

NUTLEY PLANNING BOARD
Public Hearing
Wednesday, September 3, 2008

PRESENT: C. Tangorra – Vice Chairperson, A. Eisenfelder – Secretary, M. Arcuti, M. Craine, J. Greengrove, L. Riccio, P. Ritacco, B. Kozyra, Esq.

EXCUSED: P. McGovern – Chairman, C. Cioban

The Notice of Public Meeting of the Nutley Planning Board was read by Vice Chairperson Tangorra. The meeting was called to order by Ms. Tangorra at 7:12 p.m. Ms. Tangorra noted that Mr. Arcuti would sit for Mrs. Cioban

The minutes of the July 30 and August 6, 2008 meetings were circulated and approved.

BILLS AND COMMUNICATIONS:

Mr. Kozyra noted there were 2 invoices to be presented.

Linda Posternock – attendance at and preparation of minutes for the July 30, 2008 meeting in the amount of \$150.00.

Linda Posternock – attendance at and preparation of minutes for the August 6, 2008 meeting in the amount of \$150.00.

Both invoices were approved for payment.

OLD BUSINESS:

Inaudible.

NEW BUSINESS:

Inaudible.

Mrs. Jeanne VanSteen, representative of the League of Women Voters, presented the members of the Planning Board with a League of Women Voters of NJ publication called “Smart Growth Action Guide”, a booklet about how to achieve well-planned, well-managed growth. Mrs. VanSteen stated that they have already presented the booklet to the Commissioners. The other publication was called “Smart Growth Survival Kit” from the Association of New Jersey Environmental Commissions giving practical approaches to managing growth. Mrs. VanSteen thought that the publications would be helpful during the Master Plan process.

Inaudible.

Mr. Thomas DiBiasi, counsel for the applicant of 308 Passaic Avenue, stated that his client would like to move into Nutley and be part of the community. Mr. DiBiasi said that the new presentation would be more inline with the character of the neighborhood

and the changes that were incorporated into the final plan would be pleasing to both the Board and the neighbors.

Mr. DiBiasi called Mr. Michael Kuybida, Architect, West Paterson, NJ, and he was sworn. Mr. Kuybida stated that he was retained to do the plans and specifications for the proposed development of the site. He noted that the owner wishes to subdivide the property and build 2 single-family homes. Mr. Kuybida said that he tried to design a home that would be compatible with and enhance the neighborhood and without the need for a variance. Mr. Kuybida mentioned that they were in compliance with the lot coverage, setbacks, height, and the size of the home would be within the allowable coverage.

Mr. Kozyra noted that one of the policies of the town is not to develop homes that would be out of character with the neighborhood regarding size and asked Mr. Kuybida the size of each proposed home. Mr. Kuybida referred to Exhibit A-1, which is the front elevation of the home, and Exhibit A-2, which is the floor plan of each individual home. The first floor has the garage up front.

Mr. Kozyra was inaudible.

Mr. Kuybida stated that the required front yard setback was 25 feet but they actually set the house back 45 feet, which would allow the garages in the front of the house and the doors on the side. This would provide room for a K-turn, which would allow the people to turn around on the property and drive out, rather than backing out onto Passaic Avenue.

Inaudible.

Mr. Kuybida noted that there was a front porch, which included the entrance to the home. The first floor would have the garage, front entrance, dining room, kitchen, living room, laundry and powder room with an area of 1,378 square feet of inhabitable space. The second floor would have 3 bedrooms, 2 bathrooms, walk-in closets, and attic storage with an area of 1,608 square feet for a total of 2,986. A maximum building height of 30 feet and 2-1/2 stories is allowed by ordinance. Mr. Kuybida stated that their proposal was for 2-1/2 stories and 26.8 feet in height. He said that the maximum lot coverage permitted is 35% and they are proposing on Lot 2.01, 17.6%, and on Lot 2.02, 16.2%. On the impervious area, the home, driveways, walks, etc., the maximum coverage permitted is 65% and they are proposing on Lot 2.01, 35.86% and on Lot 2.02, 34.86%.

Inaudible.

Mr. Kuybida spoke about the sizes of the side, rear, and front yard setbacks. He also stated that they would not be seeking any variances for any of the setbacks.

Inaudible.

Mrs. Craine asked if, from the street, she would be able to see part of the house or just the garage. Mr. Kuybida stated that she would be able to see part of the house. Mrs.

Craine also wanted to know if the upper part of the garage was a living area. Mr. Kuybida stated that it was the attic of the garage and not a living area.

Inaudible.

Mr. Riccio asked if there would be a basement to which Mr. Kuybida replied yes.

Inaudible.

Ms. Tangorra asked if there were any members of the public who wanted to speak.

Kim McGuire, 310 Grant Avenue, asked that if the Board was to approve the subdivision of the property with stipulations and then the owner sells the property prior to the homes being built, would the stipulations transfer to the new property owner. Ms. McGuire also wanted to know if the owner had intentions of selling the property to a developer interested in buying the house that was for sale.

Inaudible.

Mr. DiBiasi stated that he has not engaged in any discussion with a developer for the property.

Mr. Bimal Dasmahapatra, 322 Grant Avenue, wanted to know what the house looked like, with respect to the windows, from the Grant Avenue side.

Mr. DiBiasi called Mr. Thomas G. Stearns III, Engineer, and he was sworn. Mr. Kozyra asked Mr. Stearns to focus on the engineering issues only. Mr. Stearns stated that the existing Lot 2 in Block 4200 is a 24,231 square foot lot and will be subdivided into 2 equal lots. Lot 2.01 is 11,697 square feet. And Lot 2.02 is 12,534 square feet. Mr. Stearns also spoke about the parking and drainage.

Inaudible.

Mr. DiBiasi stated that if approved, the applicant agreed at his cost, to continue a fence in the rear of the property that will match the same color that the neighbors have. The applicant also agreed not to have a rear fence on the property line with the Gingerelli's, and to have landscaping done, also at the applicant's cost.

Mr. DiBiasi stated that the applicant would live in one of the houses and sell the other house. Also, they would want to have a contract on the second house before construction on that house begins.

Mr. DiBiasi called Mr. Paul Bauman, North Caldwell, NJ, and he was sworn. Mr. Bauman addressed the questions with respect to the width of the lot and the property lines. Mr. Bauman stated that there would be a variance needed for the lot width. Mr. Bauman circulated to the Board members a small version of a zoning map, which was marked Exhibit A-4, and provided an explanation of the map.

Mrs. Craine stated to Mr. Bauman that, "it's nice to finally agree with you on

something, Mr. Bauman". Mr. Bauman accepted the compliment.

Inaudible.

Mr. Robert Gingerelli, 314 Grant Avenue, asked that he be involved when they set the fence back to keep the tree line.

Mr. DiBiasi called Mr. Steven Salzman, Applicant, Clifton, NJ, and he was sworn. Mr. Salzman agreed to the stipulations set forth by Mr. DiBiasi and swore under oath that he and his family would reside at one of the houses.

Inaudible.

Mr. DiBiasi called Mrs. Elizabeth Gingerelli, 314 Grant Avenue, and she was sworn. Mrs. Gingerelli agreed that the application and process was fair to all of the people involved.

A motion was made and seconded to approve the application. The vote was approved as follows: 7 - Yes, 0 - No, 0 - Abstentions (7-0-0).

Inaudible.

COMMITTEE REPORTS:

There were no committee reports.

There was no further business before the Board and the meeting was adjourned at 8:29 p.m.

Respectfully submitted,

Linda Posternock

Linda Posternock
Recording Secretary