**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

September 28, 2022

Regular Meeting **7:00pm**

**CALL TO ORDER @ 7:01pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Regular Meeting of the Bloomingdale Planning Board of September 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 PRESENT (\*denotes alternate)**

James W Croop Brian Guinan\* Dominic Catalano

Mark Crum Edward Simoni Robert Lippi\*

Bill Steenstra Wayne Hammaker\* Margaret Covert\*

Bill Graf Barry Greenberg

**MEMBERS ABS/EXCUSED**

Craig Ollenschleger - ex

Rachel Frost - ex

**SEATING OF ALTERNATES**

Comm. Hammaker for Comm. Ollenschleger

Comm. Covert for Comm. Frost

**APPROVAL OF MINUTES**

* **8/24/22**

A motion was made by Comm. Steenstra, 2nd by Comm. Hammaker to approve the minutes of 8/24/22. Voice vote shows all in favor.

**PUBLIC HEARING**

**#706** Bernadette Mastria 7 Anna Rose Court Block 2004 Lot 7

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

Doug Doyle, attorney for Bernadette Mastria states the calculations on the 2013 plans that were previously approved were incorrect and he feels that what is being submitted with the plans this evening is 100% accurate. The plans were changed substantially to allow construction to be done with reasonable variance seeking.

At this time Mr. Michael Pucci is sworn in as a licensed architect.

Mr. Pucci states that they updated plans marked as A-8 and he is presenting the revised version of these plans.

He states that as represented on the prior plan, the concrete walkway & patio are now removed.

Referring to the color-coded Rear Deck plan rendered by the architect. The pink area shows the decking and roof which is to be removed. The blue area is what portion is to remain. The yellow area is the proposed deck roof to be removed. And the green area is the existing covered porch which is to remain.

Mr. Doyle asks that with all the roofing being removed and because the stormwater system originally suggested was already over engineered, what would be an appropriate stormwater management system be for the new plans.

He is not opposed to asking Mr. Boorady to do a review of the stormwater management system and ask subject to his approval to make sure stormwater management is sized appropriately to new plans.

Mr. Boorady states that he will be happy to work with the engineer to make sure it’s appropriately sized and that it meets or exceeds typical standards and that it be a condition of approval.

Comm. Croop asks if applicant will remove existing structures before building new construction?

Comm. Graf clarifies the question asking will building permit be issued prior to demolition.

Chairman Simoni states that it will not. The building permit will be issued after demolition.

He adds that this should be a same day process, submit for both permits, but construction will be after demolition and debris removal, with the understanding that some of the material already existing will be re-purposed.

Comm. Catalano asks if stormwater management should be a condition of approval.

Mr. Boorady states the plans need to be modified for stormwater and zoning table and no plans will be signed until revisions are done.

Mr. Doyle goes over variances required stating:

34.3% for lot coverage where 15% is required

13% for building coverage where 8% is required

13.1% side yard (W) where 25% is required

41’ combined side yard where 50’ is required

He adds that they are also requesting a variance for a/c and generator placements.

Mr. Boorady clarifies that the architectural drawings be revised and be reviewed by him as a condition of approval.

Mr. Doyle continues by stating that many things have already been removed from the property and confirms that demolition will be completed, and all debris removed prior to building permit being authorized.

At this time Mr. Doyle has no further statements.

A motion is made by Comm. Crum, 2nd by Comm. Catalano to open meeting to public for questions pertaining to application 706. Voice vote shows all in favor.

Seeing no public,

A motion is made by Comm. Crum, 2nd by Comm. Catalano to close meeting to public for questions pertaining to application 706. Voice vote shows all in favor.

A motion is made by Comm. Graf, 2nd by Comm. Steenstra to approve application #706

* Variance relief granted for:
  + Building coverage of 3536sf/13% where 8% max is permitted.
  + Lot coverage of 9317sf/34.3% where 15% max is permitted. This is the 2013 approved lot coverage.
  + West side yard setback of 13.1’ average.
  + Both side yards setback of 41’ average, comprised of 27.9’ average east side and 13.1’ average west side.
  + AC/Generator side yard setback of no less than 20.0’ to allow for replacement increased size.
  + All components of coverage and set backs are to be as specified on CPL Variance Map dated 10/13/20, revision date 9/14/22.
* Conditions of approval:
  + Screening on west side of property to be provided as requested and approved by adjacent property owner.
  + Storm water management plan to be reviewed and approved by Board Engineer.
  + All requirements and recommendations contained in the Technical Review comments of the Board Engineer’s letter dated 5/4/22 be adhered to, with special emphasis on #10 the As-Built Survey being approved by the Board Engineer prior to any Certificate of Occupancy being issued.
  + All demolition is to be completed and demo debris removed from property prior to a building permit being issued for the final deck construction phase. Demo phase material to be re-purposed for the building phase does not need to be removed from the property.
* A primary reason for granting C-1 variance relief is the topography of the property. The property slopes down front to back and west to east creating a situation where access to the rear yard from the first floor living space is not possible without a deck. The deck provides access and allows for the enjoyment of the rear yard. Granting approval and variance relief provides a framework for the property to cease being in, what would appear to be, a constant state of construction and upheaval, therefore providing a benefit to the homeowner and adjacent property owners as well as the neighborhood in general. Granting approval and relief is not considered to be substantially detrimental to the Borough’s zone plan and ordinances in that the lot coverage remains at the previously approved 2013 level with building coverage to be increased a de minimis amount and side yards substantially the same as approved in 2013. Roll call shows 9-0 in favor.

Comm. Steenstra and Chairman Simoni thank Mr. Doyle, the Mastria’s, and all the board members for their patience and civility throughout this application.

Mr. Doyle thanks the board and states that Mr. & Mrs. Mastria love this town and although frustrating mistakes were made, they are happy that the board took the time to make sure that they comply.

**WAIVER RESQUEST & COMPLETENESS**

**#702** Tri Boro Dental Assoc. (Sluka) 40 Main Street Block 5088 Lot 4 (10/26/22)

A motion was made by Comm. Steenstra, 2nd by Comm. Croop to grant waivers #24, 25, 26, 40, 42, 43 & 44. No waivers were granted for #34 & 36. As per engineer’s report dated 9/26/22.

**RESOLUTION**

**#710** Maggie Covert 88 Wood Place Block 4049 Lot 88

(seated: Catalano, Lippi, Guinan, Croop, Crum, Graf, Greenberg, Steenstra & Simoni)

A motion was made by Comm. Greenberg, 2nd by Comm. Catalano to adopt & memorialize resolution #710. Roll call shows 9-0 in favor.

**PENDING APPLICATIONS**

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

**#695** Leanne & Benjamin Scaturro1 West Shore Road Block 2004 Lot 49(resubmitted)

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

**#699** Deanne & John Martini 97 Vreeland Avenue Block 3017Lot 20(letter sent)

**#702** Tri Boro Dental Assoc. (Sluka) 40 Main Street Block 5088 Lot 4 (10/26/22)

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

**#708** 38 Main Street, LLC 38 Main Street Block 5088 Lot 5

**#709** Stumble Inn 231 Hamburg Turnpike Block 3012 Lot 8

**#711** CGMACCH LLC 338 Glenwild Ave Block 2003 Lot 6

**#712** David Lancellotti 22 Walnut Street Block 5104 Lot 24

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

A motion was made by Comm. Hammaker, 2nd by Comm. Crum to remove applications #698 & 699 without prejudice due to inactivity for over a year. Voice vote shows all in favor.

**BILLS**

*Darmofalski –*Mtg attend 8/24 $260, ***App #710 Covert $260, App #709 Stumble Inn $130, App # 702 Tri Boro Dental (Sluka) $260***

*Brigliadoro-* Mtg attend 8/8/22 $500 Mtg attend & Resolution Review 8/24/22 $628, ***App #706 Mastria $688.50, App #710 Covert $544.00***

***(escrow account)***

A motion was made by Comm. Greenberg, 2nd by Comm. Crum to pay bills as listed. Roll call shows 10-0 in favor with one abstention by Comm. Covert.

**NEW BUSINESS**

* Discussion of getting estimate from board planner for Master Plan

A motion was made by Comm. Steenstra, 2nd by Comm. Crum to obtain an actual estimate from the planner for the Master Plan. Roll call shows 11-0 in favor.

**PUBLIC DISCUSSION**

A motion was made by Comm. Crum, 2nd by Comm. Croop to open meeting to public for comment. Voice vote shows all in favor.

Seeing no public,

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

**ADJOURNMENT**

A motion is made by Comm. Greenberg, 2nd by Comm. Crum to adjourn meeting at 8:44pm.

Respectfully submitted,

*Barbara Neinstedt Adubato, Secretary*

Bloomingdale Planning Board