

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – MARCH 12, 2015

Vice Chairman Coiro called the Planning Board meeting of Thursday, March 12, 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	Mayor Coiro
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 12th day of March 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 9 Cherba Place	Block 97 - Lot 2	Minor Sub-division Variance-Lot width
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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 remove this matter from future Planning Board Agenda until such time revised plans are submitted. The applicant is required to re-notice the public.

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

ITEM #2

Charles Bressman 530/540 Route 46 East	Block 172 – Lots 3 & 3.01	Minor Sub-division
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Planning Board Attorney, Rich Briigliadoro discussed the circumstances of this application regarding the pending litigation. It was recommended to carry this matter to the April 9th Planning Board Meeting with the anticipation that the legal situation will be resolved.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to carry this matter to the regular Planning Board Meeting of April 9, 2015 on or about 8:00pm with no further notice to the public.

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

ITEM #3

Yeski Tekin
47/51 Columbus Ave.

Block 69 – Lots 2.02 & 2.03

Minor Sub-division
Move Lot Line

Mr. John D. Pogorelec, Jr., L.L.C. appear requesting a minor subdivision for a lot line adjustment of the two properties owned by the applicant. Lot 2.02 would have a lot area of 15,845 square feet and Lot 2.03 would have a lot area of 20,790 square feet. Lot 2.02 would require a variance for minimum lot area.

Mr. Tekin testified that on or about June 16, 2014 he acquired title to Lots 2.02 and 2.03 in Block 69. It is his intention to construct a single family dwelling on each lot. In addition, Mr. Tekin represented that he intends to own and occupy the single family dwelling to be constructed on Lot 2.03.

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

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

Ms. Nancy Corbo 148 Barnert Avenue, Totowa, New Jersey. Ms. Corbo addressed the Planning Board in regard to matters unrelated to the proposed development of two single family dwellings as presented as part of this application.

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

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

It was determined by the Planning Board that the lot line would be moved approximately 25 feet making Lot 2.02 100.24 feet wide in the front and 100 feet wide in the rear and Lot 2.03 125.31 feet wide in the front and 125 feet wide in the rear. The result of the minor subdivision/lot line adjustment will result in Lot 2.02 being decreased in lot area from 19,916 square feet to 15,845 square feet, a difference of 4,071 square feet. Lot 2.03 in Block 69 will experience a corresponding increase in lot area from 16,719 square feet to 20,790 square feet which is an increase of 4,071 square feet. As a result of the proposed minor subdivision/lot line adjustment, Lot 2.02 will conform to all bulk requirements with the exception of minimum lot area and proposed Lot 2.03 will conform to the bulk standards in the R-20 Zone in all respects.

The Board notes that prior to the application being presented for minor subdivision/lot line adjustment existing Lot 2.02 was deficient in regard to lot area by 84 square feet and Lot 2.03 was deficient in lot area by 3,281 square feet. The approval of this minor subdivision/lot line adjustment application will result in the elimination of a lot area variance for proposed Lot 2.03.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the minor site plan and 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. An Ancillary c or bulk variance relief approval is granted without a substantial adverse impact upon or detriment to the adjoining properties, nor will the approval of this application cause such damage to the character of the neighborhood as to constitute substantial detriment to the public good.
2. The applicant will comply with all the terms & conditions of a review report prepared by the Planning Board Engineer dated March 10, 2015.
3. The deed recorded memorializing this subdivision shall specifically refer to this resolution and shall be subject to the review and approval of the Board Engineer and Board Attorney. The Applicant shall record the subdivision deed within 190 days of the memorializing resolution being adopted. Failure to do so shall render this approval null and void unless an extension of time is granted.

4. The granting of this application is subject to and conditioned upon approval by the Hudson, Essex and Passaic County Soil Conservation District, if required.
5. The granting of this application is subject to and conditioned upon approval by the New Jersey Department of Environmental Protection (NJDEP), if required.
6. All terms and conditions of any prior approvals shall remain in full force and effect except as satisfied or amended herein and not in conflict with this approval.

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

ITEM #4

Sette
534 Union Blvd.

Block 139 - Lot 8

Minor Site Plan
Certificate of Use
Outdoor Dining

Mr. Giovanni Pepitone and Antonia Pepitone appeared requesting the approval for occupancy and for the approval for outdoor dining.

Vice Chairman Coiro read a letter of intent into the record. The anticipated hours of operation would be Sunday through Thursday from 11:00am to 10:00pm and Friday and Saturday from 11:00am to 11:00pm.

Mr. Pepitone testified that he seeks to operate a brick oven pizzeria within the space formerly occupied by Papa Johns. Mr. Pepitone testified that in the interior, there will be nine tables with seating for four persons at each table. Mr. Pepitone also requests approval to have outdoor dining. He intends to have a maximum of eight two or three person tables for outdoor dining. Mr. Pepitone will change the text only on the existing signage and will conform to the Boro Sign Ordinance.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the application for the minor site plan and outdoor dining 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. 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 materials.
4. The anticipated hours of operation would be Sunday through Thursday from 11:00am to 10:00pm and Friday and Saturday from 11:00am to 11:00pm.
5. The applicant will submit revised plans of proposed outdoor dining which will conform to the Boro Ordinance and will obtain outdoor license from the Boro Clerk.

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

ITEM #5

PRNY
265 Route 46 West

Block 174 - Lot 12
Suite 102

Minor Site Plan
Certificate of Use

Ms. Marissa Muccio appeared requesting approval for occupancy of approximately 2,688' to operate a multi-discipline rehabilitation professional corporation.

Vice Chairman Coiro read a letter of intent into the record. The anticipated hours of operation will be Monday through Friday from 8:00am – 8:00pm; and Saturday from 8:00am-5:00pm. There are five full-time employees, three part-time employees and five subcontracted therapists. Parking is shared in common with other tenants.

Ms. Muccio testified that PRNY has been providing services to pediatric and adult populations in Wayne, New Jersey for over seventeen years. Ms. Muccio stated that the Applicant is expanding her business and needs to move to a larger location. She further testified that PRNY provides physical therapy, occupational therapy and speech therapy in a variety of settings. The Applicant provides contracted services for Special Education programs within Passaic County schools. The Applicant also provides contracted services for Bergen and Passaic County Early Intervention Programs. The Applicant also provides an out-patient clinic. She stated that the majority of this patient population is considered developmental/neurological. A second area of practice for PRNY is the advanced certified scoliosis specific exercise program call Schroth. Ms. Muccio also stated that the patient population for PRNY has been expanded to include adults as well as children. The Applicant will replace two existing signs; one free standing sign and one building attached sign to reflect the name of the new business.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the application for 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 materials.
4. The anticipated hours of operation will be Monday through Friday from 8:00am – 8:00pm; and Saturday from 8:00am-5:00pm

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

ITEM #6

All Day Cafe
333 Totowa Road

Block 113 - Lot 7

Minor Site Plan
Certificate of Use

Ms. LeAnn Dalcero appeared requesting approval for the continued occupancy of a café in premises formerly occupied by Harshi's Luncheonette.

Vice Chairman Coiro read a letter of intent into the record. The anticipated hours of operation will be Monday through Friday from 6:30am – 6:00pm with weekend hours on Saturday and Sunday from 7:30am-3:00pm. There are three employees. There are ten onsite parking spaces.

LeAnn Dalcero testified as to the nature of the business indicating that it is a delicatessen providing breakfast and lunch items, takeout cold cuts and convenience items such a snacks, lottery, eggs, milk, bread and related products for sale. Ms. Dalcero indicated that there will be a text change only to the existing sign.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the application for 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. 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 materials.
4. The anticipated hours of operation will be Monday through Friday from 6:30am – 6:00pm with weekend hours on Saturday and Sunday from 7:30am-3:00pm.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the Minutes of February 26, 2015 as prepared.

Six agreed on a roll call vote.....6-0
Mayor Coiro abstained

RESOLUTIONS:

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for the Re-Examination of the Master Plan as presented.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for John Henry & Assoc. Inc.-Blk 166.03-Lot 10 as presented.

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

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