**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting 7:00pm

December 28, 2022

**CALL TO ORDER at 7:00 pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of December 28, 2022 adequate advance notice of this meeting has been provided by publication in the Herald and News and also posted on the bulletin board at the Council Chamber entrance in the Municipal Hall of the Borough of Bloomingdale, Passaic County, in compliance with the New Jersey Open Meetings Act, N.J.S.A. 10:4-6 seq.

**FIRE CODE**

Per State Fire Code, I am required to acknowledge that there are two “Emergency Exits” in this Council Chamber. The main entrance through which you entered and a secondary exit to the right of where you are seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out of the building. If there are any questions, please raise your hand now.

**ROLL CALL MEMBERS/ALTERNATE MEMBERS (\*denotes alternate)**

James W. Croop Barry Greenberg Wayne Hammaker\*

Mark Crum Craig A Ollenschleger Dominic Catalano (7:22pm)

Bill Steenstra Edward Simoni Robert Lippi\*

Bill Graf Margaret Covert\* Brian Guinan\*

**MEMBERS ABS/EXCUSED**

Rachel Frost

**MINUTES**

**11/28/22**

* A motion made by Comm. Graf, 2nd by Comm. Hammaker to approve minutes of 11/28/22 meeting. Roll call shows all in favor with 2 abstentions from Comm. Lippi and Comm. Guinan

**SEATING OF ALTERNATES**

Comm. Lippi for Comm. Greenberg

Comm. Guinan for Comm. Catalano

**PUBLIC HEARING**

(Seated**:** Ollenschleger, Steenstra, Lippi, Guinan, Croop, Crum, Graf & Simoni)

**#695** Leanne & Benjamin Scaturro 1 West Shore Road Block 2004 Lot 49

A motion is made by Comm. Croop, 2nd by Comm. Steenstra to grant waivers on checklist item #11 and #14 on the engineer’s checklist. Voice vote shows all in favor.

A motion is made by Comm. Graf, 2nd by Comm. Lippi to deem application #695 as complete. Voice vote shows all in favor.

At this time, the applicant, Leanne Scaturro, 1 West Shore Road, Bloomingdale, is sworn in.

Ms. Scaturro states that she is here for a variance approval. They bought the property 5 years ago and have been making improvements. She believes the variance process started due to the back deck. When building the deck it was recommended to leave the railing off for the view and even though it was approved by the Lake Assoc., because the deck went over the rock wall, a variance was required. The issue is with the corner of the deck and the setbacks required.

She also stated that since the initial application, they put in a hot tub and pad and the other thing that they have not installed yet, but would like to, is a generator and pad.

Chairman Simoni goes over and clarifies the variances with Ms. Scaturro.

Comm. Graf asks Ms. Scaturro when she purchased the property, did the impervious coverage exist.

She states that it did.

Board engineer, Tom Boorady, goes through his report dated 12/7/22.

He refers to the technical comments on his report.

1. He refers to the stormwater run off and states that the site has no means of addressing stormwater run off, therefore there is no reason to provide a stormwater facility.
2. The as-built is waived
3. Reminder to obtain building permits.

Comm. Croop states that there is a term used in most lake communities called “common land” and it appears that the applicant has common land on both sides that is encroached on. He does not see this as a detriment to any neighbors. There is no physical impact to the neighbors and feels it is an important consideration for this application.

Comm. Ollenschlger states that the actual increase is barely ½ %.

Comm. Graf states that there is a 2.1 % increase.

Chairman Simoni states that it is minuscule.

Comm. Graf agrees it is truly de minimis. He also states that the lot is exceptionally narrow. The Board has the opportunity to grant relief for these types of properties which are affected by lot coverage, side yard setbacks and C-1 conditions.

Chairman Simoni states that he doesn’t recall seeing a home where it is so narrow, it’s definitely a hardship.

For the record, it is noted that Comm. Catalano arrived at 7:22pm.

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to open meeting to public for questions or comments of application #695. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to close meeting to public for questions or comments of application #695. Voice vote shows all in favor.

After closing of public comment, Comm. Ollenschleger asks Ms. Scaturro if the hot tub was put in the same area as the deck.

Ms. Scaturro states that there are two steps down from the deck to the hot tub.

Comm. Ollenschleger asks why the hot tub was installed.

Ms. Scaturro states that it was installed for their personal use and pleasure.

A motion is made by Comm. Crum, 2nd by Comm. Covert to again open meeting to public for questions or comments of application #695. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to close meeting to public for questions or comments of application #695. Voice vote shows all in favor.

The following motion is made by Comm. Graf, 2nd by Comm. Steenstra:

Motion for approval and C Variance relief

* Reasons for approval
	+ C1 criteria: exceptional narrowness of property; placement of dwelling on property
	+ C2 criteria: benefit of granting relief outweighs any detriment; property upgrades adding to value and attractiveness promoting general community welfare
	+ Negative criteria: not viewed as a detriment to the public good or a detriment to Borough zone plan or zoning ordinances
	+ Lot coverage increase considered to be deminimus; noted that existing lot coverage includes 5.03% (1463sf) W. Shore Road; noted that property purchased by applicant with existing lot coverage 31.43% (9134sf)
* C variance relief granted for existing and proposed conditions as represented in application
	+ Existing
		- Lot size, approx. 29,060.41sf
		- Lot frontage, 47.64 ft
		- Lot coverage, 31.43% (9134sf)
		- Side yard, one, dwelling right side, 22.2 ft
		- Side yard, detached garage, 4.2 ft
	+ Proposed
		- Lot coverage, 33.44% (9719sf)
			* Deck, 519sf
			* Hot tub, 46sf
			* Future generator pad, 20sf
		- Side yard, one, dwelling/deck right side, 6.6 ft
		- Side yard, both, dwelling/deck, 42.1 ft
		- Side yard, hot tub right side, 6.5 ft
		- Side yard, future generator pad right side, 16.2 ft
* Conditions as noted in PB Engineer’s letter dated 12/7/22, Technical Review section
	+ Stormwater runoff, mitigation plan waived
	+ As-built post-construction survey, requirement waived
	+ All necessary permits be obtained for deck and hot tub improvements already made and future generator improvement

Roll call shows 8-0 in favor.

**RESOLUTION**

**#699** Deanne & John Martini 97 Vreeland Avenue Block 3017 Lot 20

A motion is made by Comm. Croop, 2nd by Comm. Crum to adopt and memorialize Resolution #699 as written. Roll call shows 8-0 in favor.

**PENDING APPLICATIONS**

**#688** JBA Landscape LLC 237 Hamburg Turnpike Block 3012 Lot 9

**#702** Tri Boro Dental (Sluka) 40 Main Street Block 5088 Lot 4

#709 Stumble Inn 231 Hamburg Turnpike Block 3012 Lot 8

#711 CGMACCH LLC 338 Glenwild Ave Block 2003 Lot 6

#712 David Lancelloti 22 Walnut St Block 5104 Lot 24

#713 Canna Group of NJ LLC 44 Hamburg Tpk Block 3046 Lot 30

**NEW BUSINESS**

Discussion of:

* 2023 Calendar to be adopted at re-organization meeting
* Amendment to By-Laws for 2023 to be adopted at re-organization meeting

A motion was made by Comm. Graf, 2nd by Comm. Crum to publish amendment to change Re-organization meeting from January 25th to January 12th @ 4:00pm. Also include public hearing of lot line adjustment application and review of ordinance 1-2023 and any other business.

**BILLS**

*Darmofalski –* Mtg Attend 11-28-22 $390, ***App #695 Scaturro $780, Ap #675 Tastefully British $80***

*Brigliadoro-* Mtg Attend 11/28/22 $500, ***App #699 Martini $192, App # 702 Tri Boro Dental (Sluka) $96***

 ***(\*escrow account)***

A motion is made by Comm. Greenberg, 2nd by Comm. Hammaker to pay bills as listed. Roll call shows 12-0 in favor.

**PUBLIC DISCUSSION**

A motion is made by Comm. Crum, 2nd by Comm. Covert to open meeting to public. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to close meeting to public. Voice vote shows all in favor.

**ADJOURNMENT**

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to adjourn meeting @ 8:00pm. Voice vote shows all in favor.

***Respectfully submitted,***

*Barbara Adubato, Secretary*

*Bloomingdale Planning Board*