

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – FEBRUARY 8, 2018

Chairman Hennion called the Planning Board meeting of Thursday, February 8, 2018 to order at 8:00 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Commissioner Ferraro	Vice Chairman Coiro	Mayor Coiro	Commissioner Zarek
Commissioner Paese	Chairman Hennion	Commissioner Campilango	
Mike Cristaldi, PE	Richard Briigliodoro, ESQ		

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 8th day of February 2018 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

Advanced Self Storage 55 Shepherds Lane	Block 11 - Lot 7.01	Minor Site Plan Certificate of Use
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Planning Board Attorney, Rich Briigliodoro indicated that this applicant needs a use variance and therefore the application is being moved to the Board of Adjustment.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to move this application to the Board of Adjustment.

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

ITEM #2

Frankie & Johnny's Pizzeria and Boardwalk Treats 560 Union Blvd.	Block 139 - Lot 4 <i>Change of owner</i>	Minor Site Plan Certificate of Use
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Francesco DiLaura appeared requesting the approval for the continued occupancy to operate a pizzeria/restaurant. The only change is a text change to the existing sign.

Planning Board Attorney, Rich Briigliodoro read a letter of intent into the record. The anticipated hours of operation will be 11:00 a.m. to 10:00 p.m., 7 days per week. The Applicant will occupy approximately 1,000 square feet of space at this location.

The Applicant indicated that they will replace the sign on the existing free-standing pylon sign. Also, there is an existing projecting sign where the Applicant will remove the text and replace it with the name of the new business. Window signage shall not exceed 20 percent (20%) of the window area in accordance with the Totowa Borough Sign Ordinance.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese 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 replace existing signage and will no larger than previously approved.
5. All previously approved conditions will remain in effect.
6. Seven agreed on a roll call vote.....7-0

ITEM #3

Coronet
55 Shepherds Lane

Block 11- Lot 7.01
carried from 1/11/18

Amended Site Plan
Hours of Operation

Mr. Raymond Reddin, attorney for the applicant and Mr. Kenneth Brown, CFO of Coronet, Inc. appeared.

Mr. Brown testified that the reason why the Applicant seeks to expand the hours of operation by adding a second shift is because the demand for lighting fixtures is greater than the supply. Mr. Brown testified that the Applicant would end the first shift at 3:30 p.m. and that the second shift would commence at 4:00 p.m. in order to eliminate any overlap of employees. Mr. Brown also represented that rather than going to 12:00 a.m., the second shift would stop or discontinue work at 11:30 p.m. Mr. Brown further represented that although the workers would be working a 7-1/2 hour shift, they would be paid for 8 hours of work. In addition, the same procedure would be in place for the first shift wherein the workers would be paid 8 hours of pay for a 7-1/2 hour work shift.

Mr. Brown also represented that in order to mitigate the concerns of the Board and the public, all second shift employees would park in the Valley National Bank/Quick Check parking lot. Mr. Brown represented that the Applicant had entered into an 18 month lease with the owner of the adjoining parking area to lease thirty-five parking spaces. Mr. Brown also stipulated that all second shift employees would park in the Valley National Bank/Quick Check parking lot.

Mr. Brown explained to the Board that adding more employees to the first shift would not solve the company's problems, because they would have to lease more space in the building and they would have to purchase more equipment. As a result, Mr. Brown included that the better option is to add a second shift.

In regard to concerns about the sufficiency of on-site parking, Mr. Brown testified that typically the hourly factory employees carpool or use mass transit.

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

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

Debbie Charalaivan, a member of 143 Grand Street, LLC. - Ms. Charalaivan informed the Board that a prior prospective occupant of the building, United Food Brands, LLC which the Board recently approved to occupy space at this facility, elected not to occupy the space but rather, move to space in Clifton, New Jersey. She represented that the owner of the building has not had a tenant for half of the building for the past year. She also indicated that another prospective tenant had recently filed an application with the Board for a self-storage facility and automobile detailing operation.

John Kuiken, 77 Shepherds Lane, Totowa, New Jersey. - Mr. Kuiken once again expressed his concerns in regard to the sufficiency of on-site parking, the lateness of the hour regarding the proposed addition of a second shift as well as generally reiterating the complaints that he brought to the Board's attention at the prior hearing. Mr. Kuiken also testified that he has continuously observed the Valley National Bank/Quick Check parking lot being filled up with vehicles.

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

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

The Board acknowledges that the Applicant previously was granted approval to operate a facility that develops, designs and assembles custom lighting fixtures for commercial and architectural use primarily using LED technology. The Applicant occupies approximately 90,766 square feet of space at this location. The nature of the operation is for office assembly and distribution operations. The Board acknowledges that the Applicant when it was originally approved on March 9, 2017 represented that the business had approximately 120 employees and although there were 109 parking spaces on the site the Applicant only had a need for approximately 77 parking spaces because many employees carpool or take the bus to work.

The Board has serious concerns about such an extreme expansion of the hours of operation as well as adding a significant number of additional employees to the business. The Board notes that §415-103D(3) of the Code of the Borough of Totowa states that no changes in use or intensity of use within a building shall be allowed unless it can be shown that sufficient parking is available for the new use on site as required by Ordinance. The Board finds that there is insufficient on-site parking even with the agreement to provide for approximately 35 parking spaces off-site onto the adjoining property. The Board also has concerns about the impact of transferring parking from the subject property onto the Valley National Bank/Quick Check Shopping Center parking lot in regard to the sufficiency of parking for the existing tenants and customers of businesses in that shopping center. The Board also notes that there is currently a substantial amount of vacant space not leased in the existing building and that future tenants will need to be able to park on site once the space is occupied. The Board has concerns about expanded hours of operation to such a late hour at night when the property also abuts residential properties in a westerly direction on Shepherds Lane. The Board also has concerns in regard to the future ability of the Applicant to lease parking spaces on an adjoining property. Furthermore, the Board notes that the subject property has recently been rezoned for affordable housing and, as such, expanding the hours of operation would be inconsistent with the recent adoption of the Ordinance and Master Plan Amendment relative to the potential future development of the site for affordable housing.

A motion was offered by Commissioner Campilango and seconded by Commissioner Ferraro to deny the application for the addition of a 2nd shift. Upon consideration of the plans, testimony and application, the Board determines that the proposed amended site plan approval to expand the hours of operation of the business has not met the minimum requirements of the Municipal Land Use Law, case law, and Borough Ordinances to a sufficient degree so as to enable the Board to make an informed decision to deny the relief being requested. The Board further finds that the granting of this application would adversely impact and/or impair the use and enjoyment of adjacent properties. Thus, the Board denies the application.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the Planning Board Minutes of January 25, 2018 as prepared.

Eight agreed on a roll call vote.....8-0

RESOLUTIONS:

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Sweet Peas Learning Center – Blk. 166.03 – Lot 17 as presented.

Three agreed on a roll call vote.....3-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Kids Empire – Blk. 174 – Lot 7 as presented.

Three agreed on a roll call vote.....3-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Cubanelle – Blk. 177 – Lot 2.01 as presented.

Three agreed on a roll call vote.....3-0

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

All in favor.....7-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Board Clerk

Date Approved