BOARD OF ADJUSTMENT

MINUTES OF JANUARY 11, 2012

The January 11, 2012 regular meeting and reorganization meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Vice Chairman Krautheim called the meeting to order at 8:00 p.m.; followed by the Flag Salute. Attorney William Saracino read the Open Public Meetings Act.

Roll Call:

Present: Vice Chairman Krautheim, Commissioner Niland, Patten, D’Ambrosio, Mancini, Alternate Korsakoff, Alternate Cortese, Attorney Saracino, Engineer Murphy, Secretary Rattino.

Excused: Chairman D’Aiuto, Commissioner Fierro.

The 2012 Oaths of Office were received from Municipal Clerk Wassel for Commissioner Mancini for a 4-year term, Commissioner Patten for a 4-year term and Alternate Korsakoff for a 2-year term. Commissioner Mancini and Alternate Korsakoff were sworn. Commissioner Patten was sworn separately.

Nomination for Board Chairman was requested. A motion to appoint John D’Aiuto as Chairman was made by Commissioner Niland and seconded by Alternate Korsakoff. There being no other nominations from the floor, the nomination for Chairman was closed. The roll call vote will take place in February since Chairman D’Aiuto was not present to accept the nomination.

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

Nomination for Secretary was requested. A motion to appoint Karen Rattino as Secretary was made by Commissioner D’Ambrosio and seconded by Alternate Korsakoff. 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 Rattino.

On January 1, 2012 the Mayor and Council appointed Richard A. Alaimo Engineering Associates. Congratulations were extended to Board Engineer Nordan Murphy.

A motion was made by Commissioner Mancini and seconded by Alternate Korsakoff that the Board of Adjustment will meet the second Wednesday of every month at 8:00 p.m. in the Council Chambers for the year 2012 through January 2013. 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 Vice Chairman Krautheim.

A motion to accept the minutes of the December, 2011 meeting was made by Commissioner Korsakoff and seconded by Alternate Cortese. On a roll call vote all Commissioners present voted in the affirmative.

A motion to accept the minutes of the November 2011 meeting was made by Commissioner Patten and seconded by Commissioner D’Ambrosio. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: UNION STATION, LLC (CONTINUATION)

 397 UNION BOULEVARD, BLOCK 96, LOT 13

Applicant requesting necessary variance(s) for a certificate certifying property has protected prior non-conforming use. Represented by Attorney Buckalew. He stated that he had concluded his presentation and Attorney Saracino suggested that this case be reviewed for further consideration and to carry one more month. There were only three members present to vote. Attorney Buckalew wanted the three members to vote. The Board wants Borough officials to testify and Attorney Buckalew objected.

A motion to carry to the February 8 meeting was made by Alternate Korsakoff and seconded by Alternate Cortese and the roll was called. It was stated that Chairman D’Aiuto and Commissioner Fierro need to be present. The public was notified and no further notice is required.

2ND CASE: GORDANA AND LYDIA OLDJA (CARRY-OVER)

 3 HAVEN AVENUE, BLOCK 38, LOT 16

Applicant requesting necessary variance(s) for minor subdivision; proposing to construct two single family homes – lot size and frontage on a public street – variances include F.A.R., height of structures and any other that may be required. One issue with a notice was resolved. Represented by Attorney Mecca. It was mentioned on record that the attorneys are both in a closing deal with Mrs. Oldja in another matter.

Patrick McClellan, Engineer/Planner, was sworn. Mr. McClellan stated this is a subdivision of a lot, 100-foot lot to be made into two 50-foot lots. Mr. Murphy’s report was reviewed. By removing existing structure the three non-conformities will be eliminated. The plan was referred to. 43.8% F.A.R. is the same for each building. It was stated that revised plans will need to be submitted. A lot development plan will be prepared and submitted. They will work with the neighbors regarding the existing walls. Storm water management was addressed as well as an improved system. They will comply with construction details from Engineer Murphy. Parking was discussed. A tree removal/replacement plan is needed.

Joseph Barbieri Jr., Surveyor/Planner, was sworn. The minor subdivision plan was explained to the Board. All variances were described to the Board as well as surrounding homes/businesses. Existing fencing/wall was discussed again. Buffered area in rear yards will be created. Decks, parking and pitch of rooves were discussed and will be adjusted to comply.

Public to be Heard –

George Gerko of 5 Haven Avenue voiced his concerns and they were addressed. He wants to work out damage to his wall and fence. There was no more public to be heard.

Engineer Murphy stated a condition of approval being that he will approve drainage system and that roof is under 30 foot height.

A motion to approve the necessary variance(s) was made by Commissioner Niland and seconded by Commissioner Patten. Vote to grant: 7-0. (Tape #1, #1 - #2829).

THE FOLLOWING RESOLUTION(S) WAS MEMORIALIZED:

1ST CASE: CARMELO AND EVELYN CAMILLERI

 1 GARFIELD PLACE, BLOCK 105, LOT 13

Variance(s) granted for addition to home – front yard setbacks, side yard setbacks, rear yard setbacks, F.A.R. and any others are required.

A motion to adjourn the meeting was made by Commissioner Patten and seconded by Commissioner D’Ambrosio. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Karen Rattino, Secretary