered an expert in his field by the Board. Overview of the Application is it is a pre-existing real estate office on first floor and the owner resides on the second floor in a two bedroom apartment. The Applicant is seeking an expansion of approx. 560 square feet on the second floor; there will be no expansion on the first floor. The Applicant would like to modify the existing deck to enclose for a third bedroom. The residential component is non-conformity. There will be no changing of the use of the Application, the owner of the building has an elderly mother who needs 24 hour care so the care taker can have a bedroom, and the mother will have one and the owner. There will be a change in the Cape Cod look to build above the first floor to square the building.

Architect Bleeker refers to sheet SP1 of the plans, which is the site plan. This plan shows gray shaded areas that are the addition and the main existing areas are white on the plan. On sheet A-1.0, this is the second floor addition plan. The left side is existing first floor, the Applicant would like to update bathroom to a handicap bathroom. The second floor, the hatched lines is new area. This shows the existing bedrooms, which they would like 2 feet wider and 9 feet added to back. The existing dormer will be closed in and built to front walls of house adding a total of 16'6". There is no bulk variance needed, they are low on the F.A.R ratio. Within al the bulk requirements for front yard and side yard setbacks as well as rear yard. On plan A-2.0, the elevation plan, this shows front elevation where most of the improvements will be made. If the sign does change, the applicant will come back to get approval. The building will consist of vinyl siding, brick and stucco. A design waiver will be needed because the sides of the building will remain siding and just matched with new additions, the front of the building will comply.

Attorney Briigliodoro asked if the Architect drove by the existing building and if with the improvements fit with the character of the neighborhood. Mr. Bleeker states there is a mixed use surrounding the building along with a few new building. Attorney Briigliodoro would like to know if the building being used and will continue to be used stay with the character of the area, Mr. Bleeker states yes, there is plenty of mixed use. Attorney Briigliodoro asked if this would be a positive use and if so how. Mr. Bleeker states there is no change to the use, just change slightly larger for the care of the Applicants family. There are no negative criteria, if anything they are improving the look-there is also no expansion of the footprint.

Chairman Fierro would like to know if this is a hardship case, Mr. Bleeker stated it is. Chairman Fierro would also like to know what the total F.A.R. is. Mr. Bleeker explains the existing is .128, the permitted is .35 and with the expansion it will be .156. There are 9 parking spaces and a two car garage. Vice Chairman Krauthiem would like to know how many people live there now, Mr. Bleeker states 2 but with the care taker there will be 3. Commissioner Mancini asked if you can go upstairs through the interior or is it just entered through the exterior. Mr. Bleeker states there is both. Commissioner Nash would like to know if the care taker will be staying there, Mr. Bleeker states the Applicant will answer that. Engineer Cristaldi would like to know how the Architect came up with the building height. Mr. Bleeker will supply that at the next meeting.

Attorney Brigliadoro refers to the planners report on page 6 item 4-there is a discrepancy on the plans with the amount of square footage of office space. Sheet SP-1 indicated 1,400 square feet but sheet A-1.00 indicated 1,515 square feet. Mr. Bleeker states the correct amount is 1,400 square feet. Item 3 has a discrepancy of sheet A-1.00 illustrated 2 feet by 12 feet addition to existing bedroom, however sheet SP-1 does not illustrate this proposed addition area. Me. Bleeker does not believe that is accurate.

Khan, was sworn in by Attorney Brigliadoro. Vice Chairman Krauthiem asked who currently lives in the home. Mr. Khan states his mother and himself live there, the care taker comes now but not full time, but his mother now needs 24 hour care and might need a chairlift for his 78 year old mother. Attorney Brigliadoro suggest if the application is approved there should be a condition that the two car garage be used to store only cars and not be a storage area. Commissioner Nash asked if the care taker will be there 24 hours, Mr. Khan states yes. Attorney Brigliadoro states the plan reflects 7 spaces and a two care garage. Mr. Khan explains the business occupies himself, a secretary and approx. 4 employees at a time. Mr. Khan parks his car in the garage and the care taker can park in the other spot. Mr. Khan purchased the building in approx. 1995 and nothing has changes, same business and same staff. Commissioner Mancini asked about the driveway. Mr. Khan states it is one way in and out. Attorney Brigliadoro asked Engineer Cristaldi if he had a change to look at the size of the driveway. Mr. Bleeker states it is approx. 11 feet wide from the retaining wall to the curb cut, but after that it widens quite a bit. Attorney Brigliadoro asked Attorney Aquavia about original purchase of the property. The property was purchased around 1995 there was commercial on the first floor and an apartment on the second floor. The hours of business are 10 am to 5 pm.

At this time the meeting was opened to the public.

There is no public to be heard so the public portion of the meeting is closed.

Attorney Brigliadoro request an adjournment to the October 10, 2018 meeting so additional Board members can review the tapes. There will be no re-notification to the public to continue the hearing on October 10, 2018.

RESOLUTION TO BE MEMORIALIZED:

1ST CASE: FRANK GALANTE
20 CLAREMONT AVE, BLOCK 78, LOT 4

Applicant was approved for a garage addition requiring side yard setbacks and any others that may be required.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Bavazzano. The meeting was adjourned at 8:04 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary

