

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – FEBRUARY 26, 2015

Vice Chairman Coiro called the Planning Board meeting of Thursday, February 26, 2015 to order at 8:05 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Commissioner Campilango	Commissioner Niland	Councilman D'Angelo
Commissioner Murphy	Vice Chairman Coiro	Commissioner Pohlman
Commissioner Paese	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 26th day of February 2015 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

Shirley Stasny	Block 97 - Lot 2	Minor Sub-division
9 Cherba Place		Variance-Lot width

A letter from the applicant's attorney was received requesting an adjournment of this matter in order to address the comments from the Boro Planner with no further notice.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to carry this matter to the next regular Planning Board meeting of March 12, 2015 at or about 8:00pm with no further notice to the public.

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

ITEM #2

Yeski Tekin	Block 69 – Lots 2.02 & 2.03	Minor Sub-division
47/51 Columbus Ave.		Move Lot Line

A letter from the applicant's attorney was received requesting that this matter be carried to the next regular Planning Board meeting of March 12, 2015 at or about 8:00pm with no further notice to the public.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to carry this matter to the next regular Planning Board meeting of March 12, 2015 at or about 8:00pm with no further notice to the public.

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

ITEM #3

Jack Henry & Associates
2 Center Court

Block 166.03 - Lot 10

Preliminary & Final Site Plan
Install an Emergency Generator
Variances –Sideyard – Lot Coverage

Ms. Susan Rubwright, attorney for the applicant and Mr. David Saunders, Director of Real Estate, appeared requesting approval for preliminary and final site plan approval, certificate of use approval, ancillary variance and design waiver relief. There will approximately 30 employees with temporary staff added in processing year end statements. The anticipated the hours of operation are 7:00am-7:00pm Monday thru Friday. However, depending on the nature of the workload, either the hours of operation or the days of the week could be expanded.

The Applicant intends to relocate its business from Lyndhurst, New Jersey to Totowa, New Jersey. Mr. Saunders further explained that the move from Lyndhurst to Totowa was necessitated as a result of flooding from Superstorm Sandy, which resulted in approximately \$12,000,000.00 worth of damage to the Lyndhurst facility. He represented that it was important to remain in the northeast and to get out of the 100 year floodplain; and to select a site where employees could utilize mass transit to get to work.

Mr. David Saunders testified as to the nature of the business. He testified that this location would provide for offices and data storage for Jack Henry's business of processing transactions, automating business processes and managing mission-critical information for financial institutions and corporate entities. Jack Henry provides item processing for banks on a daily basis. Jack Henry further provides item processing and statement processing for credit unions. The statement operations center prepares bank statements to be sent to customers. Mr. Saunders also testified that the Application seeks to provide an emergency generator to the existing building that will be occupied by Jack Henry. He stated that the emergency generator is necessary because of regulatory and contractual obligations that Jack Henry has in order to provide processing of statements within three (3) days.

Mr. Chad Lee, Construction Manager testified that UPS, mail trucks and FedEx type trucks will primarily be vehicles that are accessing the site. He further represented that box trucks would access the site approximately 1-2 times per week. However, there is a notification procedure so that Jack Henry is aware of delivery times for the box trucks.

Mr. Richard Jarmel, PE introduced into evidence exhibit A-1 which was a Google aerial map of the site dated February 13, 2015. He identified the site as being a 3.44 acre site with the building to be occupied by Jack Henry consisting of 30,600 square feet in space. Jack Henry and Electro Rent will occupy approximately 20,000 square feet of space at this location. There currently are 101 parking spaces on site. However, there will be slight reduction from 101 parking spaces to 98 parking spaces as a result of the installation of the emergency generator. Mr. Jarmel stated that in reality the Applicant requires 55 parking spaces with a breakdown of 30 parking spaces for employees of Jack Henry and 25 parking spaces for the 25 employees of Electro Rent. Mr. Jarmel addressed two existing conditions for which variance relief is required. First, in regard to maximum lot coverage, the maximum requirement is 45% and currently maximum lot coverage stands at 58%. Next, the side yard setback from the lot line has a minimum requirement of 30 feet and the Applicant proposes a 25 foot side yard setback which is existing. Mr. Jarmel represented that these are pre-existing conditions, which are not being aggravated or exacerbated as a result of the proposed installation of an emergency generator. The Applicant further requires a design waiver relative to the installation of a 12' chain link fence which will surround the emergency generator. The chain link fence will have slats, which will be approved by Mack Cali.

Mr. Jarmel testified that the Applicant seeks permission to install a 400kW emergency generator proposed for installation on the south side of the parking lot serving the Jack Henry building at 2 Center Court. The emergency generator will contain a 1,900 gallon diesel fuel tank which is underneath the generator. Mr. Jarmel represented that the emergency generator will enable Jack Henry to operate for approximately 58 hours continuously in the event a loss of power occurs. He further represented that the fuel tanks will be dual walled and will provide a containment area. He also indicated that the generators would be installed over concrete pads. Mr. Jarmel further introduced into evidence exhibit A-2 which consists of four (4) photographs and was dated February 13, 2015.

Mr. Matthew Murello, testified that he is a mechanical engineer and the President of Louis S. Goodfriend & Associates consulting engineers in acoustics. Mr. Murello testified that a new 400kW diesel fueled emergency generator is proposed to be located outside the building in the south side of the parking lot serving the building. The closest residential property lines are approximately 147 feet south of the proposed location of the generator. Mr. Murello represented that the A-weighted sound level produced by the periodic day time testing of the emergency generator, is expected to be at or below 57 dB(A) at the closest residential property lines.

Mr. Murello further testified that the New Jersey Department of Environmental Protection noise regulations specifically exempts the sound emissions associated with “emergency electricity generators at an industrial or commercial facility, or a public service or community service facility in use during an electrical outage.” As a result, Mr. Murello represented to the Planning Board that sound emissions due to the emergency operation of the emergency generator would be exempt from the limits of the regulation. He further testified that the emergency generator would only operate during an emergent situation caused by a loss of power. However, the emergency generator will be tested approximately one time per week for a period of approximately 20-25 minutes. Mr. Murello also indicated that the periodic testing of the emergency generator is not exempt from NJDEP noise regulations and the testing must occur during the day and must not exceed 65dB(A). In this instance, Mr. Murello reiterated that the periodic day time testing would be at or below 57dB(A). Mr. Murello therefore concluded that the emergency generator will meet day time limits of the NJDEP noise regulation at all surrounding property lines.

Mr. Saunders represented that a sign panel would be located in the space provided on the existing freestanding pylon sign, as is customary for all tenants at the facility.

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

All in favor.....7-0

No public to be heard.

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

All in favor.....7-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the application for the preliminary and final site plan approval 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. An Ancillary c or bulk variance relief approval is granted in regard to maximum lot coverage where the maximum lot coverage permitted is 45% and 58% is currently existing and proposed; and side yard setback where the minimum side yard setback requirement is 30 feet and 25 feet is currently existing and proposed.
2. A Design waiver relief is hereby granted to permit a 12 feet high chain link fence surrounding the emergency generator where the maximum fence height in the I-3 Zone is eight feet.

3. 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.
4. 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.
5. There will be no outside storage of materials.
6. The anticipated the hours of operation are 7:00am-7:00pm Monday thru Friday. However, depending on the nature of the workload, either the hours of operation or the days of the week could be expanded.
7. Periodic testing of the emergency generator shall not exceed one time per week for approximately 25 minutes and shall be limited to the hours between 10:00am and 2:00pm Monday thru Friday.
8. The applicant agrees that sound pressure levels from the emergency generator will comply with all NJDEP noise regulations at the surrounding property line.
9. The Applicant will not commence construction prior to 8:00am and in accordance with any other requirements of the Borough of Totowa construction official.

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

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

All in favor.....7-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Planning Board Clerk

Date Approved