

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – MAY 9, 2019

Chairman Hennion called the Planning Board meeting of Thursday, May 9, 2019 to order at 8:10 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Councilman D'Angelo	Commissioner Sabatino	Commissioner Campilango	Commissioner Zarek
Commissioner Murphy	Chairman Hennion	Mayor Coiro	Commissioner Festa
Vice Chairman Coiro	Commissioner Niland	Richard Brigliadoro, ESQ	

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 9th day of May 2019 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

AQ Radiology, LLC 472 Union Blvd.	Block 102 - Lot 11.02 <i>change of ownership</i>	Minor Site Plan Certificate of Use
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Mr. William Saracino, attorney for the applicant appeared requesting the approval for approximately 2,200 sq. ft. of space for the continued occupancy of an MRI imaging and ultrasound scans for patients. The Applicants are taking over the location of a pre-existing MRI facility with no changes proposed other than a change of ownership and some cosmetic changes to the interior. The anticipated hours of operation will be Monday through Friday, 8:00 a.m. to 7:00 p.m. and on Saturday from 9:00 a.m. to 2:00 p.m. There are approximately 3 to 4 employees on-site. The Applicants do not intend to change the existing signage on the site.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the minor 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 in regards to all alarms and security devices.
3. There will be no outside storage of equipment or materials.
4. All previously approved conditions shall remain in effect.

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

ITEM #2

Laserra Gardens, Inc. 813 Union Blvd.	Block 182 - Lot 1 <i>change of ownership</i>	Minor Site Plan Certificate of Use
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Mr. John P. Petrozzino, attorney for the applicant appeared requesting the continued occupancy of a greenhouse and garden center known as Olivito's Greenhouse and Garden Center. The Applicant intends to operate in a substantially similar manner to the current operation of Olivito's Greenhouse and Garden Center.

ITEM #2 continued

It is the Applicant's intention to sell flowers, plants, shrubs, small trees and other gardening accessories such as tools and pots. The business will be family operated by Elio and Lisa Suriano with one full-time employee. The Applicant may also hire part-time seasonal help if required. The anticipated hours of operation will be 9:00 a.m. to 8:00 p.m. seven days per week. The Applicants intend to install a new sign identifying the new name of the business. The new sign will be 3 ft. by 4 ft. which is no larger than the existing signage on the site.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the minor 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 in regards to all alarms and security devices.
3. There will be no outside storage of equipment or materials.
4. The applicant will comply with the Borough Sign Ordinance.
5. All previously approved conditions shall remain in effect.

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

ITEM #3

Dunkin Donuts
580 Route 46 E

Block 172 - Lot 5
(carried)

Amended Site Plan
Signage

Anthony Fiorello, attorney for the applicant appeared requesting this matter to be carried.

Planning Board attorney suggested that the matter be dismissed without prejudice. The applicant can reapply at a later date.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to dismiss this application without prejudice.

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

ITEM #4

Cibo Vita
12 Vreeland Avenue

Block 158- Lot 3
(carried)

Amended Site Plan
2nd Work Shift - 4pm – 1am
Seven Days per week

Anthony Fiorello, attorney for the applicant appeared and indicated that he had plans which were requested. Planning Board attorney, Rich Briigliodoro indicated that the plans had not been submitted to the building code office within the 10 days prior to the meeting. In all fairness to Planning Board Members, the Public and the Planning Board Engineer this matter should be carried to allow individuals the opportunity to review.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to carry this matter to the Planning Board Meeting of May 23, 20019 at or about 8:00pm.

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

Chairman Hennion excused himself due to a conflict with the next applicant.

ITEM #5

Three Crown Development
1 Ottilio & 101 Forest

Block 9 - Lots 1 & 3

Preliminary Major Site Plan
81 Unit Multi-Family Development with
lot merger, Variances & related relief

Ms. Priscilla Triolo, attorney for the applicant appeared presenting the Traffic Engineer and the Planner for the project. The project engineer will appear at the May 23rd meeting with changes as a result of meetings with Planning Board Engineer.

Traffic expert Gary Anderson presented his report dated 10-9-18 indicating that there was a traffic recorder used for one week during September 2018. He also discussed the Capacity Analysis that was done which included a Build vs Non-Build. He indicated that the Signal Timing could be modified by the County if necessary. Mr. Anderson discussed the site distance at the driveway being 360ft. and that all parking for the residents is on site. He also indicated that his report has not yet been submitted to the County, but preliminary discussions with them were positive.

After questions from the Planning Board Members a motion was offered by Commissioner Campilango and seconded Festa to open the public portion of the meeting.

Nine in Favor 9-0

Lisa Ott – 300 Arlington Ave., Paterson, also expressed concerns about residents exiting the site and the dangers of the increase traffic on Preakness Avenue.

Neil Di Dio, 62 Sterling Terrace, Totowa, expressed his concern of declining house prices and that the project should be scaled down. He also had concerns as to future road improvements and where those costs come from.

Robert Niemiec, 7 Hamilton Trail expressed concerns regarding the growth of number of students and the impact it will have as well as traffic, especially during winter conditions.

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

Nine in Favor 9-0

Planner, Michael Pessolano testified as to the site being located in the R-AH Affordable Housing District. The applicant proposes to construct 81 dwelling units with a 22 percent (22%) set aside or 18 units for affordable housing. Mr. Pessolano testified that very little relief is required as part of this application because the proposed use, height of the buildings, setbacks and density are all compliant with Ordinance 08-2016. Mr. Pessolano testified that affordable housing is an important public purpose. He stated that the site is rundown in its current condition and the approval of this application will result in reinvigorating the site as well as improving aesthetics of the site. He also stated that the approval of this application will provide modern new housing with additional benefits by way of an improved stormwater management plan.

Mr. Pessolano also testified that various purposes of the Municipal Land Use Law would be advanced by the approval of this application. He stated that the approval of this application would promote the general welfare by providing affordable housing. The approval of this application will provide for multifamily housing within the Borough of Totowa. The approval of this application will promote a desirable visual environment with the new construction. Finally, he stated that the approval of this application would promote the efficient use of land by constructing multifamily housing with an affordable housing component on the site.

Mr. Pessolano characterized the buffer disturbance as being temporary because the applicant has retained a forestry professional to enhance buffering in the future.

Mr. Pessolano also reviewed the applicant's request for design waivers which include building facade material, refuse enclosure within the front yard and the monument sign location. Mr. Pessolano testified that the applicant will repopulate the buffer area post construction.

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

Nine in Favor 9-0

Elissa Labagnara of 111 Chatham Ave., Paterson has concerns of disturbance of the buffer as well as water problems.

Antonette Minervini of 41 Sterling Terrace, Totowa expressed her concerns over the buffer and questioned the size of the project.

Robert Niemiec of 7 Hamilton Trail, Totowa also discussed the buffer and suggested using a retaining wall so not to touch the buffer.

Neil Di Dio, 62 Sterling Terrace, Totowa, has objections to disturbing the buffer and presented three photos, which were marked into evidence as O1, O2, and O3. The photos were of the natural state of the proposed buffer.

Robert Sendewicz of 1 Hamilton Trail indicated he bought his home 6 months ago because of the cul-de-sac and the wooded area. He has concerns also regarding the buffer as well as traffic.

Mr. Bill Lydycker – 61 Sterling Terrace, Totowa, characterized the testimony of the applicant’s witnesses as being empty promises.

Lisa Di Dio, 62 Sterling Terrace, Totowa, expressed her concerns regarding the quality of life for surrounding residents and the need for the applicant to disturb the buffer.

Mr Minervini of 41 Sterling Terrace, Totowa inquired whether the Board of Education had been notified of the project and the potential impact.

Lisa Ott – 300 Arlington Ave., Paterson, indicated that she felt that this project is larger than it should be considering the grading of the property.

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

Nine in Favor 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to carry this matter to the Planning Board meeting of May 23, 2019 at about 8pm.

Nine in Favor 9-0

MINUTES:

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the Planning Board Minutes of April 25, 2019 as prepared.

Eight agreed on a roll call vote.....8-0
Commissioner Festa abstained

RESOLUTIONS:

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Smart Tech Wireless – Blk. 40 – Lot 20 as presented.

Seven agreed on a roll call vote.....7-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Fleuer de Jannah Studios – Blk. 43 – Lot 22 as presented.

Seven agreed on a roll call vote.....7-0

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

All in favor.....9-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Board Clerk

Date Approved