

# BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY

BOARD OF  
ADJUSTMENT



MUNICIPAL BUILDING  
537 TOTOWA ROAD  
TOTOWA, NJ 07512

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## BOARD OF ADJUSTMENT MINUTES OF NOVEMBER 12, 2014

The November 12, 2014 regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 8:04 p.m. followed by the Flag Salute. Attorney Tomasella read the Open Public Meetings Act.

### Roll Call:

Present: Chariman Fierro, Vice Chairman Krautheim, Commissioner D'Ambrosio, Commissioner Patten, Commissioner Mancini, Commissioner Bavazzano, Commissioner Nash, Alternate Korsakoff, Alternate Masi, Attorney Tomasella, Engineer Murphy, & Secretary Steinhilber.

Meeting of the zoning board was read by Attorney Tomasella.

A motion to accept the minutes of the October 8, 2014 meeting was made by Commissioner Bavazzano and seconded by Vice Chariman Krautheim. On a roll call vote all Commissioners present voted in the affirmative.

1<sup>ST</sup> CASE: JOHN LIRA  
120 CROSBY AVENUE, BLOCK 36, LOT 11

Applicant requesting conversion of a single family home to a 2 family home in an R7 district. Variance(s) for floor area ratio, removal of existing garage, and any others that may be required.

Applicant John Lira was sworn in by Attorney Tomasella. Engineer Murphy asked about the proposed work and Mr. Lira stated that there would be a detached garage with a second floor. This address is Mr. Lira's primary address. Mr. Lira would like to the keep the existing area to single unit upstairs and a single unit downstairs- only change is that there needs to be a heating unit installed.

Chairman Fierro states that according to the plans there is plenty of parking. Mr. Lira states there are plenty of 2 family homes in the neighborhood. Commissioner Patten asked how long Mr. Lira has been at the residence; Mr. Lira said that his wife has lived in the home for most of her life.

A motion to grant the request was made by Vice Chairman Krautheim and seconded by Alternate Korsakoff. Commissioner Patten had to excuse himself from the vote. Grant passed 7-0 @ 8:14pm.

2<sup>nd</sup> CASE: SSEF @ UNION BLVD. LLC  
339 & 351 UNION BLVD, BLOCK 93, LOTS 1, 1.01, 6 & 7

Applicant requesting subdivision & site plan approval for construction of mixed use building,-residential & business. Regular variance(s) for F.A.R. for existing & proposed building, lot coverage, landscaping, parking, residential use in B-2 zone and any others that may be requires.

Proper notices went out to residents. Paul Simmons from Roseland New Jersey will present the case. Steve Corso is the architectural designer; address of business is 676 Bloomfield Ave, Bloomfield. Mr. Corso has 30 years' experience and is an expert in his field per the board. Mr. Corso was sworn in by Attorney Tomasella. Proposed is a 3 story building on the corner of St. James and Union Blvd.

Exhibit A-1 is Plans of 1<sup>st</sup> floor and 2<sup>nd</sup> floor. 750 square feet of commercial space on the 1<sup>st</sup> floor. The second floor will have 9 units of living area. There is a partial basement for mechanical. The building meets the height requirement of 35'. Exhibit A-2 is the schematic of the building. All the construction will conform to the towns' requirements for finish and colors of building. Exhibit A-3 shows the left and right side elevation, which also shows the parking area. Exhibit- A-4 show the 3<sup>rd</sup> floor, plus the front and rear elevation and the façade will comply with code. Exhibit A-5 is the engineering report.

Bruce Rigg, professional Engineer and land surveyor, 1000 Maple Ave, Glen Rock has a bachelor degree in science and engineering. Mr. Riggs is also a certified municipal engineer and is considered an expert in his field as per the board. Exhibit A-7 is minor subdivision plot and is 3 pages. Exhibit A-8 is the preliminary and final site plan (6 pages). This plan shows area map which consists of 4 tax lots. Size of area is 100' wide x 110' deep in B-2 zone. Applicant is asking for a waiver of landscaping of the parking area because they are under the building.

Alternate Korsakoff asked about the sewer issues with 18 units going in. Mr. Riggs says he would have to get info from public works. Engineer Murphy stated that the paved site to sidewalks could be landscaped; Mr. Riggs said he will comply if the county allows it. Applicant would consider 16 units instead of 18 if the board sees it suitable.

Joseph Staigar is the traffic engineer, 17 Treemount Dr. East Hanover. Mr. Staigar is licensed in NJ and has a bachelor degree in Engineering. He was sworn in by Attorney Tomasella and is considered an expert in his field per the board. Mr. Staigar shows us the access to site from Saint James-refer to site layout plan, 24 parking spaces are provided and 1 space on Union Blvd and 2 spaces on Saint James. Trip generation rates are 10-11 trips during peak residential hour and 2-5 trips for commercial peak hour. Mr. Staigar states that 18 units would use 22 parked cars at night. There would a private

company that would pick up the garbage and recycling. Ceiling height of parking lot is 11' high. Commissioner Patten asked about traffic flow on weekends. Mr. Staigar says it would be similar to week days. Commissioner Bavazzano asked about parking and how do the spots get addressed-1 space per unit. Vice Chairman Krautheim says that retail spaces will also use lot. Engineer Murphy states that a formal report needs to go to officials.

Jeffery Stiles, professional planner in Morris NJ, is licensed in NJ and considered an expert in his field by the board. Mr. Stiles was sworn in by Attorney Tomasella. There is going to be a mixed use development, 5 parking spaces for commercial parking. If the board recommends 16 units instead of 18, that would alleviate the parking space issue. The positive criteria for the unit are the removal of the existing building, the parking will be hidden and the building will represent the community well. Commissioner Mancini asked if 1 handicap parking space was enough, the response was that it meets the code.

Jerry Curcio, resident for 59 years in Totowa, is concerned about parking and that the building is an apartment complex. Debra D'Agustino, a longtime resident on Vreeland Ave, believes traffic and parking could be an issue. There concerns were explained, and everything was to code.

A motion to grant the necessary variance(s) was made by Commissioner D'Ambrosio and seconded by Commissioner Mancini. Vote 7-0 @ 9:47

3<sup>rd</sup> CASE: ALEX OLDJA/ ALML ASSOCIATES, LLC  
809-813 RIVERVIEW DRIVE, BLOCK 171, LOTS 2 & 3

Applicant requesting use variance-restaurant located in B-2 local business district where only food service is allowed and parking and any others that may be required. Attorney Saracino will represent the case.

Architech Yogash Mistry was sworn in by Attorney Tomasella and considered an expert in his field by the board. Exhibit A-1 is a rendering of a 1 story building on the corner of Minnisink Road and Riverview Drive. As of this time there is no specific renter of the restaurant, but the building will consist of 60% dining area and capable of 181 occupants. Attorney Saracino states that the planning board has already approved 5 signs. Commissioner Patten questioned if there would be one or two signs depending if there were up to two restaurants. Engineer Murphy states that there would be the same amount of seating whether one or two units go in. If something changes from the applicant's request, he would have to go back in front of the board for approval.

Joseph Staigar, traffic engineer, does not feel that the building will impact the traffic. There is room for 181 seats and there are 79 parking spaces. He feels that at peak time 71 parking spaces will be used and on a Saturday 73 spots could be used.

Mia Petrou, professional planner, works for Kenneth Ochad Associates and is qualified as an expert in the field as per the Board. Mrs. Petrou shows exhibit A-2 which is a photo exhibit (2 pages) that's shows the existing photos of the businesses and lots. Exhibit A-3

is the Ariel Exhibit which shows that the existing B-2 zone needs to be changed and the existing area is run down and under-utilized. She also states that 9 x 18 parking spaces are sufficient.

Debra D'Augustino, speaking from the public, says she has no concerns about the building-but questions how many tenants there are. Where is the entrance and exit into this location and she feels that traffic is already an issue on the Boulevard, how much more will this cause. Applicant Alexnader Oldja, 4 Lookout Place Totowa, was sworn in by Attorney Tomasella. Attorney Tomasella asked Mr. Oldja if he stated at the Planning board meeting that there would never be a restaurant going into the building. Mr. Oldja's response was no. Exhibit A-4, which is the Site Dimension Plan show the driveway, will be further away from Minnisink Road if the County will approve.

A motion to grant the necessary variance(s) was made by Commissioner D'Ambrosio and seconded by Commissioner Nash. Vote 7-0 @ 10:51pm

A motion to adjourn the meeting was made by Commissioner Patten and seconded by Alternate Masi. The meeting was adjourned at 10:52 p.m.

Respectfully submitted,  
Pam Steinhilber, Secretary