

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, January 22nd, 2018

In the matter of:
Public Hearings, Public Comment
Applications heard before the Garfield Zoning Board of Adjustment
January 22nd, 2018

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

Carmin Breonte- Chairman
Arlene Patire-Vice-Chairwoman
Robert Cochrane
Paul Houlis
Romi Herrera- **Absent**
Salvatore Lamendola
John Easom
Francisco Sanchez 4th Alt
Kathy Rozmus Alt.- **Absent**
John Calandriella Alt. – **Absent**

Appearance:

Joseph J. Conte, ESQ., Alternate Attorney to the Board
Beth Calderone, Certified Court Reporter
Mark Palus, Engineer, MAP Engineering

Reported By Jacqueline Fiola, Clerk
January 22, 2018 (Work Session) 7:00pm
Board members reviewed submitted plans for the evening's agenda

GARFIELD ZONING BOARD MEETING CALLED TO ORDER: 7:30PM

(Flag Salute)

SUNSHINE LAW: Read by Chariman Carmin Breonte PUBLIC LAW 1975 CHAPTER 231 "OPEN PUBLIC MEETING ACT" PUBLIC HEARING
January 22, 2018 Council Chambers, City Hall Commencing at 7:30pm.

Motion to Approve the January 2nd, 2018 Reorganization Minutes- Salvatore Lamendola

Second- John Easom
Paul Houlis- Obstain
Robert Cochrane- Obstain
John Easom- Aye
Salvatore Lamendola- Aye
Arlene Patire- Aye
Carmin Breonte- Aye

January 2, 2018 Reorganization Minutes Approved

Motion to Approve the December 18th, 2017 Minutes- Paul Houlis

Second- Robert Cochrane
Paul Houlis- Aye
John Easom- Aye
Robert Cochrane- Aye
Salvatore Lamendola- Aye
Arlene Patire- Aye
Carmin Breonte- Aye

December 18th Minutes Approved

133 Gaston Avenue

- The applicant is requesting variance relief to convert the two (2)- family dwelling in an R2 zone that permits said use.

Gary Zalarick

Attorney for the Applicant

- the lot is 50 x 100 lot
- it is currently vacant with a shed
- there has never been anything built on this lot prior
- the areas they fall short on is the 12 foot side yard they are at 7.8 feet on one side. They need a variance for that. The height of the building is 28.9 feet which is a height variance.
- The reason for the height is because they cannot go any deeper to reduce the height

Mrs. Patire asked why we got the lay out of everything today.

Mr. Zalarick stated that he submitted four plans. When the changes were made there was a complete letter he got the plans and submitted everything to Mr. Conte. They were delivered to Mr. Conte's office.

Mr. Conte stated that they have 2 sets of plans with the package and the plans got to the board on Wednesday. Unfortunately the plans that the board received tonight were delivered to his office on Friday.

Mrs. Patire said that it cannot be that they the board is getting plans the night of a meeting because then they are sitting in the back trying to read plans and figure them out.

Mr. Conte stated that Mr. Zalarick has many applications coming up and there is a system that is going to occur where things will be done in a certain order.

Salim Issa

175 Concord Drive

Paramus, NJ 07652

Sworn in by Beth Calderone

Applicant

- he invests his money by building homes and selling them
- side by side two (2) family home
- basement: will only have a utility room and possibly a washer and dryer
- attic: only has pull down stairs, there are no living quarters in the attic
- he will be using a pre-construction company for this project, the plans that were submitted are the second set of plans that were

Mr. Easom asked that the applicant is a builder, why could he not submit a set of plans that would require no variances.

Mr. Issa stated that the pre-construction company stated that they only make houses that are a specific size and that is the smallest they could make them.

Mr. Lamendola asked if it is a pre-fabricated house

Mr. Issa stated that they only come in three sizes small, medium, large

Mr. Palus & Mr. Easom asked if he has used this pre-construction company before?

Mr. Issa stated that this is the first time he is using a pre-construction company.

Afshan Vandal

239 New Road

Parsippany, NJ

Sworn in by Beth Calderone

Architect

- she has reviewed her plans and the plans submitted by the pre-construction company.
- She believes it would be inconvenient to lower the height of the building.
- There will be no living space in the abseme

Mrs. Patire asked how you get from the 1st floor to the recreation room in the back.

Ms. Vandal you go down stairs go through the garage and through the utility room to get to the recreation room.

Mr. Palus asked if the recreation room would be a finished room

Mr. Issa stated that the room would be finished.

Mrs. Patire asked if the only entrance to get into the back is the sliding doors?

Ms. Vandal stated that the only entrance is the sliding doors.

Mr. Palus asked the ceiling height in the basement, 1st, and 2nd floor

Ms. Vandal stated that it is 8 feet finished in the basement, 1st, and 2nd floor

Mr. Breonte stated from the front of the sidewalk where the driveway starts to the garage door.

Ms. Vandal stated that it is about 2 feet

Mr. Palus stated that the slope is about 8.3% grade

Mr. Easom asked how much of a variance are they asking?

Mr. Palus stated it was about 2 feet higher than allowed.

Mr. Lamendola asked since it is a pre-fabricated home, does the roof come standard or can it be adjusted?

Mr. Issa stated that the roof comes separate.

Mr. Conte stated that the height variance right now is 2 feet, but if they changed the pitch of the roof it would reduce it to about 1 foot. If the grade changed on the driveway to 10% grade, it would reduce the height by 4 inches.

Mr. Easom what would be the next smaller size house you could get?

Mr. Issa stated that is the smallest house he could get

Mr. Conte asked if there would be storage in the basement?

Mr. Zalarick stated that the attic would only have storage with pull down stairs.

Open to the public

John Greco

139 Gaston Avenue

Garfield, NJ

Sworn in by Beth Calderone

- they are putting up a house down the shore and the biggest wood they could get is a certain size.
- Mr. Zalarick stated that this is a side-by-side house not a single family house and this is the smallest house the pre-fabrication house they offered him.
- Mr. Conte stated that he is sure there are tons of different companies that make different size houses.
- Mrs. Patire asked the size of his house
 - o Mr. Greco stated that it would be about 27/28 feet
- As long as this is a monstrosity higher than the other houses.

Sherry Batelli

88 Irving Place

Garfield, NJ

Sworn in by Beth Calderone

- the two feet higher is a problem
- the two feet higher is going to over shadow her backyard.
- It is inconvenient to drop the driveway grade, but it is inconvenient to have a huge house that is going to overshadow her backyard.
- Her property is directly behind this property.
- She understands that something has to go there, but to put this property this high there it is not right.
- Mrs. Patire stated that in order to get to the room you have to go through the garage. If at anytime she feels it is being used as a bedroom she can co
- She has a problem with the height variance is too much

Public Session- Closed

Mr. Lamendola asked if in the event he lowered the two feet would she still have a problem getting sun in her backyard.

Mr. Palus stated that it could possibly make a difference.

Mr. Zalarick stated that they aren't blocking 29 feet straight across, the pitch is 29 feet. This is a lot that needs to be developed. He indicated that he tried to get another pre-construction company, but this is the company that would do a smaller house. This is not a bad project; this is a very good project. It would do justice and finally have something on that lot.

Mr. Palus asked that the plans by the pre-fab company be signed and sealed. We did not get drainage calculations. They are putting a drain at the end of the driveway. If the drains stop working or overflow, the applicant would get about 2 feet of water in the property. The water would not go onto neighboring properties.

Mr. Zalarick stated that they would submit signed and sealed plans to the board if granted. They will get the board drainage calculations.

Mr. Conte: Variances:

1. SF per dwelling unit- 3,000 SF required, 2,500 proposed

2. Side yard set back- 8 feet required. 7.8 feet proposed
3. Building Height: 27 feet required, 2.89 feet proposed
4. Building Coverage

Stipulations:

1. The attic will be used for storage
2. Basement: Utility Room, Washer and Dryer, and an open (recreation room)
3. Attic has pull down stairs
4. He would comply with everything in MAP Engineering's letter

Mr. Easom asked how many bedrooms

Mr. Palus stated that there are three bedrooms.

Mr. Conte stated that to be clear the applicant is proposing a two family dwelling with three bedrooms in each dwelling.

Motion to Deny This Application- Arlene Patire- **She understands where the applicant is coming from with the height, but she has to also take the public into consideration. She is very annoyed that they just got the plans tonight.**

Second- Salvatore Lamendola- **He feels that there is too much for that size lot**

Paul Houllis- Aye- **He agrees that with the plans being uncertain and the height, he feels there is too much uncertainty.**

John Easom- Aye – **He agrees with Mr. Lamendola that there is too much house for the property, this is his business as a developer and a lot of this should have been thought of. There are plenty of pre-fab companies that could builder a smaller home.**

Robert Cochrane- Aye – **The neighbor would be losing sunlight.**

Salvatore Lamendola- Aye

Francisco Sanchez- Aye

Arlene Patire- Aye

Carmin Breonte- Aye

Application Denied

Resolutions:

Everything that we agreed to at the reorganization meeting

Motion to Pass the Meeting Dates- Arlene Patire

Second- John Easom

John Easom- Aye

Salvatore Lamendola- Aye

Arlene Patire- Aye

Carmin Breonte- Aye

26 Sampson Street-

Motion to Approve the Resolution- Arlene Patire

Second- Salvatore Lamendola

John Easom- Aye

Robert Cochrane- Aye

Salvatore Lamendola- Aye

Paul Houllis- Aye

Arlene Patire- Aye

Carmin Breonte- Aye

Motion to Close Meeting- Robert Cochrane

Second- Francisco Sanchez

All in Favor- Aye