

Borough of Lodi
Planning Board Minutes
September 10, 2008

The Meeting was called to order by Chairperson Al Norieka at 7:00 p.m.

Members Present: Mr. Borelli
Mrs. Breitwieser
Mrs. Fiduccia
Mr. Ingenito
Mr. Palumbo
Mr. Norieka

Also Present: Mr. Joseph Russo – Attorney
Ms. Jessica Georganne – Planner
Mr. Thomas Solfaro – Engineer
Mrs. Marlene Muska – Secretary

Members Absent: Mr. Vakharia
Mr. Luna

Members Excused: Mr. Carrasco

Due to a problem with the tape recorder this meeting was not tape recorded.

There was a motion by Mr. Palumbo seconded by Mrs. Fiduccia to approve the minutes of the August 13, 2008 meeting. All members present voted in favor of the motion.

Application: 062608P
Nelson Marques
181 Farnham Avenue
Block 1 Lot 13

The attorney for the applicant Mr. Phil Toronto presented to Mr. Russo the affidavit of mailing along with 6 exhibits.

A1 - Plans for a minor subdivision dated 2/27/08 - revised 9/2/08
A2 - Site Plan dated 8/25/08 – revised 9/2/08
Both prepared by Steven L. Koestner – Koestner Associates.

A3 – Existing Land Use & Zoning Map
A4 – Existing Photo Inventory – Farnham Ave between Frederick & First Street (first picture is Block 1, Lot 1 Single Family)
A5 – Existing Photo Inventory – Farnham Ave between Frederick & First Street (first picture is Block 3, Lot 43 Two Family)

A6 – Existing Photo Inventory – Harrison Ave between Frederick & First Street
A7 – Outline of Planning Testimony – submitted by Susan Blickstein
Above 5 exhibits prepared by EFB Associates LLC

The applicant is before this board requesting a minor subdivision of a 100' X 100' lot subdividing to be two 50' X 100' lots for the construction of two 2-family homes. Along with approval from the Planning Board, approvals will be needed from the Bergen County Department of Planning & Economic Development, the Bergen County Soil Conservation District, NJDEP, Lodi Department of Public Works and the Lodi Fire Department.

Mr. Steven Koestner the engineer for the applicant gave testimony regarding the plans submitted to the board. This included the fact that he prepared the site plan and minor subdivision map marked Exhibits A1 and A2. The applicant is proposing variances for a minimum lot width to be 50 feet when 75 feet is actually required, and the lot area to be 5000 square feet in lieu of 7500 square feet as stated in the zoning board ordinance. Mr. Koestner also testified that the proposed lots would be subdivided as follows: Lot 13.01 5,000 square feet measuring 50' X 100' and Lot 13.02 would measure the same. Bulk variances would be required for minimum lot size and lot width. He also stated that each two family home would be constructed as a “duplex” with a two car garage, and each duplex would have a driveway for parking an additional 2 cars.

There were questions from Mr. Palumbo regarding backing out of the driveway – what would the height of the wall be at the sidewalk level and how far would the height extend again toward the house before the wall would raise again?

Mr. Palumbo also questioned the amount of steps from sidewalk to first floor elevation and how many landings would there be? This question was regarding the slope of the property and what will hold the dirt back on the front of the property.

Ms. Georgeanne the Planner for the board questioned the landscaping of the property which was not on the plans. As it looks as though they would be removing landscaping from the property to build the homes.

Mr. Palumbo questioned the left side of the property – the retaining wall which is 7 feet tall – will there be another fence to prevent people from walking off the wall.

There were no questions from anyone in the audience for the engineer.

The planner for the applicant Ms. Susan Blickstein gave testimony using exhibits A3, A4, A5, and A6 – reading testimony from exhibit A7. Ms. Blickstein’s testimony stated that there are 20 properties on Farnham Avenue between Frederick Street and Charles Street and half of those properties are 2 family homes and 80% of those 2 family homes are on lots of 5,000 square feet or less with less than 50 feet of frontage. She also stated that in her opinion the proposed two 2 family homes that the applicant is asking for would be consistent with the pattern of development along Farnham Avenue.

Ms. Blickstein gave testimony regarding the Borough's Master Plan and one goal is to promote the establishment of appropriate population densities and concentrations that will contribute to the well being of persons, neighborhoods, community and preservation of the environment. It is Ms. Blickstein's opinion that the proposed subdivision would provide an opportunity for two family residences at densities consistent to the neighborhood. It is also Ms. Blickstein's opinion that the proposed subdivision will not impair the development pattern of the existing neighborhood and that the proposed use of the subject property is not inconsistent with the goals and objectives of the Borough's Master Plan or Municipal Land Use Act.

Ms. Blickstein gave testimony regarding the bulk variances and stated they can be justified under both C1 and C2 variances by reason of extraordinary and exceptional situations uniquely affecting a specific piece of property. The applicant's property is unique not only in size but constructing two 2 family homes on a 50 X 100 piece of property would be consistent with the neighborhood scheme.

The negative criteria would be satisfied in there would be no substantial impairment on the public good as this subdivision is consistent with the predominant use and density of the neighborhood. The proposed subdivision also re-develops the property according to contemporary construction techniques relating to drainage, provision of off-street parking, fire codes and increases area property values.

Mrs. Breitwieser questioned the planner as to the boroughs ordinance and asked if the applicant was willing to build 2 one family homes on the 50 X 100 pieces of property instead of the 2 two family homes.

Mr. Marques, the applicant, stated that he is a builder and feels the two 2 family homes would be more marketable and more profitable.

Mrs. Breitwieser reminded the board of the new ordinance and feels that the applicant can build 2 one family homes on the 50' X 100' pieces of property or he can build one 2 family home on the exiting 100' X 100' piece of property, the new ordinance states 2 family homes being built on 75' X 100' pieces of property.

There were no questions from the audience.

There was a motion by Mr. Palumbo seconded by Mr. Borelli to deny the applicant the approval for the subdivision and the building of the 2 two family homes. All members in attendance voted for the motion.

There was a motion by Mr. Palumbo and seconded by Mr. Borelli to adjourn.

Respectfully submitted,

Marlene Muska