

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 OCTOBER 12, 2022

The October 12, 2022, regular meeting of the Borough of Totowa Board of Adjustment was held via zoom. Chairman Fierro called the meeting to order at 7:01 P.M.; followed by the Flag Salute. Attorney DeDio read the Open Public Meetings Act and the Remote Meeting Protocol.

A motion to accept the minutes of the September 14, 2022, meeting was made by Commissioner Nash and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

Present: Chairman Fierro, Vice Chairman Krautheim, Commissioners Patten, Nash, Mancini, Carr, Alternate Masi, Henry, Attorney DeDio, Planner Green, Engineer Cristaldi.
Absent: Commissioner Sagan.

1ST CASE: BLAGOJA MARKOVSKI
27 ROSELAND AVE, BLOCK 154, LOT 53

Attorney DeDio reviewed the public notice and newspaper mailing and is in compliance with the land use law and the Board has jurisdiction to hear the application. Planner Green submitted a letter dated September 7, 2022. Applicant is stating they did not get the letter. Planner Green explains if the application needs a D-variance for expansion of a non-conforming use then this application may not be able to be finished this evening, typically we hear from a licensed Planner to supply those proofs. The Applicant questions if they need to supply the professionals. Planner Green states if the application requires a D-variance the Board typically needs to hear testimony from a licensed professional Planner on the criteria for that particular D-variance to ensure that the Applicant is meeting the proofs that are required under the land use law. Mr. Burghardt from the building department denied the application because a D-variance is needed to expand a non-conforming use because it is a 2-family home. Chairman Fierro asked Attorney DeDio without the professional, is it worth hearing the case. Attorney DeDio states that is up to the Board, he has concerns because in the letter Ms. Green sent dated September 7th, requesting additional information from the Applicant was not received and is assuming that information has not been supplied to date. The review letter from Engineer Cristaldi, dated

May 18, 2022, also requested that the Applicant submit additional information and not sure if Applicant has responded to those requests. The Applicant is not sure about the additional information requested and how it was received. The Applicant thought he was good for this evening. Planner Green goes into detail as to why the request for a professional is needed. Attorney DeDio states the case can be carried to next month meeting with no reserve needed or new notification. Commissioner Patten makes a motion to carry to the November 9, 2022, meeting and was seconded by Commissioner Nash.

2ND CASE: ANTHONY GENCARELLI on behalf of CORE 44 LLC
BLOCK 175, LOT 10

Attorney DeDio reviewed the application and is in compliance with the land use law and the Board has jurisdiction to hear the application. There were no reports from Engineer Cristaldi or Planner Green, so they have been asked to be dismissed. Jeff Mortman, owner of Golds Gym explains the property. The building is a large gym with a lot of space. The chiropractic area will go in an open space. The Gym, many, many years ago had a chiropractic office and feels this would be a great add on for the gym. Chairman Fierro asked if there was any additional construction needed for this use to the interior or exterior. Mr. Mortman states there will be no construction, it is an existing office within the gym. Vice Chairman Krautheim asked if the area will be enclosed. Mr. Mortman explains it will be enclosed and has two doors in and out of the space. Commissioner Patten asked about the office hours and if it differs from the health club and if there is a separate entrance for the chiropractic space. Mr. Gencarelli explains the entrance will be through the front door of the gym but separate entrance from inside. The hours will be within the gym times and will not be open before or after they are open. Alternate Masi would like to know if there will be designated parking for them. Mr. Mortman states they will be using the current spaces, there will be no designated areas. Vice Chairman Krautheim would like to know if this is Mr. Gencarelli's full time practice site. Mr. Gencarelli states this is his full-time facility.

At this time the Board opens the meeting up to the public.

There is no public to be heard and a motion to close the public portion was made by Commissioner Patten and was seconded by Commissioner Carr.

Mr. Mortman sums up the application.

A motion was made by Commissioner Nast to approve the application and was seconded by Commissioner Mancini. Application passed 7 – 0 at 7:37 P.M.

A motion to adjourn the meeting was made by Alternate Henry & seconded by Alternate Masi. The meeting was adjourned at 7:38 P.M.

Respectfully submitted,
Pam Steinhilber, Secretary