

REGULAR MEETING of the Moonachie Planning Board called to order, J. Molinari in the chair, at Kathryn E. Flynn Civic Center on Thursday, May 17th, 2018 at 7:08 P.M. J. Molinari called for Pledge of Allegiance to the Flag.

ROLL CALL: Mayor Vaccaro, C/ Surak- not present, J. Molinari, N. Derevyanik- present, J. Campbell-present, M. Meehan, V. Drozd- not present, M. Lyons, J. Telesmanic – present, Alternates – A. Arroyo, R. Petrella- present, C. Pallas- not present Attorney- Novello - present Engineer- E. Sachs- present

Secretary stated that notice of the meeting was announced in accordance with the Open Public Meeting Act.

Motion by N. Derevyanik and second by R. Petrella approve the minutes of Regular Meeting of February 15th, 2018(no meeting in March).

ROLL CALL: Molinari, Lyons, Derevyanik, Campbell, Telesmanic, Arroyo, Petrella. All ayes. So ordered.

Motion by J. Telesmanic and second by N. Derevyanik to approve minutes of Special Meeting of April 5th, 2018.

ROLL CALL: Molinari, Lyons, Derevyanik, Campbell, Telesmanic, Arroyo, Petrella. All ayes. So ordered.

COMMUNICATIONS: None

REPORTS: None

OLD BUSINESS:

Application No. 17-SP1 and Docket#17-V2

Site plan and variances (“C” Bulk Variance and “D” use Variance) application of Safwat & Pilar Tadrous, 31 A Daniel Street, Block 5, Lot 2.02.

Michael Goodman, Attorney for the applicant- spoke about having the special meeting, in which the testimony was concluded and thanked the Board for having the special meeting. Spoke about his experience on a Zoning Board. Mentioned that Mr. Schommer, Engineer and Mr. Tadrous, the applicant are present at this meeting. He mentioned that the application is only for a D 1, Use Variance. He spoke about questions from the previous meeting regarding setting a precedent by granting the variance and each property is unique so this does not constitute a precedent. Also, he mentioned about the question about the full bathroom on the ground floor and question about the area being misused. He mentioned that his client agrees with a stipulation changing the full bathroom to a half bath. He clarified that they are asking for approval of use variance, which needs five affirmative votes among seven members. Spoke about other homes in the area of this property are oversized. Spoke about his client, who wants to use the proper procedures to build the home. Mentioned that this property fits for the purpose of granting the variance for two family and his client is seeking to do properly. Felt that the variance should be granted.

N. Derevyanik asked about flood elevation, of 8’ or 9’.

Mr. Sachs mentioned that it is 10’.

M. Lyons mentioned that in the Master Plain that was approved last year, the elevation was changed to 10’ and critical facilities need to be 3’ above elevation.

Mr. Sachs mentioned if the application is approved, the applicant needs to go to DEP to get approval.

J. Molinari –asked about Borough Engineer’s concerned.

Mr. Sachs mentioned that the applicant satisfied his concerns, and the applicant made an effort to get rid of the plumbing which was a concern of the Board.

Attorney Novello mentioned that he spoke with the members regarding D 1 variance and the standards. He spoke about uses that are beneficial like affordable housing or child care facility. He mentioned that the applicant needs to provide a reason for positive criteria and special reason. He spoke about negative criteria, which the Board has to look at the application for any detriment to public good and for detriment to Zoning Ordinance. He mentioned that applicant’s attorney stated that the property is suited for use. He mentioned that the Board can ask any additional questions, have discussion and then act on the application.

M. Lyons asked about the garage, how the cars are going to fit in the space.

Mr. Schommer mentioned that with the driveway the cars can be parked side by side and there are parking space for 4 cars, two in the garage and two on the driveway.

M. Lyons asked about the doors being able to open to the cars next to each other.

Mr. Schommer mentioned that the garage is 13' wide and the driveway is wider. He reviewed the plan.

R. Petrella asked about the doorway leading downstairs.

J. Molinari mentioned that the doorway is being eliminated and the full bath.

PUBLIC HEARING (Application No. 17-SP1 and Docket#17-V2)

No one wishing to be heard.

Motion by J. Telesmanic and second by R. Petrella to close public hearing.

ROLL CALL: Molinari, Lyons, Derevyanik, Campbell, Telesmanic, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Campbell and second by N. Derevyanik to approve the application of Safwat & Pilar Tadrous, 31 A Daniel Street, Block 5, Lot 2.02 with conditions of the followings:

-elimination of full bath to a powder room, -bollard in the garage, -drainage requirement, - approval of DEP & Bergen County Soil Conservation and elimination of door at 1st floor

ROLL CALL: Molinari- aye, Lyons-no, Derevyanik, Campbell-aye, Telesmanic-no, Arroyo, Petrella- aye.

Five ayes, two nays. Motion carried.

M. Lyons mentioned that she voted no due to the fact it violates the new Master Plan, and the zone is R1. Also, she mentioned that the street is very small, and with parking on the street, it creates problems with snow plowing. She spoke about fourteen snow events from December that involved plowing this season. She mentioned that people still park on the street in weather events, which could block access for emergency vehicles, this application would not make the community better. She explained that there is no parking on the cul-de-sac.

NEW BUSINESS: None

PUBLIC HEARING(Regular):

No one wishing to be heard.

Motion by N. Derevyanik and second by J. Campbell to close public hearing.

ROLL CALL: Molinari, Lyons, Derevyanik, Campbell, Telesmanic, Arroyo, Petrella.

All ayes. So ordered.

Motion by J. Telesmanic and second by N. Derevyanik to adjourn meeting at 7:29 P.M.

ROLL CALL: Molinari, Lyons, Derevyanik, Campbell, Telesmanic, Petrella, Arroyo.

All ayes. So ordered.

Supriya Sanyal
Secretary