

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

PASSAIC COUNTY  
NEW JERSEY



MINUTES – MAY 22, 2014

Acting Chairman Campilango called the Planning Board meeting of Thursday, May 22, 2014, to order at 8:05 p.m. in the Municipal Building of the Borough of Totowa.

**PRESENT:**

Mayor Coiro	Commissioner Campilango	Councilman D'Angelo	Commissioner Paese
Commissioner Festa	Commissioner Murphy	Mike Cristaldi, PE	Richard Briigliadoro, ESQ

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 22nd day of May 2014 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 and a copy has been on file in the Construction Official's Office.

**ITEM #1**

Boulevard Bagels	Block 38- Lot 1	Amended Site Plan
159 Union Blvd.		Outside Dining

Mr. Imad Balbaki, an owner of Totowa Bagel Café appeared requesting approval for outside dining. Mr. Balbaki represented that the outdoor seating area will not block, obstruct and/or inhibit pedestrian traffic on the public sidewalk, and it will have a minimum width of at least five feet. The outdoor dining area does not require illumination because the outdoor dining area will coincide with the hours of operation of the business, which is closed to the public at 3:00 p.m.

Acting Chairman Campilango read a letter of intent into the record.

Mr. Balbaki testified he seeks to provide an outdoor seating area with three outdoor tables and chairs. Two of the tables will be on one side of the building and one table will be on the other side of the building. Additionally, there will be six tables for indoor seating with twelve chairs.

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to approve the application for occupancy 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 will comply with Chapter 275 – Outdoor Dining of the Code of the Borough of Totowa.
2. All previously approved conditions for this applicant shall remain in full force and effect except as satisfied or amended and not in conflict with this approval.

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

**ITEM #2**

Holy Sepulchre  
52 Totowa Road

Block 13 Lot 27

Preliminary & Final Site Plan  
Addition to Mausoleum

Mr. Jerome A. Vogel, Esq. appeared requesting a preliminary and final site plan approval and ancillary “c” or bulk variance relief. The Applicant is proposing to enlarge an existing mausoleum structure with the height to remain in conformity with the height as it currently exists. The plans depict an extension to be added to both the right and left sides of the building. The Applicant represents that the total addition size will be 7,090 square feet. The existing mausoleum consists of 14,181 square feet. With the proposed new addition, it will be enlarged to 21, 271 square feet. Mr. Vogel represented that one tree is being removed and the existing landscaping will be continued around the building additions. The addition will add approximately 1,080 additional tomb spaces. The Applicant requires ancillary “c” variance relief is in regard to a front yard setback encroachment. The minimum required front yard setback is 50 feet. The current setback is 46.61 feet. The new proposed setback will be 30.76 feet. Mr. Vogel also explained that the setback is being maintained along the existing building line, however, due to the curvature of the roadway, setback variance relief is required.

Mr. Vogel addressed the Planning Board Engineer’s review letter dated May 22, 2014 and stated that the applicant will comply.

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to open the public portion of the meeting.

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

No Public to be heard.

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to close the public portion of the meeting.

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

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to approve the application for preliminary and final site plan approval and ancillary “c” or bulk variance relief 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 approval is subject to and contingent upon approval from the Passaic County Planning Board, if required.
3. The approval is subject to and contingent upon approval from Hudson-Essex-Passaic Soil Conservation District, if required.
4. The applicant will obtain all necessary agency approvals other than the municipal agency having land use jurisdiction & provide copy of any approvals.

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

**ITEM #3**

Hong Kong Chinese Restaurant  
302 Union Blvd.

Block 106- Lot 4  
**change of ownership**

Minor Site Plan  
Certificate of Use

Mr. Jianyong Wang appeared requesting the approval for the continued occupancy of an existing Chinese Restaurant. This is a change of ownership only.

Acting Chairman Campilango read a letter of intent into the record.

Mr. Wang testified as to the nature business stating that no change will be made to the operation. The hours of operation will be 11:00 a.m. to 10:00 p.m., seven days per week. Mr. Wang testified that there are five tables inside the restaurant and there are two chairs at each table. The Applicant will merely undertake clean up and some cosmetic changes. Applicant is retaining the existing signage.

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to approve the application for occupancy 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 any internal partitions, exits, entrances or fire safety devices shall be reviewed and approved by the Borough Fire Inspector Sire Sub Code Official and the Building Inspector.
2. The Applicant will supply the Borough of Totowa Police Chief or his designee with an emergency contact list. The Police Chief or his designee shall also review and approve the installation of all alarms and security devices.
3. There will be no outside storage of materials or equipment.
4. All previously approved conditions for this operation shall remain in full force and effect except as satisfied or amended and not in conflict with this approval.

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

**ITEM #4**

Smashburger  
225-B Rt. 46 West

Block 106- Lot 4  
**Unit B**

Minor Site Plan  
Certificate of Use  
Outside Dining

Mr. Joseph Paparo, Attorney for the applicant appeared requesting approval for occupancy of approximately 2,529 sq. ft. of space to operate a fast-casual restaurant.

Acting Chairman Campilango read a letter of intent into the record. The anticipated hours of operation will be seven days per week from 10:00am to 10:00pm. There will be approximately 5-7 employees per shift.

Mr. Paparo represented that the restaurant will be offering cooked to order burgers, chicken, veggie burgers, old fashion milkshakes and more. It has an open kitchen concept with fresh made to order food using fresh produce and salads. Signs will comply with the Boro sign ordinance and also be consistent with the existing sign scheme at the shopping center. Parking is shared.

A motion was offered by Commissioner Paese and seconded by Commissioner Festa to approve the application for occupancy 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 any internal partitions, exits, entrances or fire safety devices shall be reviewed and approved by the Borough Fire Inspector Sire Sub Code Official and the Building Inspector.
2. The Applicant will supply the Borough of Totowa Police Chief or his designee with an emergency contact list. The Police Chief or his designee shall also review and approve the installation of all alarms and security devices.
3. There will be no outside storage of materials or equipment.
4. Signage will meet the Boro Sign Ordinance and will also be consistent with the other tenants. There will be no neon signs in the windows.
5. On-site parking is shared among complex tenants.

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

**ITEM #5**

US Direct Trucking, LLC  
255 Rt. 46 West

Block 174- Lot 7

Minor Site Plan  
Certificate of Use

The Planning Board Clerk informed the Board Members that the applicant has withdrawn his application and will re-apply at a later date.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the Planning Board Minutes of May 8, 2014 as prepared.

Four agreed on a roll call vote.....4-0  
Commissioners Murphy & Festa abstained

**RESOLUTIONS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the resolution for New Allied Health Group.-Blk 174-Lot 16 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the resolution for Eugene A. Batelli, DPM FACFAS.-Blk 174-Lot 12 as presented.

Four agreed on a roll call vote.....4-0

**VOUCHERS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve a series of vouchers for Alaimo Engineering for the Professional services as listed below:

- Invoice 077291 Digital of Totowa Blk. 173-Lot17 in the amount of \$3,660.30
- Invoice 077292 Russo Acquisitions Blk. 169.01-Lots 2 & 5 in the amount of \$120.00

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve a series of vouchers for Weiner and Lesinak for the Professional services as listed below:

- Invoice 170365 TOT-100 General File in the amount of \$237.50
- Invoice 170376 TOT-778E Iceberg Army Navy Blk.174-Lot 4 in the amount of \$190
- Invoice 170366 TOT-768E Areosmith Sheet Metal Blk.95-Lot 3 in the amount of \$190
- Invoice 170367 TOT-769E Brow Arch Threading Blk.145-Lot 13 in the amount of \$190
- Invoice 170368 TOT-770E European Cleaners Blk.106-Lot 5 in the amount of \$190
- Invoice 170369 TOT-771E George's Homemade Delicacies Blk.139-Lot 4 in the amount of \$190
- Invoice 170370 TOT-772E Totowa Bagel Cafe Blk.38-Lot 1 in the amount of \$190
- Invoice 170371 TOT-773E Sweets & Stuff by Apollo in the amount of \$190
- Invoice 170372 TOT-774E Venezia Pizzeria Blk.11-Lots 4,5,6.01 in the amount of \$190
- Invoice 170373 TOT-775E United Check Cashing in the amount of \$190
- Invoice 170374 TOT-776E 465 Trading, LLC in the amount of \$190

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

Planning Board Attorney, Rich Brigliadoro informed the Planning Board members that a Special Meeting will be needed on June, 5, 2014 to review an amendment to an Ordinance that is scheduled for approval at the next Mayor & Council Meeting.

Commissioner Paese made a motion that a Special Meeting be held on June 5, 2014 beginning at 7:00pm to review the proposed Ordinance 09-2014. Also, the Planning Board Clerk shall publish the notice for the Special Meeting in the local Herald News. The motion was seconded by Commissioner Campilango.

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

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

All in favor.....6-0

Respectfully submitted,

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Pete Campilango, Secretary

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Patricia Paulson  
Planning Board Clerk

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Date Approved