

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY



BOARD OF
ADJUSTMENT

MUNICIPAL BUILDING
537 TOTOWA ROAD
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BOARD OF ADJUSTMENT MINUTES OF MAY 24, 2017

The May 24, 2017 special meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:32 p.m.; followed by the Flag Salute. Attorney Briigliodoro read the Open Public Meetings Act.

1ST CASE: LACKAWANNA VILLIAS
75 LACKAWANNA AVE, BLOCK 177.01, LOT 8

Attorney Paul Jemas introduces Patrick McClellan. Mr. McClellan was sworn in by Attorney Briigliodoro and is considered an expert in his field by the Board. Mr. McClellan prepared the site plans and was part of the original plans. Exhibit A-1 was not submitted, but was the previous plan that was approved at previous meeting-the site dimension plan is dated March 13, 3017. The property sits on a 9/10th of an acre in the I-2 zone, the previous proposal was 6,600 square feet with 22 units out of which 20 would be 1 bedroom units and 2 would be 2 bedroom units with 46 total parking spaces. Exhibit A-2, sheet 3 of 8 is submitted tonight shows the present plan dated May 9, 2017. The configuration is the same 1 dwelling but the difference is some of the parking will be under the 3 story building. The dwelling will consist of 21 one bedroom units and 9 two bedroom units with 68 parking spaces. The 68 parking spaces will have 12 tandem spaces which is where the increase in impervious area occurs-previous approved was 20,956 square feet and has increased to 23,814 square feet.

The variances are the pre-existing 1 acre where 9/10th of an acre was previously approved. Applicant needs a use variance because of the residential apartments. The minimum front yard 40 is needed and 20 feet was previously approved. Rear yard set back 50 foot is required, the previous application was approved at 48.6 feet and what is needed is 18.1 feet. The F.A.R. was .866 previous and .87 is needed. The building height was previously approved at 46 feet and 47 feet is needed. The maximum coverage is 14.1% and 26.1% is needed. There are waivers for parking spaces, applicant has 4 spaces that are 9' x 15' and 2 ADA spaces that are 8' x 18'. There is no loading needed on the property. A waiver for lot width, there are 2 locations pinching at 22'. The side yard abutting a residential property was 59 ½ and 52.7 is needed. The applicant is proposing a side walk in the front of the property, the environmental constraints which is an open channel on the south side of the property. There is a storm water management system in place, the sanitary and water will be supplied by the municipal services and no state permits are needed.

The applicant will comply with Engineer Murphys letter. The snow removal will be done by a private contractor and garbage removal also. If the snow can't be stored on-site it will be removed off premises. There will be modest landscaping and the applicant is proposing a 4' fence along the northerly property side. There will be a lighting plan with 3 pole mounted LED style lights and 8 ceiling mounted LED on the under parking area. The driveway will be located towards the northern end of the property. Commissioner D'Ambrosio asked if moving the driveway over caused them to take away any of the parking spaces, the answer was no.

Steven Corso, Architect was sworn in by Attorney Brigliadoro and is a licensed Architect in the State of NJ for 40 years and has a current license. Exhibit A-3 is an 8 x 11 front color view of the building. It will be 4 stories high with 30 residential units. Nine units will be on each floor and three 2 bedroom units will be on the main level. Exhibit A-4 is the 1st and 2nd floor plans. The first floor has 21 parking spaces in the back, 2 which are handicap, and an elevator in the center. There will be hardwood floors, marble vanities in the baths, stainless steel appliances and granite kitchen counter tops. Exhibit A-5 is the 3rd and 4th floor plans. The exterior will consist of Brick with stucco trim. The HVAC is housed behind the 4th floor and not visual from Lackawanna Ave. There will be dormers and mansard roof which will give a softer view for the neighbors. Exhibit A-6 is the sheet of elevation showing double hung windows. Commissioner Patten asked at what point a second elevator is required. Mr. Corso stated that when the length of travel needs to be lessened.

Mr. Stiger, traffic planner, was sworn in by Attorney Brigliadoro is also a professional planner and architect. The traffic impact analysis is a 3 part evaluation and provides a safe and efficient regress. The traffic counts on Duffus and Lackawanna at peak hours from 8 am to 9 am and 4:45 pm and 5:45 pm and based on 30 units proves to operate at level service A & B. The ITE used to configure the traffic with the proposed plan shows a 1 ½% annual growth rate per year increase in traffic will continue to operate at level A service with no impact. Even with the relocation of the driveway the numbers will still be pretty close. The site plan shows parking spaces, 10' x 18" is required-the applicant has 4 that will be 9' x 15' plus 12 tandem spaces that comply with RSIS. The tandem spaces will be assigned to specific apartments by the operator of the property. There will be a 22' isle instead of a 24', the 22' is ok with residential use. The RSIS requires 1.8 spaces for 1 bedroom units and 2.0 for 2 bedroom units so that totals 56 spaces and the applicant is proposing 68. The tandem spaces are 4 at 33' and 6 at 36', they are all 90 degree parking.

Commissioner Bavazzano would like to know when the figuring of the traffic, does it include the amount of spaces, yes 2 – 3 hour spans. Commissioner Mancini would like to know if the spaces will be assigned, the recommendation is that the tandem spaces should be assigned but the handicap spaces will not be assigned. Vice Chariman Krautheim would like to know if any spaces are designated for guest, there will be 15 spaces designated for guest parking. Engineer Murphy requests a formal report to be presented to the building department and to Nordan's office. Commissioner Patten asked if the two

handicap spaces will be assigned, they will not be assigned. Chairman Fierro is concerned about the visibility pulling out on the downgrade, there is no blind spot and with the speed limit at 25 miles per hour the requirement is 200' of site which the applicant complies with.

Jeffery Stiles, planning consultant was sworn in by Attorney Briigliodoro and has a current license in the State of NJ has reviewed the plans and been to the site numerous times. The property is in the I-2 industrial zone and the applicant is seeking a use variance for residential use. Mr. Stiles explains the need for residential use in the town. Mr. Stiles also states that a good part of the property has environmental constraints because of a drain swell and buffer. There are three of the variances that are D-variances, resident in industrial zone, increase in F.A.R., and the building height. The properties on Lackawanna are a mixed use, there are some single residents and commercial. To use this property as industrial it would be difficult to comply because of the special circumstances to the property. Mr. Stiles feels there would be no impact to the surrounding community or detriment to the public good. Under the safe plan, this is a better plan for this piece of property. The town is made up of 52.6% 1 to 2 bedroom homes.

Mr. Stiles reviews the application. The minimum front yard setback is required at 40' and 10' is what is being proposed. The minimum rear yard setback is required at 50' and 18'1 is what is being proposed. The parking space dimensions, which were explained earlier. The property does not require off street loading. The parking will include assigned tandem parking spaces and the parking in the previous application was behind the building, there will now be a mix of parking under the building and on the side. The parking isle width incurs no safety issues. The application meets all the positive and negative criteria and is consistent to the prior approval.

Chairman Fierro opens to the public. No public to be heard.

Commissioner Nash makes a motion to close the public portion seconded by Commissioner D'Ambrosio.

Attorney Briigliodoro recaps the amended preliminary and final site plan. The D-variances that the applicant is seeking are D-1, D-4, F.A.R., and building height. The C-variances the applicant is seeking are minimum lot area, minimum depth, parking space dimensions, tandem parking spaces, off street loading, minimum front yard setback, minimum rear yard setback, maximum coverage, minimum set back to side abutting a wall, and parking lot width. Attorney Briigliodoro states under the law, since use id multifamily-the law states if the board sees fit to pass the D-variances-then the C-variances would be granted. Also is the motion approved the applicant must comply with all of Attorney Briigliodoro's statements.

A motion was made by Commissioner D'Ambrosio to approve the application and seconded by Commissioner Bavazzano. Approved 7-0 at 8:48 pm.

With unanimous approval and no public to be heard we can adopt the resolution this evening. Attorney Briigliodoro reads the conditions of approval of the resolution.

A motion was made by Commissioner D'Ambrosio and seconded by Commissioner Mancini to adopt the resolution at 8:45 pm.

A motion to adjourn the meeting was made by Commissioner Nash and seconded by Commissioner Patten. The meeting was adjourned at 8:55 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary