

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 JUNE 8, 2016

The June 8, 2016 regular and meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:42p.m. followed by the Flag Salute. Attorney Briigliadoro read the Open Public Meetings Act.

A motion to accept the minutes of the May 11, 2016 meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: EASTERN OUTDOOR (CARRY OVER)
11 VREELAND AVE, BLOCK 157, LOT 4

Attorney Briigliadoro reads letter dated June 7, 2016 from applicants Attorney to move case to next meeting, July 13, 2016. Case has been carried over the past few and Board has the options to either grant the request to carry to July's meeting with or without notice to the public, adjourn to a future meeting with or without notice, or the Board can dismiss the case without prejudice and applicant would have to start over and re notify the public.

Commissioner D'Ambrosio makes a motion to dismiss the case without prejudice, Commissioner Patten seconds the motion. Board votes and approves 7 – 0 at 7:47 pm.

2ND CASE: MADE IN ITALY
590 UNION BLVD, BLOCK 139, LOT 1

Applicant is requesting expansion of use for outdoor dining and any others that may be required. Giuseppe Tramontana, owner, was sworn in by Attorney Briigliadoro. Applicant is asking for permission for outdoor seating during April 1st to October 31st. Applicant needs our approval before going to borough clerk's office for outdoor dining license. Applicant would like 6 tables for outdoor dining consisting of 4 seats at each table, 2 tables on the Union Boulevard front and 4 tables on Mitchell Road side.

Attorney Briigliadoro asks applicant if there would be any barriers from the tables to the sidewalks, there is an ordinance in Totowa that states you cannot block sidewalks. Applicant Tramontana states that there will not be any barriers. Commissioner

D'Ambrosio would like to know if there hours for the outdoor dining will be the same as the indoor, Applicant would like the hours for both. Applicant will comply with all the concerns and changes as stated-Engineer Murphy concerns with the restrictions, Commissioner Patten there are no barriers, Commissioner D'Ambrosio 3 tables on Wilson Ave instead of 4, and Attorney Brigliadorio Union Blvd to have 2 tables with 2 seats each and on Wilson Ave 3 tables with 4 seats each.

Open portion of meeting to the public, no public, close the public portion of the meeting.

Motion was made by Commissioner D'Ambrosio to approve the revisions to outdoor dining, the motion was seconded by Commissioner Bavazzano and approved 7 – 0 at 8:02 pm.

3RD CASE: SUNSET RIDGE
617 PREAKNESS AVE, BLOCK 2, LOT 1, 2, 3, & 4, BLOCK 3, LOT 1, 1.01, 3, 6, 7, & 8.

Attorney Jerome Vogel is requesting site plan approval, original granted variances with revisions of use variance. Attorney Vogel would like to go over Attorney Murphy's letter starting with line 6 the sanitary sewer and water services will be from Wayne and will provide Totowa and Wayne with plans. The utilities will remain private. Line 7 is the vacating of street and lot consolidation. The Mayor and council of Totowa have adopted a resolution to vacate the street and then consolidation of lots can happen. Line 8 is plans that are pending and once received they will go to Engineer Murphy's office for approval.

Engineer Marc Walker, lessened professional engineers was sworn in by Attorney Brigliadorio and is considered an expert in his field by the Board.

Title Sheet

- a & b. Applicant will note revisions will be made
- c. 8 units will be affordable housing as approved by Board in last meeting
- d. Modifications to parking lot due to affordable housing.

Bounding & Topographic Survey Plan

- e. Both paper streets will be vacated and consolidation of both lots
- f. Applicant will add to plan
- g. No sewer and water in Preakness, applicant will show inlets
- h. Applicant will add to plan
- i. Applicant will address with adjacent home owner
- j. Neighbor, Lot 1, Block 110-there was an error in the survey
- k. Applicant is willing to give Borough an easement-Engineer Murphy states if it is the property owners, applicant would not need an easement.

Site & Layout Plan

- l. Will not plow into Preakness Ave, applicant will pull snow off site.
- m. Applicant will supply a turnaround area and coordinate with fire chief about size.

n. Dumpster at back end of property which will be picked up by town and if additional pickups are needed, applicant will pay private company to do so.

o. Applicant will add information 48 garage spaces and 54 surface spaces. Applicant has obtained a design waver for spaces to be 9' x 18', 5 handicap spots 2 of which will be in the garage and 3 on the surface parking.

p. & q. Applicant will take care of

r. Applicant has no objections and will have traffic analyzed and once they have report will send it to Engineer Murphy.

s. Applicant will install sidewalks

Grading & Utility Plans

t. Applicant agrees, there will be a 2 – 1 slope, Engineer Murphy not concerned because of utilities being private.

u. – y. Engineer Murphy will work out with Applicant.

z. Applicant will comply

aa. Addressed in testimony

bb. & cc. Applicant will provide

dd. Applicant will look at

ee. Applicant will propose emergency plan

Soil Erosion

ff. Limit of disturbance

Landscaping

gg. Applicant will comply with tree removal and tree replacement

hh. Applicant will be adding shade trees/tall evergreens or sky rocket junipers.

Applicant will add more if needed.

Lighting

ii. Lights on from dusk to dawn from safety

jj. Architect will address

The remaining items are structure. The sign located at the entrance complies with Engineer Murphy's report. Attorney Vogel goes over some of the other items on Engineer Murphy's report. Line 13, applicant will comply. There will be no exterior recreation but there will be interior recreational services available for residents. Line 14 is contingent on approval from Mayor and Council. Fully Line 15 is right of wave vacation. Line 16 the applicant fully expected the Borough to ask for and the applicant will comply. Applicant will also comply with line 17.

Commissioner D'Ambrosio is concerned about a fire truck being able to make a turn on property, Engineer Walker will make sure once he speaks to Fire Chief that that will not be an issue. Commissioner Patten would like to know what the closest resident is to the dumpster, Engineer Walker states 180' to the structure. Chairman Fierro would like to know about the shed. Attorney Briigliadorio states the shed is actually on the neighbor's property and encroaches on the applicant's property. The applicant will speak with neighbor. Chairman Fierro is concerned about the 36' pipe and the water that would dump onto Preakness Ave. Engineer Walker needs to get a storm water management plan and report and would have to comply with it.

Chairman Fierro opens this portion of the meeting to the public.

Mona Lisa Adamo, resides at 1 Adams Road and 82 Bulliens Ave, was sworn in by Attorney Brigliadorio. Mrs. Adamo refers to Exhibit A-1 and would like to know if the entire green area behind property will be all grass area. Engineer Walker states that area will remain trees. Mrs. Adamo is very concerned about the traffic this will impact on Preakness Ave. Engineer Walker states there will be no lights on the building, but will be on the property and will be shining downward.

Joseph Susino, resides at 631 Preakness Ave, was sworn in by Attorney Brigliadorio. Mr. Susino is concerned about an existing pipe he has in front of his property and if it will be connected to new pipes. Engineer Walker states they will not connect the pipes.

Robert Bobeal, resides at 14 Street, Wayne and was sworn in by Attorney Brigliadorio. Mr. Bobeal refers to Exhibit A-1, which was from the last meeting and is now labeled Exhibit A-2, Mr. Bobeal is on Lot 6 and would like to know if there are is a buffer zone. There will be Colorado Blue Springs.

Mrs. Adamo would like to know if there is a retaining wall. Engineer Walker states there is no retaining wall behind the parking lot.

Motion to close the public portion of the meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Nash.

Commissioner Patten thought at the last meeting there was talk about a private sanitation company being used. There was nothing in the records on that, but if additional pick-ups are needed a private company will be paid to come in and take care of it. Attorney Vogel summed up the application request.

A motion to accept the application was made by Commissioner D'Ambrosio and seconded by Commissioner Nash. Approved 7 – 0 at 9:02 pm

THE FOLLOWING RESOLUTION(S) WAS MEMORIALIZED:

1ST CASE: DO GOOD HOUSE
195 UNION BLVD, BLOCK 41, LOT 1.02

Applicant was approved for addition to rear of the building requiring variance(s) for F.A.R., side yard setbacks, maximum lot coverage, and parking.

2ND CASE: BLAGOJA MARKORSKI

Applicant was approved for expansion of an existing 2 family home in a single family R-20 zone with existing non-conforming lot requirements.

A motion to adjourn was made by Alternate Masi and seconded by Alternate Korsakoff. The meeting was adjourned at 9:07 pm.

Respectfully submitted,
Pam Steinhilber, Secretary