



DUMONT JOINT LAND USE BOARD

MEETING MINUTES

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board of the Borough of Dumont, held in the Dumont Boro Hall.

Tuesday, February 25, 2020
@ 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 February 25, 2019. This date, time and location was 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:

Rafael Riquelme	Class I	P
Nico Attanasio	Class II	P
Jimmy Chae	Class III	P
Barbara Chen	Class IV	P
Graeme Dutkowsky	Class IV	P
Kenneth Armellino	Class IV	P
Elmer Pacia	Class IV	P
Alfred Moriarty	Class IV	P
Gino Zilocchi	Class IV	P
Jennifer Winant	Alt #1	P
Thomas Kelly	Alt #2	E
Jeff Keenan	Alt #3	P
Ken Melamed	Alt #4	P
Others:		
Board Attorney, Mark Madaio		P
Board Engineer, Boswell, Dennis Harrington		P
Board Clerk, William Paige		P
Construction Official, Paul Renaud		P

BUSINESS: Review and approval of January 28, 2020 minutes.

Chairman Dutkowsky calls for a motion to approve the January 28, 2020 minutes. Motion by Nico Attanasio, 2nd by Barbara Chen. All in favor.

BUSINESS: Review of Resolution - 28 Park Avenue, 117-119 Bostwick Avenue Realty, LLC
Block 1212, Lot 5

- Board Attorney, Mark Madaio summarizes the resolution.

Chairman Dutkowsky asks for a motion to approve the resolution. Motion by Ken Armellino, 2nd by Elmer Pacia.



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ROLL CALL:

Nico Attanasio	Class II	Y
Barbara Chen	Class IV	Y
Graeme Dutkowsky	Class IV	Y
Kenneth Armellino	Class IV	Y
Elmer Pacia	Class IV	Y
Alfred Moriarty	Class IV	Y
Gino Zilocchi	Class IV	Y

BUSINESS: Discussion and Approval of all Business Professional RFQs.

- Chairman Dutkowsky summarizes the RFQ process and applications and announces that the board would like to appoint Douglas Bern from MFMC Law as Joint Land Use Board attorney and Maser Consulting as Joint Land Use Boards Engineer.
- Chairman Dutkowsky calls for a motion to approve Douglas Bern as JLUB Attorney. Motion by Nico Attanasio, 2nd by Gino Zilocchi.

- **ROLL CALL:**

Rafael Riquelme	Class I	Y
Nico Attanasio	Class II	Y
Jimmy Chae	Class III	Y
Barbara Chen	Class IV	Y
Kenneth Armellino	Class IV	Y
Graeme Dutkowsky	Class IV	Y
Alfred Moriarty	Class IV	Y
Elmer Pacia	Class IV	A
Gino Zilocchi	Class IV	Y

- Chairman Dutkowsky calls for a motion to approve Maser Consulting as JLUB Engineer. Motion by Nico Attanasio, 2nd by Gino Zilocchi.

ROLL CALL:

Rafael Riquelme	Class I	Y
Nico Attanasio	Class II	Y
Jimmy Chae	Class III	Y
Barbara Chen	Class IV	Y
Kenneth Armellino	Class IV	Y
Graeme Dutkowsky	Class IV	Y
Alfred Moriarty	Class IV	Y
Elmer Pacia	Class IV	A
Gino Zilocchi	Class IV	Y



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FORMAL: Review of Application for the issuance of a Certificate of Non-Conformity

Board to memorialize the pre-existing (and continuing) use as a two-family, and the existing non-conformities

33 Larch Avenue
Block 507, Lot 6
Nancy Alvarez

- Mr. Allen Bell, the attorney for 33 Larch Ave summarizes the application. He states that the house was born in 1846 and has been used as a multi-family house. As of 2007, two-family houses in Dumont went from being classified as conforming to conditional. Mr. Bell says his client has owned the house since 1998.
- Mr. Bell calls his first witness, home owner, Nancy Alvarez.
- Mr. Madaio explains that this case is happening because when properties are re-classified, the home owners have one year to ask the zoning officer to allow them to be non-conforming. But, if they ask after that year has passed, they must go before the board and must prove that the non-conformity existed prior to the change of classification.
- Mr. Madaio swears in Ms. Alvarez. Mr. Bell and Ms. Alvarez present evidence that the house was a two-family house. That evidence includes deed, listing, surveys, appraisals, and an ordinance.
- Chairman Dutkowsky asks the board if they have any questions for Mr. Bell or Ms. Alvarez. No questions from the board.
- Chairman Dutkowsky asks for a motion to open to the public. Motion by Ken Armellino, 2nd by Barbara Chen. All in Favor.
- Jim Dilworth, from 42 Lenox. Mr. Dilworth lives in the house behind 33 Larch. He wants to know what this hearing is about. He's advised that no changes will happen to the property at 33 Larch and has no more concerns.
- Rachel Bunin, 9 Poplar. Ms. Bunin is concerned that the owners may subdivide the property. Mr. Bell states that the owner has no interest in subdividing and only wants to keep the house. It has recently been sold to a couple that wants to keep it as it is. Mr. Madaio states that there is nothing stopping anyone in the future from knocking down the house and doing a subdivision. Mr. Madaio states that the designation of a two-family house on this property would only exist as long as the current house stands.
- Chairman Dutkowsky calls for a motion to close to the public. Motion by Ken Armellino, 2nd by Nico Attanasaio.
- Mr. Bell presents a copy of Ordinance 1352 from 2007.
- Mr. Bell calls Mr. Muller, a land surveyor. Mr. Muller is sworn in by Mr. Madaio. Mr. Muller presents a site plan for the property and a map of Dumont from 1905.
- Nico Attanasaio asks why this application is before the board. Mr. Muller states that because Dumont is cracking down on illegal two-family houses, the home owner is showing that this house is a legal two-family.
- Chairman Dutkowsky asks for a motion to open to the public. Motion by Jimmy Chae, 2nd by Rafael Riquelme. All in favor. No questions/comments from the public. Chairman Dutkowsky asks for a motion to close to the public. Motion to close by Jimmy Chae, 2nd by Jennifer Winant.

Chairman Dutkowsky asks for a motion to approve or deny the application. Motion to approve by Nico Attanasaio, 2nd by Jimmy Chae.

ROLL CALL:

Rafael Riquelme	Class I	Y
Nico Attanasio	Class II	Y
Jimmy Chae	Class III	Y
Barbara Chen	Class IV	Y
Kenneth Armellino	Class IV	Y
Graeme Dutkowsky	Class IV	Y
Alfred Moriarty	Class IV	Y
Elmer Pacia	Class IV	Y
Gino Zilocchi	Class IV	Y

Chairman Dutkowsky asks for a motion to adjourn. Motion by Ken Armellino, 2nd by Barbara Chen.

Meeting ends at 8:23.