

# BOROUGH OF TOTOWA P L A N N I N G   B O A R D

PASSAIC COUNTY  
NEW JERSEY



MINUTES – June 24, 2021

Chairman Hennion called the Planning Board meeting of Thursday, June 24, 2021, to order at 7:30 p.m. via a Zoom Meeting for the Borough of Totowa.

**PRESENT:**

Councilman D'Angelo	Commission Sabatino	Vice Chairman Coiro	Commissioner Campilango
Mayor Coiro	Commissioner Niland	Commissioner Festa	Chairman Hennion
Commissioner Zarek	Commissioner Ferraro	Mike Cristaldi, PE	Richard Briigliodoro, ESQ

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 24th day of June 2021 is in accordance with the Schedule of Annual Notice, which is posted, and in accordance with Chapter 231 P.L. 1975 of the State of New Jersey. The agenda for this meeting has been prepared and distributed to the members of the Planning Board, posted on the Borough's website and a copy has been on file in the Construction Official's Office. The Planning Board Agenda has also been posted on the entrance doors to the Municipal Building including the entranceway for handicapped individuals.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to excuse Chairman Hennion from Item #1 – Three Crown.

All In Favor 9-0

***ITEM #1***

Three Crown	Block 9 – Lots 1 & 3	Court-ordered Remand Hearing
1 Otilio Terrace		Preliminary & Final Site Plan
101 Forest Avenue		Variances & Design Waivers

Jerome A. Vogel, Esq. appeared requesting preliminary and final major site plan approval, "c" variance relief, design waiver relief and lot merger for property designated as Block 9, Lots 1 and 3 as shown on the Tax Map of the Borough of Totowa.

Planning Board Attorney, Rich Briigliodoro provided history of the events leading up to this application being heard this evening.

The Applicant previously came before the Planning Board in 2019. The Applicant sought preliminary major site plan approval and related relief to construct an inclusionary multifamily residential complex consisting of 81 units, including 18 affordable units within three buildings. A merger of Lot 1 and Lot 3 was also proposed at that time. Public hearings were conducted on March 28, 2019, April 11, 2019, May 9, 2019, June 13, 2019, June 27, 2019 and August 8, 2019. At the conclusion of the public hearing process, the Planning Board denied the application on August 8, 2019 and memorialized its decision in a resolution adopted by the Planning Board on September 12, 2019.

The Applicant appealed the denial of the application to the Superior Court of New Jersey, Law Division, Passaic County. The litigation was assigned Docket No.: PAS-L-003466-19. The Court conducted a Case Management Conference on May 18, 2021.

Thereafter, on May 24, 2021, the Court entered an Order that the matter be remanded to the Planning Board for a Whispering Woods hearing at the June 24, 2021, but no later than the July 8, 2021 meeting of the Planning Board. The May 24, 2021 Court Order required the Applicant to provide notice to the public as well as notice by publication. The Court further ordered that the testimony and the exhibits from the six (6) prior hearings from 2019 which include March 28, 2019, April 11, 2019, May 9, 2019, June 13, 2019, June 27, 2019 and August 8, 2019, are incorporated by reference into the remand for the Whispering Woods hearing. The Court further ordered that only the revisions to the application and plans shall be heard by the Planning Board. Counsel for the Applicant represented that the proposed development is significantly below the density permitted in the R-AH Zone. Mr. Vogel stated that 136 dwelling units could be constructed on the site, but the Applicant is only constructing 81 units

Testifying on behalf of the Applicant was Kiersten Osterkorn, PE, PLS, PP. Ms. Osterkorn reviewed with the Planning Board the contents of a letter she drafted dated August 1, 2020. Ms. Osterkorn's letter addressed the Board Planner and Board Engineer's review letters from August, 2019.

Ms. Osterkorn testified that one of the main items contained in the August 1, 2020 report, involved modifications to the emergency access drive as well as the addition of landscaping in and along the South property line (Paterson) which resulted in lessening some of the landscaping variances. More specifically, Ms. Osterkorn testified that in revising the plans the Applicant raised the grade of the emergency access drive in order to lessen the slope. This involved proposing a small retaining wall along the emergency access drive, as well as removing existing planting. As a result, the Applicant has lessened the slope as requested by the Board Professionals and the Applicant has proposed new plantings along the southerly property line. Ms. Osterkorn also confirmed that the Applicant is willing to meet in the field with the Board Planner in order to provide a buffer area that is satisfactory to the Board Planner.

Ms. Osterkorn also represented that she and representatives of Alaimo Engineering, the Board Engineering firm, met with representatives of the City of Paterson and discussed utility connections through Paterson including, but not limited to, connections for sanitary sewer and stormwater. Ms. Osterkorn confirmed that representatives of Alaimo Engineering were also at the meeting with the City of Paterson Engineer, and that the City of Paterson Engineer confirmed that Paterson has the capacity to accept sanitary sewer flows and stormwater flows from this project subject to the Borough of Totowa and the City of Paterson entering into an Interlocal Services Agreement.

Ms. Osterkorn also highlighted some miscellaneous matters. Ms. Osterkorn confirmed that no parking spaces would be utilized for snow storage but that snow would be removed from the site if necessary. The Applicant will also comply with all affordable housing requirements. The Applicant will also comply with all comments of the Board Planner and Board Engineer.

Ms. Osterkorn addressed the request for variance and design waiver relief as set forth in the review report of Darlene A. Green, PP, AICP from Colliers Engineering and Design dated June 16, 2021. The Applicant requires the following variances:

1. The Ordinance limits fence height in residential zones to six feet when located more than 25 feet from any street line. The Applicant proposes a retaining wall that ranges in height from six inches to 17.9 feet around the turn around area.

2. Variance for tract buffer. The Ordinance requires a 50-foot-wide natural buffer where the tract abuts existing single-family homes. Additionally, no existing tree shall be cut or removed unless the tree is dead or diseased. Furthermore, no building or parking lot is permitted in this buffer area; and

3. Variance for number of shrubs within the tract buffer. The Ordinance requires 15 shrubs to be planted for every 50 linear feet of buffer where the tract abuts existing single-family homes. The property has 1,107 linear feet of “frontage” between the southern and western property lines, which requires a total of 333 shrubs.

4. Variance for tract buffer. The Ordinance requires a 20-foot-wide landscaped buffer to adjacent uses other than single-family homes. Within this buffer, no existing tree shall be removed unless the tree is dead or dying.

5. Variance for number of shade trees within the tract buffer. The Ordinance requires one shade tree to be planted for every 50 linear feet of buffer where the tract abuts uses other than existing single-family homes. The property has 709 linear feet of “frontage” between the northern property line and eastern property line, which requires a total of 15 shade trees.

6. Variance for number of shrubs within the tract buffer. The Ordinance requires ten shrubs to be planted every 50 linear feet of buffer where the tract abuts uses other than existing single-family homes. The property has 709 linear feet of “frontage” between the northern property line and eastern property line, which requires a total of 142 shrubs.

Ms. Osterkorn represented that during the 2019 hearings, the Applicant presented the expert testimony of Michael Pessolano, P.P., a licensed professional planner in the State of New Jersey. Mr. Pessolano previously presented testimony in regard to the variances required. Ms. Osterkorn indicated that the testimony at the June 24, 2021 hearing is also to be supplemented or augmented by the previous testimony of Mr. Pessolano in 2019.

In addition, Ms. Osterkorn testified that the topography of the site necessitated retaining walls at the height as proposed including the maximum height of 17.9 feet. It will also contain a fence for safety reasons. In regard to the several variances that are required relative to the buffer area and sufficiency of landscape plantings, Ms. Osterkorn represented that the Applicant will replant the areas of the buffer as necessary and will remove dead or diseased trees. Ms. Osterkorn testified that they are also bringing in additional experts regarding landscaping who testified at the 2019 hearings because the Applicant is proposing a significant amount of landscaping in the buffer area. Further, it is the Applicant’s intention to plant and repopulate the buffer area in such a way to ensure that the plantings within the buffer area will survive. Ms. Osterkorn also represented that the Applicant will work in consultation with the Board Planner, Darlene Green, including, but not limited to meeting in the field, in order to provide sufficient landscaping to the satisfaction of the Board Planner and to effectively shield the site from the adjoining residential properties.

Ms. Osterkorn next addressed the issue of design waivers. The application requires the following waiver/exceptions:

1. Waiver for building façade material. The Ordinance requires building facades visible from a public street to consist of brick, stone, cast stone or other high-quality material.

2. Waiver for trash enclosure location. The Ordinance requires trash enclosures to be located to the rear or side of the building.

3. Waiver for monument sign height. The Ordinance limits monument sign height to five feet above the grade.

4. Waiver for monument sign setback. The Ordinance requires monument signs to be setback at least ten feet from any property line.

In regard to the request for design waiver relief for building façade material, the Applicant proposes vinyl siding on the residential floors, which would be visible from the public streets in Paterson to the south. Ms. Osterkorn represented that the Applicant is proposing construction materials that are of high quality. The

Applicant proposes vinyl siding on the residential floors which would be visible from the public streets in Paterson to the south. No stone material would face the Paterson side of building.

In regard to the trash enclosure location, Ms. Osterkorn testified that based on the design of the site, the trash enclosure is technically located in the front of the buildings, but the trash enclosures are located adjacent to the parking area and thus the enclosures are separated from the residential dwellings in Paterson by the parking lot and the proposed buildings and the remaining trash enclosure is located in the vicinity of the turnaround area.

The Applicant proposes a monument sign 4 feet 2 inches tall which exceeds the 5 foot height limit due to the sign being mounted on top of the retaining wall, and further the Applicant proposes to install a monument sign on top of the modular block wall on the side property line which is located on the east side of the driveway.

Ms. Osterkorn testified that the main ingress and egress to the site continues to be along Preakness Avenue which remains the same. The emergency access is off of Lenox Avenue in Paterson and the emergency access will have a gate with a key fob for emergency personnel. Ms. Osterkorn represented that the turning radius and slope has now been addressed to the satisfaction of Borough of Totowa officials. Ms. Osterkorn also represented that the turnaround radius on the site is now satisfactory to Borough officials as well.

Ms. Osterkorn also confirmed that Building 3 was previously moved away from the buffer area adjacent to properties located in the Borough of Totowa. Ms. Osterkorn also represented that the Applicant is willing to meet in the field with the Board Planner in order to populate any gaps in the buffer area between Building 3 and the adjoining residential properties. It was also confirmed that sanitary sewer and stormwater can be accepted by the City of Paterson subject to interlocal agreements being entered into between the Borough of Totowa and the City of Paterson.

Both the Board Engineer, Michael Cristaldi, P.E. and the Board Planner, Darlene Green, P.P. expressed their satisfaction with the plans and testimony as provided by the Applicant.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to open this matter to the public

All In Favor 9-0

April Harris Holmes, 306-314 Lenox Avenue, Paterson, New Jersey. Ms. Holmes expressed concerns in regard to the ability of the City of Paterson to handle sanitary sewer and stormwater from the site. Ms. Osterkorn responded by testifying that inlets would be introduced on Lenox Avenue to collect and discharge storm water in accordance with all necessary design standards to satisfy all state and local requirements. Ms. Osterkorn also represented that the Paterson system will be able to accept the sanitary sewer flows from this project..

Susan DeLeonardo, 135 Chatham Avenue. Ms. DeLeonardo expressed concerns regarding truck traffic and stormwater. She also expressed concerns about the use of the emergency access. It was represented to Ms. DeLeonardo that the proposed emergency access would not be for daily traffic, but would be for emergency personnel only. Further, Ms. Osterkorn outlined stormwater management measures that are being implemented by the Applicant to address stormwater runoff from the site

Stella DiDio, 62 Sterling Terrace, Totowa, New Jersey. Ms. DiDio indicated that most of the issues have been addressed. She did express her disappointment with the number of units that are being proposed for the site. Ms. DiDio had questions in regard to where the school children would be picked up. Ms. Osterkorn represented that is an issue that would be worked out with the Board of Education in order to design a suitable and safe pick-up area for the children. Ms. Osterkorn also confirmed that snow would be removed from the site as necessary.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to close this matter to the public

All In Favor 9-0

Board determines that the request for preliminary and final major site plan approval, ancillary (c) variance relief and design waiver relief as well as lot merger as shown on the preliminary and Final Site Plan prepared by Omland & Osterkorn Inc. dated September 24, 2018 with a last revision date of May 30, 2020 has met the minimum requirements of the Municipal Land Use Law, Case Law and Borough Ordinances to a sufficient degree so as to enable the Board to grant the relief being requested. The Board further finds that the granting of this application would not adversely impact and/or impair the use and enjoyment of adjacent properties. The Board further finds that “c” variance relief can be granted without substantial detriment to the public good. The Board further finds that “c” variance relief can be granted without substantial impairment of the zone plan and zoning ordinance. The Board further finds that the purposes of the Municipal Land Use Law would be advanced and the benefits of the deviation substantially outweigh any detriment and, as such, the request for “c(1)” and “c(2)” variance relief is granted. The request for design waiver relief is also granted.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the preliminary and final major site plan approved as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

1. The Applicant shall comply with all terms and conditions set forth in the Board Planner’s Review Report prepared by Darlene A. Green, PP, AICP, of Colliers Engineering and Design, dated June 16, 2021 and as testified to during the hearing process.
2. The Applicant shall comply with all terms and conditions set forth in the Board Engineer’s Review Report prepared by Michael Cristaldi, P.E., of Richard Alaimo Engineering Associates, dated June 16, 2021 and as testified to during the hearing process.
3. The Applicant shall comply with Totowa Borough Ordinance No. 08-2016 regarding the R-AH Affordable Housing District and as testified to during the hearing process.
4. The granting of this application is subject to and conditioned upon the Applicant providing a landscape plan and meeting in the field with the Board Planner, Darlene A. Green, to ensure that the landscaping that is provided on this site is sufficient to buffer the property from the adjoining residential properties and the sufficiency of the proposed landscaping is subject to the review, approval and satisfaction of the Board Planner.
5. The granting of this application is subject to and conditioned upon the Applicant providing a truck turning exhibit and/or template to the Board Planner and Board Engineer relative to the main access and emergency access which shall be subject to the review and approval of the Board Planner and Board Engineer.
6. The granting of this application is subject to and conditioned upon the Applicant providing details for the monument sign lighting which shall be subject to the review and approval of the Board Planner.
7. The granting of this application is subject to and conditioned upon sanitary sewer and stormwater flows from the site being accepted by the City of Paterson conveyance system which shall be memorialized in an Interlocal Services Agreement between the City of Paterson and the Borough of Totowa.
8. As agreed to during the hearing, no parking spaces shall be used for the storage of snow.
9. As testified to during the June 24, 2021 hearing, no stucco will be used on the exterior of the buildings.
10. A key fob or alternative access shall be provided to the Borough’s emergency services to access the gate along the Paterson boundary.
11. The applicant shall deed restrict the affordable units for at least 30 year, said deed restriction shall comply with UHAC and list the unit or apartment number, number of bedrooms, and income level. A draft of the deed restriction shall be provided for review and approval of the Board Professionals before it is recorded.
12. At least 13% of the affordable units shall be very-low-income units.

13. The developer shall retain the Borough's Administrative Agent to manage the affordable units and pay the associated costs for said administration.
14. The phasing of the affordable units shall comply with the Borough's Affordable Housing Ordinance.
15. The developer shall take all steps necessary to ensure the affordable units are creditworthy and meet UHAC, COAH regulations, and any other affordable housing rules.
16. The design engineer of the retaining wall shall provide a certification that the walls were constructed in accordance with the design which shall be subject to the review and approval of the Board Engineer.
17. The granting of this application is subject to and conditioned upon the Applicant obtaining plan certification from the Hudson, Essex and Passaic Soil Conservation District.
18. The granting of this application is subject to and conditioned upon Passaic County Planning Board approval, if required.
19. The granting of this application is subject to and conditioned upon the Applicant obtaining New Jersey Department of Environmental Protection approval, if required.
20. The granting of this application is subject to and conditioned upon the Applicant opening and maintaining an escrow account with the Borough of Totowa and keeping the account current with sufficient funds for professional inspection and review fees.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to readmit Chairman Hennion into the remainder of the meeting.

All In Favor 9-0

**ITEM #2**

Hello Fresh

Block 158 – Lot 4

Site Plan Approval

8 Vreeland Ave

Certificate of Use

Planning Board Attorney, Rich Brigliadoro informed Board Members and public that Hello Fresh has been actively pursuing alternative solutions to their trucking and parking issues and requested that this matter be carried to our regular meeting of July 8, 2021 at 7:30pm without further notice.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to carry this matter to our regular meeting of July 8, 2021 at 7:30pm without further notice.

Six agreed to a roll call vote... 6-0

**ITEM #3**

922 RVD, LLC

Block 169 – Lot 5

Preliminary & Final Site Plan

922 Riverview Dr

(carried from 6/10/2021)

Variance for Signage

Mr. Paul Sangillo, Esq. and Mr. Hojoon Chung, licensed Architect appeared requesting preliminary and final site plan approval as well as variance and/or design waiver relief to install colored glass panels, remove an existing freestanding sign located within the front yard setback and to add 31 parking spaces within the front yard setback. The applicant also seeks approval to relocate the loading dock, resulting in a decrease in parking spaces.

Testifying on behalf of the applicant was Hojoon Chung, AIA, a licensed Architect in the State of New Jersey. Mr. Chung was permitted to testify as an expert witness in the field of architecture. The subject Property currently contains a two-story masonry building. The Applicant seeks approval in order to relocate the loading dock on the westerly side of the building to the southerly side of the building. As a result, approximately seven parking spaces will be removed. The Applicant also seeks to remove approximately 11,967.4 square feet of green area in the front yard, in order to create space for thirty-one parking spaces.

Further, the Applicant seeks approval, in order to remove the existing freestanding sign and to add a sign to the façade of the building.

The removal of the freestanding sign will create space for the Applicant's proposal to construct parking spaces within the front yard setback. The Applicant also seeks to relocate the trash compactor to the area of the current loading dock. The Applicant represents that the trash compactor will be hidden from view.

The Applicant explained the need to relocate the loading dock. The Applicant contends relocation of the loading dock is necessary because the area is too restrictive with respect to turning movements of trucks accessing the loading dock area.

It was also represented to the Board that the proposed building façade sign would be located on the left side of the building and the signage would not be illuminated.

The Applicant and the Board addressed the sufficiency of on-site parking. The Applicant represented that there are 119 current parking spaces. In addition, there are between 100 and 125 employees on-site. It was represented to the Board that many employees will use public transportation while others will carpool. The Applicant further stated that the need to have parking in the front yard is for the convenience of visitors who come to the site.

It was also represented that the Applicant has an existing facility in Clifton, New Jersey. The Clifton facility produces the nail strips. The Applicant represented that this manufacturing process would continue. The Applicant represented that the purpose of the Totowa facility will be for the main business office for the company, as well as the packaging of nail strips. Therefore, the Applicant represented that they were seeking to add parking within the front yard of the building for the convenience of visitors who come to the site. It was also represented on behalf of the Applicant that if visitors were to come to the site at the present time, they would park in the rear and they would have to walk through the packaging portion of the building in order to get to the office portion of the building which is located in the front of the building. Therefore, the Applicant represented that it is more convenient and safer for visitors to park in the front yard and enter the building through the front.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to open this matter to the public

All In Favor 9-0

Debra D'Agostino, 70 Vreeland Avenue, Totowa. Ms. D'Agostino provided a history of the occupancy of the site. Ms. D'Agostino characterized the Applicant as being "unfamiliar with the area." Ms. D'Agostino also stated that the site was formerly occupied by Lisanti Foods. Furthermore, she represented that in 2002, the building was occupied by BC International Fur Storage. Thus, the Property was occupied as a warehouse. Ms. D'Agostino stated that at that time 81 parking spaces were approved with approximately sixty-one new parking spaces underground.

Ms. D'Agostino also questioned that when the Applicant came before the Planning Board relative to seeking a minor site plan/certificate of use approval, it was represented that 145 parking spaces were on-site. However, now Ms. D'Agostino was questioning the discrepancy as to what was testified to earlier and what has been testified to during this hearing in regard to the total number of parking spaces on-site. Ms. D'Agostino stated that she finds parking in the front yard to be highly objectionable.

Also, Ms. D'Agostino raised an issue about lighting on the site spilling over onto adjoining properties. Ms. D'Agostino represented that there are seven lights on the side of the building and the lighting shines beyond the property line onto adjoining properties. Ms. D'Agostino also questioned as to why the glass façade was already constructed before the Applicant came in before the Planning Board.

Counsel for the Applicant represented that the Applicant has no plans to operate the business on Sunday. A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to close this matter to the public

All In Favor 9-0

The Board is concerned about headlights from the parking lot shining onto the residential properties located across the street. The Board notes that the Applicant intends to remove approximately 11,967.4 square feet of green area in order to create 31 additional parking spaces. The Board finds that there is no plan to provide landscaping including, but not limited to, planting a berm or trees or such other vegetation that would effectively shield the proposed parking lot from public view. The Board notes that there is no landscaping plan proposed and the proposed parking lot in the front yard is close enough to Riverview Drive to be very visually noticeable to the residential area across the street. Furthermore, Totowa Borough Code Section 415-99(c), requires 10% of the parking lot area to be landscaped. The Board notes that no landscaping whatsoever is proposed by the Applicant in order to comply with Section 415-99(c).

The Applicant has failed to prove that any of the purposes of the Municipal Land Use Law would be advanced by the approval of this application in regard to constructing 31 parking spaces within the front yard setback.

The Board also finds that variance relief cannot be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance. The Board also notes that there is currently existing parking that extends over the property line onto the neighboring property on the southerly property line. The Applicant has agreed to remove these parking spaces.

The Board also finds that there is no landscaping of the parking area proposed and further there is no berm or landscaping proposed that would effectively shield the proposed parking area in the front yard from the residential neighbors across the street. The Board is concerned about the glare of headlights from cars parking in the front yard from shining onto the neighboring residential properties.

The Board also finds that the Applicant has failed to provide a lighting plan. However, the Board recognizes that there currently exists lighting on the building which appears to spill over onto adjoining properties, which is not permitted. The Board finds that a lighting plan is necessary to address this situation.

With respect to the Applicant's request to eliminate the freestanding sign and to place a façade sign on the building, the Board finds that the Applicant has failed to provide sign details including, but not limited to how the proposed signage conforms to the sections of the Totowa Borough Code 415-107 as to size, location and type of signs being proposed.

With respect to stormwater, the Board Engineer represents that the drainage calculations must be revised to reflect two, ten and 100-year storm events. Thus, the Board finds that the drainage calculations provided by the Applicant are insufficient at this time.

The Board also determines that the Applicant has withdrawn its request to install colored panels in place of the clear glass panels on the front façade of the building

Nevertheless, the Board finds it is appropriate for safety and traffic circulation reasons to grant approval to the Applicant in order to relocate the loading dock from the westerly side of the building to the southerly side of the building which will result in the elimination of approximately seven (7) parking spaces. Further, the Board finds that it is appropriate to grant relief to permit the Applicant to relocate the trash compactor to be moved to the area of the current loading dock.

Upon consideration of the plans, testimony and application, the Planning Board determines that the request for preliminary and final site plan approval relative to the relocation of the loading dock from the westerly side of the building to the southerly side of the building thus resulting in the elimination of seven parking spaces and the relocation of the trash compactor to the area of the current loading dock meets the minimum requirements of the Municipal Land Use Law, case law and Borough ordinances to a sufficient degree so as to enable the Board to grant the relief being requested.



A motion was offered by Commissioner Campilango and seconded by Commissioner Niland to approve the preliminary and final site plan for **only** the relocation of the loading dock from the westerly side of the building to the southerly side of the building and the relocation of the trash compactor to the current area of the loading dock. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

1. The Applicant must submit a lighting plan in order to confirm that there is no spillover lighting onto adjoining properties, which shall be subject to the review and approval of the Board Engineer.
2. The Applicant must remove the parking spaces that encroach onto the neighboring property on the southerly property line, which shall be subject to the review and approval of the Board Engineer.
3. The Applicant will open and maintain an escrow account with the Borough of Totowa, keeping the account current with sufficient funds for professional inspection and review fees.

Nine agreed to a roll call vote... 9-0

**ITEM #4**

Help Me Live CPR  
410 Union Blvd.

Block 103 – Lot 10.06

Site Plan Approval  
Certificate of Occupancy

Mr. Willis Carswell appeared requesting the approval for occupancy of approximately 1,100 sq. ft. of space to be used for providing CPR instruction and basic first aid to small groups of individuals.

Mr. Carswell represented that he is a certified CPR Instructor. Mr. Carswell also testified that he is licensed by the American Heart Association in providing these types of courses. Mr. Carswell indicated that his classes will be by appointment only.

The anticipated hours of operation will be between the hours of 7:00 a.m. and 9:00 p.m., seven days per week. The Applicant intends to install signage between the entrance door and the window. The sign will be approximately 15 square feet in area. Regarding the color of the sign, the Applicant indicated that he would provide a sign either classic navy blue in color or white and black in color.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the preliminary and final site plan as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

4. The construction of internal partitions, exits, entrances and fire safety devices are subject to and require the approval of the fire sub-code official, the fire inspector, and the building inspector.
5. The applicant will supply the Chief of Police with an emergency contact list and will also obtain the approval of the Police Chief pertaining to all alarms and security devices.
6. There will be no outside storage of equipment or materials.
7. The Applicant will comply with the Sign Ordinances of the Borough of Totowa. The Applicant is permitted to install a sign approximately 15 square feet in area which will be located between the front entrance and the windows of the first floor. The background of the sign shall conform to the Totowa Borough Sign Ordinance with permitted colors including, but not limited to, classic navy blue or white and black. Any signage or lettering on the glass windows or glass door shall not exceed 20% of the area of the glass window or glass door.
8. The Applicant is subject to and conditioned upon the approval of the Borough of Totowa Board of Health, Passaic County Board of Health and the approvals of any other local, county or state agencies.

Nine agreed to a roll call vote... 9-0

**ITEM #5**

Pizza HQ  
1 Route 46 West

Block 177 – Lot 2

Site Plan Approval  
Certificate of Occupancy

Raymond B. Reddin, Esq and Jason Udrija appeared requesting the approval for occupancy of approximately 8,200 st. ft. of space to be used for a pizzeria business at this location.

Mr. Udrija testified that Pizza HQ is a pizzeria concept that is different from the traditional pizzeria model. The Applicant represented that it intends to bring in automation to the pizzeria business. Mr. Udrija also represented that there would be no dine-in services in the pizzeria. However, the Applicant represented customers may pick up their orders and the Applicant will also provide delivery service to nearby localities.

The Applicant also represented that it intends to start with approximately 10 employees and within a 3 to 5-year period, the Applicant would like to be able to grow the business to approximately 40 employees.

Parking is shared in common with other tenants in the shopping center. Mr. Udrija estimated that there are approximately 100 or more parking spaces on-site. The anticipated hours of operation are 11:00 a.m. to 10:00 p.m., seven days per week.

The Applicant seeks approval to install a sign in the existing space on the freestanding sign with frontage on Route 46 and in the existing freestanding sign on Lackawanna Avenue. The Applicant also proposes two signs to be located on the building. A Route 46 facing sign at approximately 138 square feet which will be attached to the existing brackets where previous signage was located. Also, the Applicant proposes a store front façade sign approximately 173 square feet in area. The signs will be red, black, and white in color.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the preliminary and final site plan as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

1. The construction of internal partitions, exits, entrances and fire safety devices are subject to and require the approval of the fire sub-code official, the fire inspector, and the building inspector.
2. The applicant will supply the Chief of Police with an emergency contact list and will also obtain the approval of the Police Chief pertaining to all alarms and security devices.
3. There will be no outside storage of equipment or materials.
4. The Applicant will comply with the Sign Ordinances of the Borough of Totowa. The Applicant is permitted to install two signs to be located on the building. A Route 46 facing sign at approximately 138 square feet will be attached to the existing brackets where previous signage was located. A store front façade sign of approximately 173 square feet in area is also approved. The signs will be red, black, and white in color. Any signage or lettering on the glass windows or glass door shall not exceed 20% of the area of the glass window or glass door.
5. The Applicant is subject to and conditioned upon the approval of the Borough of Totowa Board of Health, Passaic County Board of Health and the approvals of any other local, county or state agencies.

Nine agreed to a roll call vote... 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Niland to approve the Planning Board Minutes of June 10, 2021 as prepared.

Seven agreed on a roll call vote.....7-0  
Commissioners Zarek & Ferraro abstained

There being no other business, a motion was offered by Commissioner Campilango and seconded by Commissioner Festa to adjourn the meeting.

All in favor.....9-0

Respectfully submitted,

---

Pete Campilango, Secretary

---

Patricia Paulson  
Board Clerk

---

Date Approved