**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Regular Meeting **7:00pm**

February 23, 2022

**CALL TO ORDER 7:03pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of February 23, 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 Craig Ollenschleger Wayne Hammaker\*

Mark Crum Edward Simoni Brian Guinan\*

Bill Steenstra Rachel Frost Margaret Covert\*

Bill Graf Dominic Catalano

**MEMBERS ABS/EXCUSED**

Barry Greenberg

Bob Lippi

**SEATING OF ALTERNATES**

Comm. Hammaker for Comm. Greenberg

**MINUTES**

**1/26/22**

* A motion made by Comm. Crum, 2nd by Comm. Croop to approve minutes of 1/26/22 meeting. Voice vote shows all in favor with abstention from Comm. Frost.

**PUBLIC HEARING**

**#703** Finbar Union Avenue Block 5105 Lot 14.02

(seated: Steenstra, Catalano, Frost, Croop, Crum, Graf, Ollenschleger, Hammaker and Simoni)

John Marmora, applicant’s attorney states that they are before the Board this evening for a simple lot line adjustment. They are taking the subdivision line that was previously approved and moving it, making the originally subdivided lot 40 acres instead of 33 acres.

Board attorney, Richard Brigliadoro states that a minor subdivision lot line adjustment under the law, does not require notice. He reads into the record Ordinance 69-6, waiver of notice. Therefore, in this case, it is his opinion that it be appropriate to grant waiver of notice requirements.

Board Engineer, Tom Boorady refers to his report dated 2/2/22. He goes over checklist items and waivers from his report.

Item #7 will be a condition of approval, as the applicant states they will provide documents and that they will be perfecting the subdivision by deed.

Checklist items 20, 21, 25,26 & 27 are request for full waivers. Mr. Boorady states that he has no engineering objection to these waivers.

Checklist item #28 for other agency approvals will be provided. Applicant states that they will be seeking a letter of exemption from Passaic County. This will be a condition of approval.

A motion is made by Comm. Steenstra, 2nd by Comm. Croop to grant full waivers for items #20, 21, 25, 26 & 27 and to grant waiver of notice. Motion also to include that item #7 and #28 be conditions of approval and to deem application #703 complete.

Roll call shows 9-0 in favor.

At this time, the applicant’s engineer, Wayne Ingram 140 W Main Street is sworn in as an expert witness.

Mr. Ingram shows lot line movement on plans provided to the board. He outlines existing lot line and shows where the projected line is being moved to.

John Marmora states that the applicant will agree to comply with all conditions of the simple lot line adjustments.

At this time Chairman Simoni asks the board if they have any questions or comments for the applicant.

Seeing no one with questions or comments, Chairman Simoni asks for a motion.

A motion is made by Comm. Crum, 2nd by Comm. Hammaker to open meeting to the public for questions or comments of the applicant. Seeing no questions or comments,

A motion is made by Comm. Steenstra, 2nd by Comm. Crum to close meeting to public.

Voice vote shows all in favor.

Chairman Simoni asks Mr. Marmora if he has any closing statements.

Mr. Marmora states that this is just a simple lot line adjustment and that he has no additional comments at this time.

A motion is made by Come. Croop, 2nd by Comm. Hammaker to approve application

#703 for minor subdivision lot line adjustment subject to waivers and conditions set forth on record. Roll call shows 9-0 in favor.

**PUBLIC HEARING**

**#696** Damian & Edelmira Rodriguez 21 Union Ave Block 5064 Lot 16

(seated: Covert, Ollenschleger, Hammaker, Steenstra, Catalano, Frost, Crum, Graf and Simoni)

Comm. Croop is recused as he resides within 200’ of applicants property.

Comm. Covert is seated for Comm. Croop.

Maria Bross, daughter of applicant, is sworn in and states that she is speaking for the applicant. They are here before the board to ask for variance relief so as to construct an addition to the home located at 21 Union Ave to allow her parents to have a one level living space as the stairs have become a hardship.

The applicant’s architect, Daniel Russell, 22 Chilhowie Drive, Kinnelon, NJ, is sworn in as a qualified expert witness.

Mr. Brigliadoro states that the notice and service appear in order.

Mr. Boorady goes through the technical review of his report dated 12/13/21.

1. Asks that applicant amend to increase lot coverage by at least 1.2% greater than originally requested.
2. Update architectural plans to meet DEP approval. This would be a condition of approval.
3. If approved applicant agrees to obtain all necessary permits prior to work.
4. Setbacks approved tonight can be no less than what is shown on plans.
5. Recommendation to supply as built once work is done.
6. Escrow to be kept up to date.

Mr. Brigliadoro states that it appears that this a severely undersized lot and that the home was built before zoning restrictions.

The applicant states that this is the case. The home was built before the 1950’s.

At this time, Chairman Simoni asks the board for any comments or questions of the applicant.

Board members do not have any questions of the applicant.

A motion is made by Comm. Crum, 2nd by Comm. Hammaker to open to public for comments or questions of application #696. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Crum, 2nd by Comm. Hammaker to close to public for comments and questions of application #696. Voice vote shows all in favor.

A motion is made by Comm. Steenstra, 2nd by Comm. Ollenschleger to approve application #696 as amended with conditions set forth on record and approve burdening of undersized lot which presents a hardship and is consistent of section c and is no detriment to public good, zoning plan and zoning ordinance.

**PUBLIC HEARING**

**App #705** Nastasha Roman 45-47 Main Street unit 7 Block 5060 L0t 15

(seated: Crum, Graf, Covert, Ollenschleger, Hammaker, Steenstra, Catalano, Frost, Croop, Simoni)

The applicants, Edward & Nastasha Roman of 23 Bergan Avenue, Haskell, NJ are sworn in at this time.

The applicant is before the board for a waiver of site plan for a conditional use of a dog grooming parlor. Dog grooming is included in the borough ordinance as a conditional use; however, this ordinance was not intended for a strip mall. It was intended for a free-standing building. The applicant is here to ask that a waiver of site plan be granted and to answer any questions the board may have.

Comm. Ollenschleger asks if this is purely a grooming facility, no kenneling or overnight stays.

Ms. Roman states absolutely no kenneling or overnight stays.

Comm. Graf asks about the hours of operation and how many dogs at one time.

Ms. Roman states that she would initially like to be open 5 days a week from hours of 7:30am to 4pm, but with flexibility to extend to 6 days if needed. There will be no more than 2-3 dogs in the shop at one time. One dog to be groomed at a time and possible 2 other dogs in the facility in between appointments during pick up and drop off times.

Comm. Graf suggests that she not limit herself to the 7:30-4:00 hours or 5 days a week. He suggests the board grant hours to be 7:00am–7:00pm, 7 days a week. This gives her more flexibility with hours and days of operation.

Comm. Guinan states that since there is no overhead housing on this building, he sees no detriment to the public.

Board engineer, Tom Boorady recommends that the site plan be waived as this is a fully developed operating site.

Board attorney, Richard Brigliadoro asks the size of the space.

Ms. Roman states that it is approximately 750-800 sq. ft.

Board chairman, Ed Simoni, asks the board if they would agree to a waiver of the application fee.

A motion is made by Comm. Graf, 2nd by Comm. Hammaker to waive application fee. Roll Call shows 9-0 in favor.

Seeing no other questions of the board, a motion is made by Comm. Graf, 2nd by Comm. Ollenschleger, to grant conditional use approval with waiver of site plan for such facility to operate daily between 7:00 am and 7:00 pm 7 days a week with a condition of approval being there will be no more than 3 dogs at one time.

Roll call shows 10-0 in favor.

**PENDING APPLICATIONS**

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

**#692** Daniel Mahler89 Main Street Block 5060 Lot 21

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

**#697** Robert & Jacqueline Rickard 9 Birch Road Block 4085 Lot 5

**#698** Van Grouw, Anthony & Karen 4 Anna Rose Court Block 2004 Lot 16

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

**#700** Kyle Morris Realty 93 Glenwild Ave Block 3046 Lot 30

**#701** KSL Lake House LLC 99 Demarest Road Block 4049 Lot 58

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

**#704** 8 First Street Bloomingdale LLC Block 3032 Lot 13

**RECOMMENDATION TO MAYOR & COUNCIL OF ORDINANCE #2-2022**

* *AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY, AMENDING CHAPTER 92 “ZONING” OF THE CODE OF THE BOROUGH OF BLOOMINGDALE*

A motion was made by Comm. Crum, 2nd by Comm. Covert to recommend Ordinance 2-2022 to the Mayor and Council as written, as the board finds it consistent with the Master Plan. Roll call shows 10-0 in favor.

**YEAR-END RESOLUTION of Variance Applications and Amendment Recommendations**

A motion is made by Comm. Crum, 2nd by Comm. Hammaker, to approve 2021 Year- End Resolution, prepared by Richard Brigliadoro

Roll call shows 11-0 in favor.

**BILLS**

*Darmofalski –*Mtg attend 1/26/22 $390, ***App #703 Finbar $1560, App #702 Sluka $1170, App #700 Kyle Morris $1170***

*Brigliadoro-* Mtg attend 1/26/22 $500, year-end resolution/review/research $576, ***App #703 Tilcon $229***

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

A motion is made by Comm. Crum, 2nd by Comm. Croop to pay bills as listed. Roll call shows 11-0 in favor.

**PUBLIC DISCUSSION**

A motion is made by Comm. Croop, 2nd by Comm. Hammaker to open meeting to public.

Voice vote shows all in favor.

Seeing no one coming forward from public,

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

**ADJOURNMENT**

A motion is made by Comm. Crum, 2nd by Comm. Hammaker to adjourn meeting at 8:37pm. Voice vote shows all in favor.

*Respectfully submitted,*

*Barbara Adubato, Secretary*

*Bloomingdale Planning Board*