

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 SEPTEMBER 14, 2016

The September 14, 2016 regular and meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:32 p.m. followed by the Flag Salute. Attorney Brigliadoro read the Open Public Meetings Act.

A motion to accept the minutes of the August 10, 2016 meeting was made by Commissioner Nash and seconded by Commissioner D'Ambrosio. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: U-HAUL
990 RIVERVIEW DRIVE, BLOCK 169.01, LOT 2 & 5

Paul G. Jemas, Attorney for Applicant brings first witness to explain the Application.

Charles J. Stewart, licensed Engineer Planner and Land Surveyor explain that lot 2 on Riverview Drive lot sits on Jackson Road. The now existing industrial building is 83 thousand square feet. The applicant is requesting a paved access way thru to Jackson Road, were the existing is only thru Riverview Drive. Proposal for site existing storm drains, sanitary sewer, gas lines, and electric. Site Plan, sheet 3 of 5 shows the retail component to the front of the building and the remainder will be self-storage with on-site U-Haul Vans, Trucks, and Trailers. The signage will be a pile-on sign which will be situated 10 feet from the curb line and will be 7'h x 10'w and starts 15' from the ground.

Applicant will comply with Engineer Murphys report. There will be no outdoor storage or containers. Additional relief is parking spaces, 10' x 18' are required and 9' x 18' are proposed. No outside storage of materials, trucks, or equipment, applicant is proposing outside storage of rental vehicles. Engineer Murphy would like to know if cooperate has requirements for signage or can they comply with the towns ordinance. Engineer Stewart replies the applicant, Anthony Paladino will address. The improvement in front portion of lot does not need DEP approval. Engineer Murphy states there is no outside storage but applicant is requesting outside storage of U-Haul vehicles and storage in the front yard. Commissioner D'Ambrosio would like to know if there will be any mechanical work on site. Applicant Anthony Paladino will explain the question from Commissioner D'Ambrosio.

Applicant Anthony Paladino, president of U-Haul in Northern New Jersey tells the Board that U-Haul has been operating since 1945 and he personally oversees 8 locations. The hours of operation will be 7 to 7, 7 days a week. Approximately 3 thousand square feet of the building will be used for the retail showroom portion of the business and will consist of 20 to 25 employees. Full time employees are approx. 4 to 5 and the remainder will be part time. This location plans to serve customers approx. 3 to 5 minutes from the property. Functions at the site are rental of vehicles', 25 to 30 on site plus 10 trailers. The company will hire local residents. During a 12 hour day approx. 10 vehicle rentals will occur and 5 to 6 self-storage visits. There is about 80% of the business is done on-line which leaves about 5 to 10 minutes that the customer will be at the actual location.

Vehicle maintenance and repairs will not be done on site, U-Haul has a repair facility in Saddle Brook but small repairs such as windshield wipers and light replacement will be done on premises. The applicant explains there will be 6 to 8 small vehicles with a sign in window of \$19.99 to advertise. A 10 yard dumpster will be on site and picked up 3 times a week. The signage will be illuminated and Applicant is not sure of corporate requirements in size. Commissioner Patten asked if hours of operation are 7 to 7 for the retail store and self-storage, Mr. Paladino states there are some customers that have 24 hour access to the self-storage but it is very minimal. Chairman Fierro would like to know if landscaping will be enhanced along the side of building, the applicant will have landscaping on the side of the building. The storage facility will have no access after 10 pm for the majority of customers.

Craig Peregoy, licensed professional Planner and Engineer states there will be approx. 250 vehicle trips per day. The 9 x 18 parking spaces are pretty standard and adequate for the application.

Jeffery D. Stiles, professional Planner testifies the site is located in an industrial zone but there is a residential neighborhood across the street. Mr. Stiles states the self-storage portion of the application is a permitted use but the retail component and retail of vehicles are not permitted in the I-3 zone. The positive criteria's of the application are it is a vacant parcel land, the application will advance the purpose of use and there is a lot of open space. The negative criteria's of the application are no detriment to the public good, there is a low intensity of traffic flow and there is an impact on the zone plan. Mr. Stiles feels the Application meets the positive and negative criteria's. Attorney Brigliadoro would like to know if the site is suitable for the use, Mr. Stiles states the I-3 zone is the most liberal of all zones and 80% of use will be permitted use. Commissioner Mancini would like to know if every unit will have a parking space. Mr. Stiles states there are 1242 units between 10' x 15' to 5' x 5' each. Vice Chairman Krauthiem would like to know if storage is mostly furniture, Applicant responds that 80 to 90 percent are household items. Chairman Fierro would like to know how long will it take once approved to be open for business. Applicant feels it will be about 6 to 12 months before opening. Commissioner Patten asked about food being stored in units, Applicant states there is no food storage. Attorney Brigliadoro refers to a prior application that was presented had hazardous material. Applicant states it is against the law to store hazardous material, there are signs posted that it is not allowed and it is in the contract.

Chairman Fierro opens this portion of the meeting to the public.

Carlos Santaniello, sworn in by Attorney Briigliodoro, resides at 4 Craig Court. Some of Mr. Santiniellos concerns are:

1. Will people be able to enter in two spaces from Riverview Drive
2. The signs on existing building are not as high as the proposed
3. Tractor trailers entering on Riverview Drive
4. Signs being lit up until midnight

The Applicant is within the requirements for the sign at 15'. The Applicant will also direct tractor trailer drivers to exit the back. Attorney Briigliodoro states the Board will tell the applicant when they want the signs turned off.

Lori Zuaro, sworn in by Attorney Briigliador, resides at 997 Riverview Drive. Some of Mrs. Zuaros concerns are:

1. The noise is too much now and it will increase with the acceptance of this Application
2. Signs lit up will shine right in her bedroom windows
3. Customers being able to drop off at anytime
4. The retail facility brining all types of people to the neighborhood
5. Fear of what is being stored in the storage units
6. Property value lessoning
7. There is a stigma attached with an Application like this when selling property

George Fakhoury, sworn in by Attorney Briigliodoro, resides at 38 Craig Court. Mr. Fakhourys concerns are:

1. His deck faces the building and does not want to see trucks and lights from his deck
2. The trees are too high to see the sign
3. He feels the U-Haul should be on a main highway.

Chairman Fierro asked for a motion to be made to close the public portion of the meeting. A motion was made by Commissioner D'Ambrosio and seconded by Commissioner Patten

Attorney Jemas final thoughts on the Application is U-Haul is a good corporate neighbor. Attorney Briigliodoro explains the use variances for the Applications which is a use variance for retail sales and rentals, variance for parking stall sizes, variance for outside vehicle storage, vehicles parked in the front of the building, and the free standing sign that the applicant is requesting 70 square feet where 50 square feet is allowed on one side, retail open from 7 am to 7 pm, storage open from 7 am to 10 pm, sigh to be cut off at 10 pm per the Board, no hazardous materials stored in the storage units, and no mechanical repairs on-site.

A motion to approve the application was made by Commissioner D'Ambrosio with the stipulation the retail portions hours will be 7 am to 7 pm, the storage hours will be 7 am

to 10 pm, and the signs will turn off at 10 pm. This was seconded by Commissioner Mancini. Application approved 7 – 0 at 8:50 pm.

A motion to adjourn the meeting was made by Commissioner Bavazanno and seconded by Commissioner Patten. The meeting was adjourned at 8:56 PM.

Respectfully submitted,
Pam Steinhilber, Secretary