

PLANNING/ZONING BOARD
BOROUGH OF HALEDON
510 Belmont Avenue
Haledon, NJ 07508

Meeting Minutes: May 19, 2022
Regular Meeting

1. The Open Public Meeting Notice was read into the record.
2. Flag Salute.
3. Call to order. The meeting was called to order by: Jim Iza Chairman at 7:16 P.M.
4. Roll Call of the Board was taken:

Present were:

J. Iza (Chairman)
K. Savinon (Vice Chairman)
T. Hannah
H. Augustin
L. Lantigua
J. Rivas
R. Rivadeneira-late
G. Turi (Zoning Officer)-late

Absent:

P. Martin
D. Stampone

Board Attorney: Messineo Law LLC- Charles Rabolli- present

Board Engineer: Alaimo Group- Rich Wostbrock - present

Mayor and Council Officials: Mayor Stampone- absent

Junior Morris- present

5. A motion was made by J. Iza to accept the meeting minutes of March 3, 2022, seconded by K. Savinon.
Accepted by acclamation: Present were- J. Iza, J. Morris, K. Savinon, H. Augustin, L. Lantigua, J. Rivas, T. Hannah
6. Resolution:

A. 78 Church Street (Expanding Lot Coverage), B:82.01 L:3

Applicant: Christian Penalo, Attorney: Alan Mariconda, Engineer: Structure Tech

A review of the denied resolution was provided by C. Rabolli.

A motion to memorialize the resolution was made by J. Iza and seconded by J. Morris.

Roll Call: Yes: J. Iza, J. Morris, K. Savinon, T. Hannah

7. Site Plan/Application (s):

- A. SYG Realty Group LLC. 357 W. Clinton St. Haledon, NJ B: 108 L: 1.01
Attorney: Alan Mariconda Esq./ Engineer: Evans Architects, Notice Provided

Testimony/Board Comments:

Mr. Mariconda provided a review of the application indicating it required site plan review and a bulk variance. The project is to build an apartment over an existing 3 car detached garage. The current lot also has an existing two-family dwelling.

Evans Architect was recognized as an expert professional planner and architect.

Mr. Evans proceeded to provide an overview of the site plan revisions indicating revisions per Alaimo Group review letter. He then reviewed the existing and proposed site plans. Proposing new curb cuts, driveway, apron, new parking layout and the addition of a 908 sq ft apartment over a 3-car detached garage. Indicating the current 7500sf lot is large for the existing 2 family home. The Lot coverage is increasing to 89% from 73%. Six parking spaces are required and met with the current plan. The proposal will not negatively impact the neighborhood.

Borough Engineer Mr. Wostbrock expressed concerns regarding the overall increase in lot coverage from 51% to 89%, suggested drainage improvements, and had issues with the parking plan. He stated separation between the two driveways would be appropriate and perhaps parking on a slant would benefit the applicant. In addition, the board should consider that there will be two principal buildings on the lot with three dwelling units in a zone where two dwelling units are allowed.

Mr. DeMarco AAA Neighbor stated concerns. However, he was not present to object. He put a fence up on his property for safety reasons. If the cars are parallel parked the cars can navigate without knocking down fence.

Mr. Mariconda appreciates Mr. DeMarco working with applicant. The applicant and Evans Architect will continue to work with Alaimo on impervious coverage and drainage. It will be a nice apartment for the area and has the advantage of a large lot size for the area. High quality materials and updated per current codes. Consideration for motion of approval.

Comments Open to Public-None.

Board will Deliberate in work session.

- B. Site Plan/Application (Variance): **Rocco Feldhann/Carmel Feldhann**
52 Cliff Street, Haledon, NJ B: 127 L: 7
Attorney: None/Architect: None, Notice Provided

Testimony/Board Comments:

Rocco Feldhann testified that he would like to legalize a basement apartment at 52 Cliff Street so that his cousin who is disabled can live there and be cared for by Mrs. Feldhann. The apartment currently has a summer kitchen in the basement and Mr. Feldhann would install an egress window. The basement is a walk out with enough clearance to exit. The smoke detectors are hardwired, and everything is up to code except for the egress

window. He is requesting a C variance for added lot coverage and a D variance for usage. The property is zoned for 1 and 2 family homes, but more lot area is required for a 2-family home. Conditional use is required for D variance. Mr. Feldhann indicated he also has off street parking for 3 cars. The deck in the back is 6ft high and you can walk under it. The walkout has a concrete surface but there is a drain and an outside pump which handles drainage issues. He will consider renting to other tenants when his cousin moves out if the apartment is legalized but not sure that he would. He believes there is a benefit to everyone in town if basement apartments are legalized and done the right way. The Board Engineer commented on receiving an updated survey which indicates a total lot coverage of 78.2% to place on the record.

Mr. Gonzalez-49 Cliff St resident asked if Mr. Felhann would rent to other people if his cousin moves on and if so, how many people would be allowed in a 200 sq ft studio apartment? Mr. Rabolli responded a family consisting of a husband, wife, and small child maximum. What does lot coverage mean? Rabolli explained that the Borough Ordinance allows 40% lot coverage and Mr. Feldhann is currently at 78.2%. Resident expressed concerns of adding a level. Mr. Rabolli went on to explain that the Board reviews the application before them at the time. A second story is not currently being proposed and if it was it would be judged at that point in time. Every property is completely different, and each are judged on their own merit.

Statement- Mr. Gonzalez is concerned about the activity level on the street and the complications with parking and tenants moving in and out when there are 2 and 3 family homes on the street.

Glen Turi asked if the applicant would be open to a deed restriction? Explaining that once the cousin moves out and you don't need the apartment anymore the apartment would change back to single family. Mr. Feldhann indicated that he would be agreeable to a deed restriction. Mr. Gonzalez and wife would be okay with deed restriction. If the home were to be sold, he would have to advise the buyer that it is not a 2-family house.

Mr. Amaya-50 Cliff St expressed concerns about property values. Mr. Rabolli indicated there has been no testimony on the effects of the value of the home. Concerned about Mr. Feldmann moving out, but the cousin staying, and Mr. Feldhann's unit being rented to somebody else. Mr. Feldhann cannot move out and let the cousin stay.

Board questions- Iza asked if the entrance from rear was fully at grade level? Applicant: It is two steps down. How far recessed at front where egress windows go? 45inches, window proposed 35.5x36" high double-hung easy access.

Board will Deliberate in work session.

- C. 397-407 Haledon Properties, LLC. 411 Haledon Ave, 397-407 Haledon Ave, 38 Harris St. & 81 Zabriskie St. B: 90 L: 15,16,17 & 33
Attorney: Harold Cook III, Esq./ Engineer: Costa Engineering Corp.
Applicant wished to carry over to June 2, 2022 meeting. No Further Notice is needed.
- D. 61 Norwood Street (Minor Subdivision Application) B:42 L:21 & 8
Attorney: Alan Mariconda Esq./ Engineer: Evans Architects
Applicant wished to carry over to June 2, 2022 meeting. No Further Notice is needed.
- E. Site Plan/Application (Variance): **Alvin's Flipped Home, LLC**
10 Coolidge Place, Haledon, NJ B: 81.01 L: 7
Attorney: Juan Moran Esq./ Architect: Mario Nevado, RA
Notice Provided

Testimony/Board Comments:

Juan Carlos Moran Esq. stated that the application consists of constructing a 2nd level addition onto a single-family ranch home and repairs to the deck. The lot has a unique topography with a substantial slope in the back.

Mr. Mario Nevado, licensed architect recognized as an expert. The addition will add 3 bedrooms and 2 new bathrooms. The condition of existing setbacks is costly to build a new foundation. The surrounding area and neighbors are the same as 10 Coolidge consistent with setback close to front property. The average is 14 feet on same side of street, existing is 9 feet for 10 Coolidge, ordinance is 25 feet. The existing side setback is 6 feet, the requirement is 8 ft. The variances for setbacks are consistent with 1st floor footprint. Site plan right hand side drawings existing and proposed, providing context to existing elevations of property. End of structure slope starts most drastic drop where property ends in back. The parking requirement is based on dwelling units. Currently just one on the property. The current width of the property is 40 ft. Required is 50ft. variance needed for front yard setback 9ft, second side yard setback is 6.2 and 6.8. Lot coverage requirement is 40% existing coverage is 32%. Maximum height is 35 feet.

Member J. Iza questioned parking with the limited space. Architect state they can gain an additional parking spot by removing front porch steps to edge of property if board requires it.

Member Raul -Is there enough support to manage the new structure considering the addition of a second level and down slope of the property? Architect stated only the existing deck is on the drastic slope. The second-floor addition does not require additional support. The rest of the structure is on a level area. The retaining wall by deck will be repaired.

Aliamo Borough engineer commented on the parking and how moving the stairs will benefit the parking situation. Deck in the back of the house where steps are going down to the porch and loose wall are being repaired. Existing stairs that lead nowhere to be removed.

Public Comments-none

Mr. Moran indicated 5 variances are being requested and all are existing non-conforming conditions. The proposed 2nd story addition will mirror the 1st floor footprint. Repairing the deck, moving stairs for additional parking, and repairing the retaining wall. The existing slope and width of the property provide a substantial hardship to the applicant. The property and home are consistent to other lots on the street. The taxes for town will increase staying as single family. Nothing they are doing will exacerbating existing conditions.

Board will Deliberate in work session

- 8. New Business: Iza reminded Board members of the Mandatory Training that is required for all new members. Applications provided in the packet.
- 9. Old Business/ Pending applications: N/A
- 10. Communications:
 - A. Nothing to be filed. Roll call not required.
- 11. Approval of Requisitions:

A. North Jersey Media Group	\$ 48.15
B. Charles Rabolli Esq, 78 Church St. Resolution	\$500.00
C. Alaimo Group, 10 Coolidge Pl, Alvin’s Flipped Home	\$800.00
D. Alaimo Group, 10 Coolidge Pl, Alvin’s Flipped Home	\$100.00
E. Alaimo Group, 397-407 Haledon Ave, Haledon Prop.	\$200.00
F. Alaimo Group, 357 W Clinton, SYG Realty Group	\$300.00
G. Alaimo Group, 24 John Street, John Cook Realty, LLC	\$600.00

Total: \$ 2,548.15

Motion to approve **North Jersey Media Group bill** by: R Rivadeneira, seconded by: Hannah.

Roll call vote: H. Augustin T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi L. Lantigua J. Rivas
No: 0

Motion to approve **C. Rabolli bill** by: R Rivadeneira, seconded by: Hannah.

Roll call vote: H. Augustin T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi L. Lantigua J. Rivas
No: 0

Motion to approve **Alaimo Group bills** by: R Rivadeneira, seconded by: Hannah.

Roll call vote: H. Augustin T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi L. Lantigua J. Rivas
No: 0

12. General Public Portion: None

13. Motion to move into work session by: R Rivadeneira, seconded by: Hannah.
By acclamation (yes)

Work Session:

- A. SYG Realty Group LLC. 357 W. Clinton St. Haledon, NJ B: 108 L: 1.01
Attorney: Alan Mariconda Esq./ Engineer: Evans Architects, Notice Provided

Rabolli reviewed the 357 W Clinton St application: Applicant wants to build an Apartment over a Single story detached garage.

Use variances - Site located in a B zone a variance is required for 3 dwelling units where only 2 dwelling units are allowed. Variance required for two principal structures where one is permitted. Bulk Variance- Lot requires 5000sf lot is 7500sf. Minimum front yard setback 15ft from road, existing is 5.12ft. Existing non-conforming. Required minimum rear yard setback is 25ft existing 40 ft, with addition .47 ft. Maximum allowable lot coverage is 40%. Existing is 73%. With the addition lot coverage is 89%.

Test: Use variance-D variance standard judge it by: Are there special reasons to do it? No variance may be granted unless there are substantial detriments to other people. Bulk variance C variance-exceptional or extraordinary circumstances with property or good idea.

No issues with height, no objections from neighbors, and it would alleviate housing issues. Two principal houses on one lot would be setting a standard. Property not large enough to subdivide. Separate utilities to two separate houses. Not three family stacked. Parking in lawn, paving and increasing lot coverage.

Motion to Deny this application by: R Rivadeneira, seconded by: J. Iza
Roll call vote: Yes- Deny, T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi
L. Lantigua J. Rivas
No-Approve: Augustin

**B. Site Plan/Application (Variance): Rocco Feldhann/Carmel Feldhann
52 Cliff Street, Haledon, NJ B: 127 L: 7
Attorney: None/Architect: None, Notice Provided**

52 Cliff Street-Single Family home made into a two-family home with a deed restriction. The deed restriction applies if he sells home reverts to one family if cousin moves out reverts to one family and if he moves out reverts to single family.

Motion to Approve application with a deed restriction by: R Rivadeneira, seconded by: T. Hannah

Roll call vote to approve: Augustin, T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi L. Lantigua J. Rivas

**C. Site Plan/Application (Variance): Alvin's Flipped Home, LLC
10 Coolidge Place, Haledon, NJ B: 81.01 L: 7
Attorney: Juan Moran Esq./ Architect: Mario Nevado, RA**

10 Coolidge Place, Alvin's Flipped Homes LLC-2nd story addition on existing footprint, pre-existing non-conforming conditions. Not exacerbating existing non-conforming conditions. Iza feels it's good for the neighborhood. Plan revised to include parking. 32% lot coverage not an issue.

Motion to Approve application by: R Rivadeneira, seconded by: Hannah

Roll call vote to approve: Augustin, T. Hannah J. Iza J. Morris R. Rivadeneira K. Savinon G. Turi L. Lantigua J. Rivas
No-None

14. A motion was made by J. Iza to close the meeting, by acclamation to adjourn the meeting at 8:46 P.M. All Yes.

Elva Ghalam
Borough of Haledon
Planning/Zoning Board Secretary