

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 DECEMBER 9, 2015

The December 9, 2015 regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:36 p.m. followed by the Flag Salute. Attorney Briigliadorio read the Open Public Meetings Act.

A motion to accept the minutes of the November 11, 2015 meeting was made by Commissioner Patten and seconded by Commissioner Bavazzano. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: AHMED RESIDENCE
29 ELIZABETH PLACE, BLOCK 32, LOT 14

Applicant is requesting variance(s) for 2nd floor addition to a single family home on an under sized lot. Bulk variance(s), F.A.R., and any others that may be required.

Applicant requesting this case be carried to the January 13, 2016 meeting. Applicant does not need to re-notify the public.

2ND CASE: LACKAWANNA VILLAS
75 LACKAWANNA AVE, BLOCK 177.01, LOT 8

Applicant is submitting an amended site plan.

Attorney Darren DelSardo is the attorney for the Applicant. Attorney Briigliadorio explains the history of the applications. The original approved application was for 24 dwellings of which 15 are 1 bedroom and 9 are 2 bedrooms with 43 parking spaces.

James L. Ryan LLC objected with a law suit to the approved application and as a result the board needs to hear any further actions. The partners meet and an agreement was made from both parties for construction of 1 building consisting of 22 dwellings with more parking. Mr. Spina stated what the board approved was not acceptable to Mr. Ryan, so a suit was filed. The result that was agreed upon is 1 building, no stack parking reduction of units which increases parking spots and guest parking will be available.

The first witness is engineer Patrick McClellan, Mr. McClellan was sworn in by Attorney Brigliadorio and considered an expert in his field by the board. Mr. McClellan presents the original site plan, marked Exhibit A-1 dated November 11, 2014 sheet 3 of 8. Mr. McClellan also presents the new proposed site plan, marked Exhibit A-2 dated December 9, 2015 sheet 3 of 8. Exhibit A-3 is a letter that went with Exhibit A-2 explaining the differences and is also dated December 9, 2015. Included in the letter is Variance and Design waivers with added land use to the list, 44 parking spaces provided that was removed from plan with the original stated 48, and increased side yard which no variance needed. Exhibit A-1 shows 2 buildings with 15 one bedroom units and 9 two bedroom units with 43 parking spaces. Exhibit A-2 shows 1 building with 20 one bedroom units and 2 two bedroom units with 46 none stacking parking spaces.

Engineer McClellan reviews Engineer Murphy's letter. Variances stated are lot area, lot depth, front yard setback, rear yard setback, max floor area ratio, and max. Building height. Nordan states the front yard setback matches the prior application. Applicant is requesting relief of off street loading. The sidewalks are shorter than the property because of environmental feature of an open ditch. Exhibit A-4 is the grating utility plan dated November 16, 2015. Nordan has no objections with the modifications there is more areas to store snow removal. Engineer Murphy states the screening fence between properties is not noted on the plan.

Architect, Steven Coppa was sworn in by Attorney Brigliadorio and considered an expert in his field by the board. Mr. Coppa explains the applicant's request of 22 units which consists of 4 floors of 20 one bedroom units and street level will have the 2 two bedroom units. The building will be 46' high and built out of brick veneer.

Planner, Joseph Barbieri was sworn in by Attorney Brigliadorio and considered an expert in his field by the board. Mr. Barbieri refers to Exhibit A-5 dated December 4, 2015 which is a letter from Mr. Barbieri requesting a revised approval to construct a multi-family development of 22 units with sidewalks, 46 parking spaces, recycling, and drainage zoned in an I2 residential/industry. The property is located in the easterly section of Totowa, near westerly section on Woodland Park and Passaic River. In 2014, the Borough of Totowa issued a Master Plan re-examination and was adopted by Totowa Planning Board on February 19, 2015. In September 10, 2015 the ordinance was revised and adopted by the Totowa Borough Council. The Master Plan states there is a need for additional housing in Totowa.

Applicant is asking relief from the board for D1 use variance, D4 floor area ratio variance, D6 height variance and bulk C variances. There are two design waivers, loading space and parking stall sizes. The positive criteria for the property is the property is perfect for the proposed use, the site has always been a resident use, the master plan states the need for additional housing, and the site is accessible to mass transit. Attorney Brigliadorio requested from the planner why this property is suited for the use. Mr. Barbieri states the mass transit, good design, plenty of parking and the need for housing in the future growth of Totowa. The plan satisfies the requirements, the F.A.R. maximum is 5% and the applicant is asking for .66%. The negative criteria are the

variance can be granted without substantial detriment to the public and the purpose will not impair the intent and purpose of the zone plan and ordinance.

Engineer Murphy stated the side yard and rear yard do not comply with his report. Planner Barbieri responds that they are in accordance with the original plan report. If the board is accepting, the applicant will revise plans as requested.

Open to the Public: Shawn Godfrey resides at 2 Mair Ave and sworn in by Attorney Briigliadorio would like to know how long construction will take. Engineer McClellan states it is very difficult to put an exact amount of time for the construction, but an approximation would be 6-8 months for the site improvements.

Closed the Public Portion

Attorney Briigliadorio reviews the variances. The first variance is for a multi-family use in a D1, second is the F.A.R. use, and third is the D6 height variance and other variances listed on the table. If the board approves the application the bulk variances will need to be complied.

A motion was made by Vice Chairman Krautheim to grant the application and was seconded by Commissioner Bavazzano. Application was approved 7-0 @ 9:05 pm.

Attorney Bob Corrado stepped in for Attorney Briigliadorio

3RD CASE: PSE&G
7 JACKSON ROAD & 1 TAFT ROAD, BLOCK 169.02, LOT 1 & 2

Project Manager, Joseph Barlock Sr. was sworn in by Attorney Corrado. Mr. Barlock's office is at 40 Craigwood Road and resides at 4730 61st street, Woodside New York. Mr. Barlock has been with PSE&G for 1 and ½ years as a project manager.

Mr. Barlock explains the property as 6 acres including a warehouse, office and parking. Exhibit A-1, site plan map, shows the property is surrounded by non-residential and industrial zones. The warehouse will be demolished and the existing substation building which is located on Jackson Ave will be rebuilt on Taft. The old lot will be blue stone and connect with the new station. The station is un-staffed. Because of the severe storms in the past, this has prompted the upgrades needed for better service. In May of 2014, they received approval of the energy strong program. FEMA requires 1' above flood level, PSE&G is building 1' over that which was the highest storm level for reliability. The construction of this project will take approximately 10 month for the demo and 13 months for the electrical construction.

Commissioner Bavazzano would like to know if the upgrading will help to eliminate power outages. Mr. Barlock responds this improvement will help over 15,000 customers. Commissioner Patten asked about the expansion in the future. Mr. Barlock states the existing is 230 thousand volts and with expectations the building can expand up to 345

thousand volts. Vice Chairman Krautheim asked if this was a 2 phase project, Mr. Barlock states this is 2 separate programs. Commissioner Korsakoff asked about the transmission lines going out and will they have to be upgraded. Mr. Barlock states there are no plans at this time to do so.

Project Manager, Gene Rotonda was sworn in by Attorney Corrado and is employed with PSE&G. Mr. Rotonda's address is 4000 Hadley Road in South Plainsfield and considered an expert by the board. Mr. Rotonda explains the application of the existing 7 acres on Jackson Road and the proposed expansion of 6 acres on Taft Road. Exhibit A-2 which was revised on November 2, 2015 is 1 Taft Road/Jackson Road Substation Expansion. This plan shows the lightning mass units to protect the equipment. Attorney Corrado would like to know if the curbs are going to be disturbed and if so will they replace them, Mr. Rotonda states they are going to be disturbed and will repair them. Engineer Murphy recommends the replacement of all curbs and possible re-pavement of the road. Mr. Rotonda will comply with Engineer Murphy's recommendations. Engineer Murphy states the proposed improvements will not negatively impact the existing. Mr. Rotonda states the storm water repair will be taken care of. Attorney Corrado would like to know if the lots will be merged by deed, Mr. Rotonda will send paper work to Mr. Corrado's office to do so. The variance needed to be approved is the height variance, GIS D6 variance, because of the condition of use variance for 13 lightning masses at 75' high. Closing summary of the application is the benefit to the town and residence which justifies the variances.

A motion to approve this application was made by Commissioner Bavazzano and seconded by Commissioner Nash. Application was passed 7-0 at 9:47 pm

THE FOLLOWING RESOLUTION(S) WAS MEMORIALIZED:

1st CASE: FRANK GAITA
38 DEWEY AVE, BLOCK 117, LOT 52.01

Applicant was denied for conversion of a single family home to a two family in the R-7 zone.

Motion to adjourn the meeting was made by Commissioner Bavazzano and seconded by Commissioner Mancini at 9:53 pm.

Next meeting January 13, 2016 @ 7:30 pm

Respectfully submitted,
Pam Steinhilber, Secretary