

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 8, 2020

The January 8, 2020 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 7:00 p.m.; followed by the Flag Salute. Attorney Briigliadoro read the Open Public Meetings Act.

The 2020 Oaths of Office were received from Municipal Clerk Wassel for Commissioner Patten, Commissioner Mancini, and Commissioner Carr for a 4-year term and Alternate Henry for a 2-year term. All Commissioners were sworn in except Alternate Henry who was absent.

Nomination for Board Chairman was requested. A motion to appoint Fierro as Chairman was made by Commissioner Bavazzano and seconded by Commissioner Nash. 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 Patten. 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 Patten and seconded by Vice Chairman Krautheim. 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 Engineer was requested. A motion to appoint Alaimo Engineering, Tom Lemanowicz as Board Engineer was made by Commissioner Mancini 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 Lemanowicz.

A motion was made by Chairman Fierro and seconded by Commissioner Patten that the Board of Adjustment will meet the second Wednesday of every month at 7:00 p.m. in the Council Chambers for the year 2020 through January 2021. 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 11, 2019 meeting was made by Commissioner Patten and seconded by Commissioner Bavazzano. On a roll call vote all Commissioners present voted in the affirmative

1ST CASE: AMO PROPERTIES LLC
5 COOLIDGE AVENUE, BLOCK 102, LOT 12

This case is being adjourned to the February 12, 2020 meeting with no further notices required.

2ND CASE: ROBERT & NICOLE TIERNEY
530 TOTOWA ROAD, BLOCK 80, LOT 1

Applicant is requesting a second story addition to a single family home, requiring variances for side yard setbacks. Attorney Corrado has sworn in Mr. & Mrs. Tierney. Mr. Tierney states they have lived at the residence for 4 and a half years and they are a growing family of 4, the house now has 2 bedrooms and one bath, which is not large enough. They would like to add an additional bedroom along with an additional bathroom and a laundry room. The lot is pre-existing and undersized by 20 feet and irregular. Commissioner Patten would like to know if our engineer will be reviewing his report before asking questions to the Applicant. Engineer Lemonowicz states the variances the Applicant will need, zoning chart, lot area, lot width, side yard setbacks, and impervious coverage.

1. The measurement is wrong for the building height-the correct way to measure is from the garage floor to the ridge and that would be 29'9", which is 3" shy of maximum allowed and if property drops more than 3" as you walk 10' away we are in variance condition.
2. The survey needs to include grades-suggestion is if the Board approves there should be a contingency on making the house work as far as height goes. The plan shows a 9 on 12 pitch which is a fairly steep roof pitch, there is plenty of adjustment there to drop to either an 8 on 12 or 7 on 12 to stay under the 30'.
3. The survey does not show area of the lot, this needs to show proper lot area and F.A.R. The F.A.R. right now is 39.6 and the maximum is 40.
4. Impervious coverage is approx. 30%, where 25% is allowed-with driveway will bump that up to 33%.
5. The comment of the front yard setback is not an issue anymore.

6. The fence is on the property line rather than 3' behind the property line-a permit was taken out and issued for that fence and was supposed to be 3' behind when put in, this needs to be addressed.
7. Non-conforming impervious coverage-suggestion is a dry well or some other storm management facility.
8. The remainder is the proofs of the C1 variance and C2.

Chairman Fierro asked if the fence is 3' or 6' high. Attorney Corrado states if the fence is on the Borough property they will address it and the Board should not vote on that part of the application. Commissioner Patten asked if there was a sidewalk that goes to Raphael-Applicant states if the Board would like to have a condition of approval that a sidewalk be installed, he would be fine with that. Commissioner Mancini asked if is just a building layer going up and the Applicant responded yes.

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

A motion was made by Commissioner Patten to close the public portion of the meeting.

A motion was made by Commissioner Patten to approve the Application and was seconded by Commissioner Nash. Application passed 7 – 0 at 7:20 P.M.

Attorney Corrado needs a motion by the Board to have Attorney Darren DelSardo to handle the Khan case, a motion was made by Commissioner Bavazzano and seconded by Commissioner Nash.

RESOLUTIONS:

1ST CASE: MICHAEL HAMMER
105 JEFFERSON PLACE, BLOCK 39, LOT 10

Application was approved for sub-division of conforming lot into 2 non-conforming with construction of a single family home on the second lot.

2ND CASE: MILUN KONATAT
340 UNION BLVD, BLOCK 105, LOT 10

Application was approved for construction of an additional office.

A motion to adjourn the meeting was made by Commissioner Carr and seconded by Commissioner Mancini. The meeting was adjourned at 7:24 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary