

**DUMONT JOINT LAND USE BOARD  
MINUTES FOR APRIL 28, 2015 MEETING**

**MINUTES**

Flag Salute

**SESSION:** This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Dumont Senior Center.

**April 28, 2015  
7:30 PM**

**SUNSHINE LAW:** This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Dumont Senior Center on April 28, 2015. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to *The Record*, the *Ridgewood News*, and posted in the Borough Hall. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

**ROLL CALL:**

Thomas Trank	A	Michael Affrunti	P	Councilman Matthew Hayes	P
Michael Worner	P	Timothy Hickey	A	Elmer Pacia	P
Joseph Hakim	A	Barbara Chen	P	Michael Cremin Alt # 1	P
Alfred Moriarty Alt # 2	P	Janet Masio Alt # 3	P		
Chairman William Bochicchio	P				

Others: Board Attorney – Mark D. Madaio, Esq.: Mark Madaio- P  
 Board Engineer – Boswell Engineering: James Fordham- P  
 Board Planner – Maser Consulting: Darlene Green- P  
 Board Clerk - Rosalia Bob- P

**BUSINESS:** Swearing in of Re-appointed Joint Land Use Board Members:  
 Thomas Trank

Chairman William Bochicchio tabled this matter till the following month’s meeting.

**BUSINESS:** Review and Approval of Business Professional Invoices

Chairman William Bochicchio stated that he will go to the building department to sign off on the items.

**BUSINESS:** Approval of March 2015 Minutes

**March Minutes**

Motion to Approve: Barbara Chen

2<sup>nd</sup> by: Michael Cremin

All in Favor

**FORMAL:** 15-01 Alladin Avenue: New Cingular Wireless PCS, LLC (AT&T)  
Block - 1105, Lots – 18  
AT&T Cell Tower Site

The attorney for the application, Christopher Quinn stated that they are before the board for site plan approval for a cell tower extension. He explained that the current cell tower is located on DPW property within the LI zone. He stated that Verizon Wireless has antennas located at 110 feet and that the space available at 120 feet is reserved already but that they do not know who the other provider is that it is leased too. He explained that that they are looking to extend the cell tower to 150 feet in height which would be a 30 foot extension onto the existing monopole. He stated that they are also looking to add an equipment shelter that would be 240 ft.<sup>2</sup> and be installed within the leasehold area. He explained that currently AT&T is co-located on the Bergenfield Cablevision tower and their antennas are at 193 feet. He stated that Cablevision has asked the cell company to get off of their tower. Chairman Bochicchio asked if they will be piggybacking onto the current lease. Mr. Quinn explained that one tower can hold multiple carriers on it and that the tower is currently 120 feet in height. He stated that they are only adding 30 more feet to that height. Mark Madaio asked if another provider can come in between 120 foot marker and their 150 foot proposed antennas for AT&T. Mr. Quinn stated yes and that someone can co-locate underneath the proposed AT&T antennas. He explained that the borough has an ordinance in place for cell phone providers to go onto existing structures and that a cell tower can only be 120 feet in height. He stated that AT&T needs the height of 150 feet in order to continue their coverage since they are coming off of the 190 foot Cablevision tower. Chairman Bochicchio asked about 130 feet. Mr. Quinn explained that every carrier is different and that they are making up for a site that they are losing a location of 190 feet. Chairman Bochicchio asked who the revenue of the lease goes too. Mr. Quinn explained that they pay the borough directly for the rent. Mr. Quinn stated that this application is a conditional use variance because of the height and that it is not a new tower. He explained that they are utilizing the existing tower. He stated that there are two D variances needed and that the federal tax relief and creation act section 6409 supported and stated that boards have to approve applications for cell tower co-location. He explained that he is three witnesses who will give testimony: a radio frequency engineer, civil engineer and a planner.

The radio frequency engineer, Mr. Arceo from Mirmira Inc. Partnership submitted into evidence coverage plots showing the existing site at 190 feet for Smart Link AT&T. Mark Madaio marks this into evidence as A1. Mr. Quinn asked about the current Bergenfield site and 190 feet and asked if Cablevision wanted AT&T off their tower. Mr. Arceo stated yes. Mr. Quinn explained that the board has a smaller version of these

coverage plots. Mr. Arceo stated that the current coverage for AT&T is highlighted as green which means that it has good indoor service. He explained that blue is the coverage at the existing 190 feet for the AT&T and the red triangle on the site plan is the existing 190 foot tower. He stated that the white area is showing adequate coverage. Mr. Quinn asked about the servicing on other neighboring sites. Mr. Arceo stated that he would like to place into evidence a proposed 150 feet coverage plot plan. Mark Madaio marks this into evidence as A2. Mr. Arceo explained that the red triangle is the new proposed 150 foot site and they're only gaining back 78% of their original coverage. He stated that the blue would be unreliable service if not approved. Chairman Bochicchio asked about the other cell tower sites. Mr. Quinn explained that are AT&T antennas on a pole at the Oradell DPW and Bergenfield borough hall. Chairman Bochicchio asked if there are any other sites in Dumont. Mr. Arceo stated that AT&T is not on another site in Dumont. Mr. Arceo placed into evidence coverage plots if antennas were reduced to 140 and 130 feet. Mark Madaio marked these into evidence as A3 & A4. Mr. Arceo stated that there would be a significant loss of coverage with lowering the height on the cell tower. Mr. Quinn asked if they will comply with all federal emission standards. Mr. Arceo stated yes. Chairman Bochicchio asked if this will affect TV reception. Mr. Arceo stated no. Mark Madaio asked if the existing pole can take an additional 30 feet added onto it. Mr. Quinn stated yes, that the structure is able to handle 150 feet in height. He explained that the original pole was approved for 150 feet. Mr. Quinn stated that when the pole was done, it was out fitted to be an expandable pole of 150 feet. He explained that the pole was contemplated to be extended.

Chairman Bochicchio opened the meeting to the public. Motion by Barbara Chen and seconded by Janet Masio.

Bill Wicker at 4 Dance Boulevard asked if they will be increasing the height again after the 150 feet and what would stop them from coming back to the board for more additional feet. Mark Madaio explained that the lease only provides for a 150 foot pole. Mr. Wicker asked if they can come back for more height. Mare Madaio explained that they can submit an application but that the application would violate the borough's lease agreement.

Chairman Bochicchio closed the meeting to the public. Motion by Michael Cremin and seconded by Michael Affrunti.

The civil engineer, Chris Cirrotti was qualified as a professional witness by Mark Madaio. Mr. Quinn asked if he was familiar with the site. Mr. Cirrotti stated yes and that he'd been to the site. He presented into evidence his report that was submitted to the board and sheet 23 from the site plan which shows the equipment plans and elevations of the site dated January 15, 2015. Mark Madaio marked these into evidence as A5 and A6. Mr. Cirrotti stated that the DPW site has an existing monopole on the eastern side of the compound and that there is a chain-link fence that encloses the compound. He explained that there is an equipment shelter for Verizon Wireless within the compound. He stated the elevations of the monopole with Verizon being located at 110 feet and T-Mobile being the possible locater at 120 feet. He explained that AT&T is looking to install

antennas at 150 feet. He stated that there would be a total of 12 panel antennas, 55 inches vertically and 7½ inches wide. He explained that there would be 24 radio heads installed behind them along with other miscellaneous equipment to be added onto the site. He stated that the current enclosure is located on the south edge of the DPW site. He explained that they are looking to add an additional 240 ft.<sup>2</sup> equipment shelter that will be mounted on a pad along with an emergency generator. He explained that the materials used on the site will be a mixed stone pavement and they will not be adding any impervious surface. Mr. Quinn asked if everything is being fit within the lease compound. Mr. Cirrotti stated yes and that the electrical power will be off the existing meters. Mr. Cirrotti placed into evidence sheet Z1 of the plans which shows the entirety of the property compound. Mark Madaio marks this into evidence as A7. Mr. Quinn asked about the height of the tower. Mr. Cirrotti stated that the current tower was approved for 120 feet but when the tower was developed it was modified to be an extended tower up to be 150 feet. He explained that there is a phalange at the top of the tower which accommodates this extension. He stated that the final structural analysis will be supplied to the building department upon completion. Mark Madaio asked if the base was designed to accept the extra weight and wide load. Mr. Cirrotti stated yes but noted that a structural engineer will need to determine this. Mark Madaio explained that a condition of approval would be for structural engineer to inspect and sign off on the tower. Mr. Cirrotti stated that every five years the pole has to be inspected and the pole has been there for only three years so it is still within its timeframe. Chairman Bochicchio stated that the pole has been there for over four years now. Mr. Cirrotti explained that the owner of the tower schedules the inspections.

Mr. Cirrotti presented into evidence a fall down zone exhibit dated April, 28 2015. Mark Madaio marked this into evidence as A8. Mr. Cirrotti explained that this is an aerial photo with yellow depictions of the Bergenfield boundary and the current fall down zone within 200 feet of the tower. He stated that within this radius are the DPW yard, commercial properties and the Knights of Columbus building. He explained that the new fall down zone would be a 220 foot fall radius with 150 foot tower. He stated that the closest residential zoned property is 280 feet from the site. Michael Affrunti asked if the borough's gas pumps were within the fall zone. Mr. Cirrotti stated yes and that the fall zone is defined per ordinance. He explained that this is an approximate zone for catastrophic failure and the zone of influence already encompasses the gas tanks within it. He stated that there is a low probability of danger. Mr. Quinn asked about not proposing any landscaping. Mr. Cirrotti stated that no new landscaping is being proposed. He explained that the area is used for DPW storages of materials, small fuel tanks and recycled material. He stated that the DPW also uses the space for their operations and that the other side would eliminate parking for the DPW if that is landscaped. He explained that the landscaping would not improve the aesthetics of the site. He stated that they are proposing 70W light fixtures to be installed above the structure on a motion sensor so that it would turn on when approached for maintenance of the site. Chairman Bochicchio asked if there were any questions from the board.

Chairman Bochicchio opened the meeting to the public. Motion by Michael Cremin and seconded by Michael Affrunti.

Bill Wicker at 4 Dance Boulevard asked if Gina's Field and Dervis Park were within the fall zone. Mr. Cirrotti stated that the parking lot area is within the fall zone. Chairman Bochicchio asked if the field was in the fall zone or if it was only the parking lot. Mark Madaio explained that it crosses into the field. Mr. Cirrotti stated that the park is within the fall zone.

Linda Lee at 1 Tobin Court stated that the bathrooms for the softball field are within the fall zone. She explained that the kids go inside there frequently and asked how the tower was installed on that spot in the first place. Chairman Bochicchio stated that he was not on the board at the time and could not provide that information. Mark Madaio explained the towers are placed in many zones that contain sensitive areas. Mr. Quinn stated that they had applied for an opera request for the board resolution for the tower but got no response. He explained that they were only given copies of the borough council paperwork and the lease agreement.

Gary Vaccaro at 2 Tobin Court asked if there was possibly no approval for the original tower, why they would be here for an approval of additional feet on the tower. Mark Madaio stated that the board would like to get the information on the approval of the tower. He explained that possibly since it is borough hall property, they maybe didn't need to gain approvals. Mr. Quinn stated that they are not going to be putting on anymore additionally feet after this 30 foot extension. He explained that Cablevision is forcing AT&T off their tower and their land.

Bill Wicker at 4 Dance Boulevard asked what wind speed the tower can hold up against and if adding more weight on the top would meet the new FEMA codes. Mr. Cirrotti stated that the TIA codes are for towers. He explained that FEMA's new codes are for flooding. Mark Madaio stated that there is another guideline but the TIA is the main code for towers.

Chairman Bochicchio closed the meeting to the public. Motion Barbara Chen and seconded by Michael Affrunti.

The planner, David Karlback was qualified as a professional witness by Mark Madaio. Mr. Karlback stated that he had reviewed the applications and site plan, visited the location and reviewed the borough's zoning ordinances. He explained that it is an existing communication site and the use will not be changing. He stated that they already know the conditions as it shown on the site. He explained that around the tower are commercial uses, business locations, Public Housing Authority building, Knight of Columbus, Bergen Irish and Gina's field are all the attributes surrounding the site. He stated that the property is in the LI zone which is for business, government offices and wholesaling warehouse. He explained that the LI zone is the restricted districts for cell towers and that towers are permitted within this zone on borough owned property. He stated that there is a minimum lot square footage variance and a cell tower height variance along with several other minor variances. He explained that they could be considered as waivers since they are ordinances for new towers. He stated that the D3 variance statues are standards for conditional uses. He explained that he believed the site

is appropriate for this use. He stated this site is already developed for communication use and has not changed since its original approval. He explained that colocation is acceptable within the borough's ordinance. He stated that the tower was put out to bid at 150 feet. Mark Madaio asked why the tower is only 120 feet if it was put out to bid for 150 feet. Mr. Karlback stated that the governing body put out the bid on their website and it shows what the borough wanted. He explained that the height variance is necessary in order to provide seamless coverage to the area. Chairman Bochicchio asked where a copy of the bid is.

Mr. Quinn stated that they have a copy of the resolution for the lease agreement dated July 2010. He explained that they do not have a copy of the bid but that they can get one. He presented into evidence the borough resolution for the lease agreement. Mark Madaio marked this into evidence as A9. Mr. Quinn stated that the lease agreement depicted a 120 foot expandable pole and that this was agreed upon in the resolution. He explained that the borough attorney reviewed the bid documents. Chairman Bochicchio stated that the resolution was for a 120 foot pole. Mr. Quinn explained that it was for a 120 foot extendable pole. Mr. Karlback stated that there will be no people on site and that no traffic will be impacted. He explained that there will be no noise vibration, dust or fumes from the site. He stated that it will meet FTC guidelines and that the fall zone encompasses the ball field. He explained that there could always be potential dangers but that the owners take many safety standard precautions to ensure a safe facility area. He cited different case laws upholding towers and their heights to the board. He explained that a tower in Fairlawn is surrounded by residential uses and was approved. He stated that an extension of another 30 feet will not change the site drastically. He explained that the additional height will not disturb the light, air or view of the surrounding area. He presented into evidence two additional photo simulations. Mark Madaio marked these into evidence as A10 and A11. Mr. Karlback explained the existing conditions of the site and showed an image enhancement of the added additional 30 feet to show the views from different surrounding streets. He stated that there is an existing equipment shelter and the screening will not be necessary since everything is existing on the site. He stated that there will be very little area for landscaping since there is heavy equipment that area. He explained that there are no sustainable enhancements to the zoning plan and the site has no setback required. He stated that the borough's ordinance encourages the location of towers on borough on property, minimizes the number of towers within the community, encourages joint use of towers in colocation instead of new towers and encourages the use of existing buildings instead of new locations. He explained that there will be enhancement to the 911 service and that outweighs any detriments. He stated that the governing body has already approved this site and its use. He explained that if these towers are ever to fail they are like a flexible straw that bends and the entire length of the tower will not fall over. He stated that the variances are for the proposed equipment shed and other minor variances. He explained that the equipment shelter is prefabricated and the site is safe for technicians to access. He stated that there is a variance needed for the tower height and the existing nonconformity conditions will not be exasperated.

Chairman Bochicchio opened the meeting to the public. Motion Michael Affrunti and seconded by Elmer Pacia.

Mary Murphy at 20 Hillside Avenue asked when the lease agreement will expire and be renewed. Mr. Quinn stated that he will need to confirm when the borough's lease is up for renewal and that he does not have a copy of the full lease agreement.

Gary Vaccaro at 2 Tobin Court asked if the 30 foot extension and the pole can be modified to look like a tree. Mr. Quinn stated that they cannot retrofit the tower now since it is already built.

Chairman Bochicchio closed the meeting to the public. Motion to close Michael Affrunti and seconded by Michael Cremin.

Mark Madaio explained that they will not finish this application tonight and that the board needs further information and documents. He stated that the applicant will need an inspection report to comply with TIA standards and that they should do the inspection now. He explained that they will need to see the approvals by the borough to see if what they are seeking is under the lease agreement. He stated that the board needs a copy of the bid specs and the copies of the approvals. Mr. Quinn stated that they will extend the timeframe of the application to May 26, 2015. Mark Madaio asked the board professionals if there was any other documentation that they needed for the next meeting. Jim Fordham stated that he would like to see the structural engineering report and inspection of the tower. Darlene Green asked about their discrepancy list for the variances. Mark Madaio asked if they are variances or waivers. Mr. Quinn explained that these are design standards for new towers. Darlene Green stated that there are sections which pertain to existing towers and their extensions. Mark Madaio explained that the equipment shed variance or waiver is minor and the landscaping variance or waiver is shown with it being the DPW site. He stated that the ordinances and photographs have been provided by the applicant. Darlene Green explained that there are errors and inconsistencies with the documents. Mr. Quinn asked if the tower owner would have to do the inspection and check the tower now. Mark Madaio stated yes.

Motion to carry the application to the following month: Michael Affrunti.

**ROLL CALL:**

Thomas Trank	NA	Michael Affrunti	Y	Councilman Matthew Hayes	NA
Michael Worner	Y	Timothy Hickey	NA	Elmer Pacia	Y
Joseph Hakim	NA	Barbara Chen	Y	Michael Cremin Alt # 1	Y
Alfred Moriarty Alt # 2	Y	Janet Masio Alt # 3	NA		
Chairman William Bochicchio	Y				

**FORMAL:** 15-02 381 West Madison Avenue: Andrew LoGuercio  
 Block - 1102, Lots – 1  
 Minor Subdivision

The attorney for the application, Mr. Kelly submitted the subdivision plan into evidence. Mark Madaio marks this into evidence as A1. Mr. Kelly stated that he has two witnesses that will be testifying this evening: the owner of the property and the engineer for the project.

The owners, Andrew LoGuercio and his wife Diana are sworn in by Mark Madaio. Mr. LoGuercio stated that the property has been in his family since 1960 and that he grew up on the property. He explained that the house is currently being rented. He stated that the house is 115 years old and is in poor condition needing lots of repairs. Mr. Kelly asked if the applicant is looking to subdivide the one lot into 3 single family home lots. Mr. LoGuercio stated yes.

The engineer, Michael Hubschman was qualified as a professional witness by Mark Madaio. Mr. Kelly asked if he had prepared the subdivision plan. Mr. Hubschman stated yes. He explained that this is a 180 foot wide by 102 foot deep lot. He stated that the lot is slightly under a half an acre. He explained that there are two accesses onto the property. Mr. Hubschman stated that the applicant is proposing three lots with three single-family homes. He explained that the corner lot is slightly less than the others and that all the driveways will be coming off of the side street. He stated that they are seeking a subdivision approval for the three lots. He explained that there is no development plans for the lots as of yet. He stated that the homes would approximately be 2580 ft.<sup>2</sup> in dimension to comply with all the borough's setbacks. Mr. Kelly asked about the variances being sought. Mr. Hubschman stated that the approximate square footage for each lot would be 5936 ft.<sup>2</sup>, 6081 ft.<sup>2</sup> and 6098 ft.<sup>2</sup>. He explained that the variances are for lot area and lot frontage. He stated that they are proposing a 12 foot driveway but that the board planner's letter indicated a 10 foot driveway or the width of the garage. Mr. Kelly asked if the footprint of the homes allowed for parking. Mr. Hubschman stated that that they would comply. Mr. Kelly asked about the drainage on the site and if they had applied to the county planning board for approval yet. Mr. Hubschman stated that they are proposing seepage pits on each lot and that they have not gone to the county for approval yet. Mr. Kelly asked about the surrounding area. Mr. Hubschman stated that within the area there are 732 lots and within the 200 foot radius there are 26 lots that are 60 foot and 18 lots that are 50 foot or less. Mr. Kelly asked about the impact on the neighboring area. Mr. Hubschman stated that the property next door is a 50 foot lot and there is a 75 foot lot across the street. Mr. Kelly asked if there would be any impact on the borough's zoning plan. Mr. Hubschman stated that there will be no impact on the zoning plan. He explained that the homes will be harmonious and in keeping with the neighborhood. Mr. Kelly asked about the corner lot and if it had the smallest frontage. Mr. Hubschman stated that that was misleading because of the curve in the road by the corner. He explained that the sizes of the lots are pretty standard within the existing area. Chairman Bochicchio asked about the setbacks of the homes. Mr. Hubschman stated that the homes would be conforming to all borough setbacks. Mr. Kelly explained that the homes will have setbacks in accordance to Hillside Avenue. Mr. Hubschman stated that the area averages 22 feet in front yard setbacks. Darlene Green explained that there is not enough information on the setbacks and the applicant is only

seeking subdivision approval. She stated that there is usually only a footprint on the property approved. Mark Madaio explained that only the building envelope would be approved. Mr. Kelly stated that they will be subject to a building plan approval and only their foot print would be approved. He explained that are no variances being sought for the houses. Mr. Hubschman stated that only showing the typical size of the houses that would be built. Mr. Kelly explained that if a builder comes in and they do not want to comply with the setbacks then they would have to come back to the board for approvals. He stated that the applicant is only looking for an approval for the subdivisions. Jim Fordham explained that the zoning district front yard setbacks are based on the average of the area. Chairman Bochicchio asked if there were any questions from the board.

Chairman Bochicchio opened the meeting to the public. Motion by Michael Cremin and seconded by Michael Affrunti.

Ralph Williams at 326 West Madison Avenue asked if they had checked the traffic within the area. Mr. Hubschman stated that Hillside does not have much traffic. Mr. Williams explained that there is a zigzag turn on that corner and that more houses will mean greater traffic. He explained that his house had already been hit and damaged from a motor vehicle driving into his home. He stated that these houses will add more chaos onto the street. Mr. Hubschman explained that they are removing the driveway on West Madison Avenue so it will help that area out. Chairman Bochicchio stated that these matters and concerns should be brought to the mayor and council for the borough to look at the intersection for traffic improvements. Mark Madaio explained that the applicant can put two houses on that one piece of property without any approvals from the board and that they are only looking at one more additional house.

Frank Muller at 8 Hillside Avenue stated that is a tough intersection with accidents. He explained that three extra driveways on Hillside with the New Milford middle school around the corner will bring more traffic to that area. Mark Madaio stated that the application will need county approval and that the county will be removing a driveway on Madison Avenue. He explained that this application will only bring one extra residential home within that area. Chairman Bochicchio stated for them to go to the mayor and council and the chief of police to observe the traffic in that area in order to improve the safety.

Linda Lee at 1 Tobin Court explained that she has lived here her entire life. She stated that when Madison Avenue is backed up in that area it is a nightmare. She explained that the third house is right by the stop sign and everyone parks on the street during the summertime. Mark Madaio stated that every corner property in every municipality has a stop sign. He explained that 81% of the neighboring lots are 60 feet or less. He asked if there is a basis to deny the application. He explained that the comments about traffic are noted on the record. Chairman Bochicchio stated that he has been on the board for many years and would like to see drawings of the houses but they're only here for the subdivision. Mrs. Lee explained that these houses in this neighborhood were built in the 40's and asked if they will look like the rest of the neighboring houses. Mark Madaio stated that there is no design review ordinance of single-family residences. Chairman

Bochicchio explained that when someone is selling a house they would want to make it look attractive. Mrs. Lee stated that they will not be built like the 40's. Chairman Bochicchio explained that new construction will look great. Mrs. Lee stated that she has concerns with that corner house.

Mary Murphy at 20 Hillside Avenue stated that she lives right across the street from the driveway of these homes. She asked what was going to happen with the sewer system in that area. She explained that water gets in the basement of the homes and there is heavy traffic within that area. She asked where the sidewalks will be placed. Mr. Hubschman stated that they are proposing new sidewalks and new curbs. Mrs. Murphy explained that when it rains her basement gets flooded and the sewer system needs to be looked at. Chairman Bochicchio stated that the sewer system needs to be looked at by the town and that these new homes will have no water runoff from their properties. Mr. Hubschman explained that they will be adding a thousand gallon seepage pit on each property. Mr. Kelly stated that the neighbors will not get water from these sites and that they are lessening the impervious coverage on these properties. Mr. Hubschman explained reducing the paved areas and adding seepage pits would mean no runoff water from these properties.

Maureen Greening at 19 Monroe asked if there would be an impact analysis study done. Mark Madaio explained that there will be no general impact analysis done. Mrs. Greening asked if there were any stairs or patio shown. Mr. Hubschman explained that they are 25% less impervious. Mrs. Greening asked about the impervious coverage when you subdivide. Mr. Hubschman explained that they are only allowed 40% and this will be there maximum amount. Mrs. Greening asked how they can gain access to the reports for this application. Mark Madaio explained that they have extra copies at the meeting or they can view the file in the building department. Chairman Bochicchio stated that the property is looking to divide into three properties and that this is a conforming use to the area.

Felicia Williams at 326 West Madison Avenue stated that there is no activity in the house currently and their concerns are for safety because of the traffic in the area. She explained that the corner leads to several accidents and that her home was hit twice in two vehicle accidents. She stated that there are major traffic concerns. Chairman Bochicchio explained that the residents need to go to the mayor and council for their concerns about traffic, property damages and accidents in that area. Mark Madaio explained that the applicant is asking to build three houses when by law the applicant can tear down the single-family home that is there right now and build two new homes without even coming to the board. Mrs. Williams stated for the record that the corner is a very bad with a major blind spot.

Chairman Bochicchio closed the meeting to the public. Motion by Michael Cremin and seconded by Elmer Pacia.

Jim Fordham stated that the intersection is less than ideal because of its offset but that the applicant does not have to remediate the corner. He explained that the application has to

gain county approval. He stated that the applicant will submit drainage calculations with their plot plans and that those drainage calculations will be reviewed by the borough in order to comply. Darlene Green asked about the removal of the 11 trees and stated that there is no detail for the plantings. Mr. Hubschman stated that there will be plantings and the number to be planted will depend upon the sizes of the trees they choose. He explained that the side street will look more appealing. Councilman Hayes asked if that will be a part of their site plan. Mr. Kelly stated that that will be a condition upon approval. Darlene Green asked if they had looked at the lot size verse only looking at the lot width. Mr. Hubschman stated that some of the lots were 50 by 100 and some were 50 by 102. He explained that the surrounding lots are less than 6000 ft.<sup>2</sup> in size. Darlene Green asked if they had looked at the existing neighboring properties and if it the houses will be in keeping with the surrounding home sizes. Mr. Hubschman stated that there are zoning restrictions with FAR and that they will keep consistent with the neighborhood. Chairman Bochicchio asked if there were any further questions from the board. Chairman Bochicchio asked for a motion from the board.

Motion to approve with conditions placed: Michael Affrunti  
 2<sup>nd</sup> by: Michael Cremin

**ROLL CALL:**

Thomas Trank	NA	Michael Affrunti	Y	Councilman Matthew Hayes	Y
Michael Worner	Y	Timothy Hickey	NA	Elmer Pacia	Y
Joseph Hakim	NA	Barbara Chen	N	Michael Cremin Alt # 1	Y
Alfred Moriarty Alt # 2	Y	Janet Masio Alt # 3	NA		
Chairman William Bochicchio	Y				

Motion to Adjourn: Michael Worner  
 2<sup>nd</sup> by: Barbara Chen

Minutes respectfully submitted by:  
 Rosalia Bob  
 Temporary Joint Land Use Board Clerk