

# 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 APRIL 9, 2014

The April 9, 2014 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 7:59 p.m. followed by the Flag Salute. Attorney Tomasello read the Open Public Meetings Act.

### Roll Call:

Present: Chairman Nick Fierro, Commissioner D'Ambrosio, Commissioner Mancini, Commissioner Patten, Commissioner Bavazzano, Commissioner Cuccinello, Alternate Korsakoff, Alternate Masi, Attorney Tomasello, Engineer Murphy, & Secretary Steinhilber.

Meeting of the zoning board was read by Attorney Tommasello.

A motion to accept the minutes of the March 12, 2014 meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Patten. On a roll call vote all Commissioners present voted in the affirmative.

### 1<sup>ST</sup> CASE: MR. & MRS. SAMAD HUSSAIN (CARRY OVER) 77 GARFIELD PLACE, BLOCK 104, LOT 1

Applicant requesting Variance(s) construction of a deck and addition requiring variances for front, rear, and side yard setback. Installation of 6' fence where only 3' high is permitted and any others that may be required.

Applicants Attorney, Joseph E. Mecca. Attorney Tommasello sworn in Applicants Samad Hussain & Fhalian Hussain. Fhalian would like to have a deck put in the rear of her house, size 8' x 12' and a sliding glass door to enter from house to the deck. Plans

A-1 shows the area. Patten asked the applicant if there is a door exiting to steps or a concrete slab. Applicant Fhalian answers there is no door but there is a concrete slab. Chairman Fierro asked about how high the deck was off of the ground. Applicant Fhalian responds that there are two steps from the deck to the house. Commissioner Mancini asked applicant about railing, Fhalian responds that there is no deck now so there are no railings. Attorney Mecca asked the applicant if they would be ok with restrictions of the board requires so and the applicant answers yes.

The applicant would like to enlarge the bathroom that is existing from 5 x 3'9 1/2 to include a shower. The applicant would also like to install a privacy fence along Redman Street (none there now) from back of the property on Redman Pl to the front of the house towards Garfield Place. Fhalian would like to re-locate the existing shed to comply with requirements. The shed now is in the rear-end of the property (Garfield side). All parking is done in the driveway; the residents have 4 vehicles. Commissioner Patten asked the applicant how many people were living at the residents, Fhalian stated that 6 people live there, that's why they would like the additional shower. Chairman Fierro asked if a 3' fence was to be installed then there would be no need for a variance, they could put a 6' fence to the end of the house and then with no need for the variance, they could proceed with that as soon as they wanted. Applicant Fhalian would prefer it to be completed, because of a play area for her children.

Engineer Murphy goes over the nonconformity's, the fence will not have any effect on vision for drivers. Commissioner Patten wanted to know what the size of the concrete slab was, Attorney Mecca shows the size on plan A-1. Engineer Murphy suggests putting the play area on opposite side of house, and stresses that a 6' fence to the sidewalk is not appealing and that no other properties around the neighborhood have that. Applicant Fhalian asked about a reduced fence height and if that would be ok, Engineer Nordan says that within 25' the fence would have to be 3'. Applicant is willing to withdraw the application for fence and will comply with the 3' height.

A motion to grant the necessary variance(s) was made by Commissioner D'Ambrosio and seconded by Commissioner Bavazzano. Vote to grant: 7-1 (8:45pm)

2<sup>nd</sup> CASE: DINO & MARJA GOLCEV  
7 ROSELAND AVE, BLOCK 154, LOT 25

This case will be carried over because the applicant failed to put utility on notice. The case is scheduled to be heard at the May 14, 2014 meeting.

THE FOLLOWING RESOLUTION(S) WAS MEMORIALIZED:

1<sup>st</sup> CASE: MRS. GORDANA OLDJA  
388 UNION BLVD. BLOCK 103, LOT 14  
Variance(s) granted for conversion of office space to residential in B-2 zone.

2<sup>nd</sup> CASE: M. ALI & R. DARWICHE  
54 COLUMBUS AVE, BLOCK 74, LOT 5  
Variance(s) granted construction of new home, pre-existing non-conforming lot.  
Variance(s) granted front yard setback and building height.

A motion to adjourn the meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Patten. The meeting was adjourned at 8: 59p.m.

Respectfully submitted,  
Pam Steinhilber, Secretary