

Minutes of Meeting of 10-24-17 Dumont Joint Land Use Board

Flag Salute

Chairman Bochicchio asked for a moment of silence.

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

October 24, 2017
7:30 PM

SUNSHINE LAW: This meeting is a specially scheduled meeting of the Joint Land Use Board of the Borough of Dumont, held in the Dumont Senior Center on October 24, 2017. This 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:

Ron Burkert	Class I	P
Michael Affrunti	Class II	P
Jared Geist	Class III	P
Michael Worner	Class IV	E
Timothy Hickey	Class IV	P
Elmer Pacia	Class IV	P
Michael Cremin	Class IV	P
Barbara Chen	Class IV	P
Ken Armellino	Alt #1	P
Alfred Moriarty	Alt #2	P
Janet Masio	Alt #3	P
Nicole Talmo	Alt #4	E
Chairman William Bochicchio	Class IV	P
Others:		
Board Attorney, Mark Madaio, Esq		P
Board Engineer, Boswell by Jim Fordham		E
Peter Van Den Kooy, CME Associates		E
Board Clerk, Lois Rusch		P

BUSINESS: Review and Approval of Business Professional Invoices:

- Chairman William Bochicchio will go to the Building Department to review/sign off on invoices.

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BUSINESS: Approval of Minutes of 9-29-17

- Motion to approve Minutes of 9-29-17 by Mike Affrunti, 2nd by Michael Cremin.
- All in favor.

FORMAL: Resolution of Application by F. Morrissey

65 Niagara Street
Block 1202, Lot 11

Mr. Madaio explained that the application for renovation to the house on the corner of Niagara St and Johnson Avenue that was condemned and boarded up. House is getting somewhat longer, just extending line of the house back. Odd shaped lot, with the back forming an 'L'. A vote was called for to pass or deny the variance. Mike Affrunti made a motion to grant the variance as written, 2nd by Michael Cremin.

Mr. Madaio explained there is no need to open to the public, as there are no attendees.

ROLL CALL:

Ron Burkert	Class I	Y
Michael Affrunti	Class II	Y
Jared Geist	Class III	--
Michael Worner	Class IV	--
Timothy Hickey	Class IV	Y
Elmer Pacia	Class IV	Y
Michael Cremin	Class IV	Y
Barbara Chen	Class IV	--
Ken Armellino	Alt #1	--*
Alfred Moriarty	Alt #2	Y
Janet Masio	Alt #3	--*
Nicole Talmo	Alt #4	--
Chairman William Bochicchio	Class IV	Y
<i>*Not here last month, cannot vote.</i>		
Others:		
Board Attorney, Mark Madaio, Esq		
Board Engineer, Boswell by Jim Fordham		
Peter Van Den Kooy, CME Associates		
Board Clerk, Lois Rusch		

Variance is approved.

FORMAL: Review of Application by M. Pimentel

139 Depew Street, Block 924, Lot 19

Mr. Pimentel and his contractor, Chris Singh, of A Frame Construction in Dumont were sworn in. Application is for an extension of the roof on his existing porch to make it conform to the neighbors' porches. The porch has part of a roof and he wants to continue it. Permit was issued by Building Dept., construction started and then was stopped. Mr. Singh said that the porch was rotted and needed to be replaced and is moving forward one foot to be even with the house. This is a pre-existing condition, not changing.

M Affrunti made a motion to accept the application, seconded by Ken Armellino.

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Ron Burkert	Class I	Y
Michael Affrunti	Class II	Y
Jared Geist	Class III	--
Michael Worner	Class IV	--
Timothy Hickey	Class IV	Y
Elmer Pacia	Class IV	Y
Michael Cremin	Class IV	Y
Barbara Chen	Class IV	--
Ken Armellino	Alt #1	Y
Alfred Moriarty	Alt #2	Y
Janet Masio	Alt #3	Y
Nicole Talmo	Alt #4	--
Chairman William Bochicchio	Class IV	Y
Others:		
Board Attorney, Mark Madaio, Esq		
Board Engineer, Boswell by Jim Fordham		
Peter Van Den Kooy, CME Associates		
Board Clerk, Lois Rusch		

Application so approved.

FORMAL: Review of Application by Dr. J. Suss
 316 Knickerbocker Road, Block 322, Lot 7

Dean Stamos, Esq. on behalf of Dr. Suss, (who was sworn in) who purchased the property 9 months ago with the understanding that the building was an office building in need of repair and must be code compliant before occupancy, according to former Zoning Official. Building Department new official emailed him that it was a home occupation but historically it never was. They never got the process started with regard to designing a floor plan, so it is not available. Mr. Affrunti has knowledge of the history of the building and indicated that he never saw it being home occupied, only medical property. Dr. Suss indicated that his due-diligence showed that for the better part of 50 years medical professionals occupied it and he wished to locate his dental practice and perhaps other labs or doctors there. He had no intention of home occupancy, but was told by Zoning Official that there was a home occupancy requirement. No one has ever lived there at all in over 50 years. Original C of O showed medical office. After all this time Dr. Suss has no formal plans to move his practice there at this point. Mr. Bochicchio would like this, if passed, to be a Resolution to prevent this happening again. Mr. Hickey questioned size - - Property is 150' x 75-86' deep. Also questioned type of equipment in building. Mr. Geist questioned parking; there are 12 or 13 official parking spots. Historically, there have never been problems with parking based upon medical occupancy.

This is a hearing on an appeal for a permit that was denied. Motion to approve or deny called by Mr. Bochicchio. Ken Armellino made a motion to accept it. 2nd by Elmer Pacia.

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ROLL CALL:

Ron Burkert	Class I	Y
Michael Affrunti	Class II	Y
Jared Geist	Class III	--
Michael Worner	Class IV	--
Timothy Hickey	Class IV	Y
Elmer Pacia	Class IV	Y
Michael Cremin	Class IV	Y
Barbara Chen	Class IV	--
Ken Armellino	Alt #1	Y
Alfred Moriarty	Alt #2	Y
Janet Masio	Alt #3	Y
Nicole Talmo	Alt #4	--
Chairman William Bochicchio	Class IV	Y
Others:		
Board Attorney, Mark Madaio, Esq		
Board Engineer, Boswell by Jim Fordham		
Peter Van Den Kooy, CME Associates		
Board Clerk, Lois Rusch		

Motion is approved. At the next meeting the Resolution will be available.

Mr. Bochicchio stated that he has met with Police Chief, DPW head, Mr. Manna, Building Inspector working on some overt situations we have. We have an unenforceable width of driveway law. The Mayor and Council put a clause in there that states a driveway can be up to 150% of the distance of garage. That means we have an ordinance stating 20-foot wide driveway, but if you have 2 garages it can be 36 feet. Never their intent, but it is legal. Brought it to attention of Boro Attorney, who was to get back to me; I've never heard from him. Brought it up to Mr. Manna; we cannot have laws that don't make sense. Also, driveway material issue causing problems and it is being addressed. We also have a situation on the corner of Depew and Madison, the functioning school that it has been issued a Cease and Desist order, but it is still functioning. I've gone to building inspector 3 separate times and he says he has to go to M & C because they are not compliant. Owner of the property went to a Mayor and Council and bullied his way through it. This is a residential area, and they are not compliant with the laws.

Mr. Madaio asked about the 50 Park Avenue application. They have not complied with application requests. We need to send a letter telling them we will hear them at our November meeting, provided they fill out their application properly and send in application fee.

Motion to adjourn made by Elmer Pacia, 2nd by Alfred Moriarty. Meeting adjourned at 8:20.

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Motion to adjourn made by Barbara Chen, 2nd by Tim Hickey. All in favor.

Meeting adjourned at 9:45 PM

Lois Rusch, Clerk
Dumont Joint Land Use Board