

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

PASSAIC COUNTY  
NEW JERSEY



MINUTES – JUNE 13, 2019

Chairman Hennion called the Planning Board meeting of Thursday, June 13, 2019 to order at 8:05 p.m. in the Municipal Building of the Borough of Totowa.

**PRESENT:**

Commissioner Festa	Commissioner Sabatino	Commissioner Campilango	Commissioner Zarek
Chairman Hennion	Commissioner Niland	Vice Chairman Coiro	Commissioner Ferraro
Commissioner Murphy	Mike Cristali, PE	Richard Brigliadoro, ESQ	Darlene Green, PP

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 13th day of June 2019 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***

University Health Realty/II, LLC	Block 147 - Lot 31	Minor Site Plan
525 Union Blvd.		Certificate of Use

Khaled John Klele, attorney for the applicant appeared requesting the approval for approximately 4,000 sq. ft. of space to operate a medical practice which shall include, but not be limited to, pain management, urgent care and other multi-specialties. The anticipated hours of operation will be approximately 8:00 a.m. to 8:00 p.m., seven days per week. There will be approximately four to five employees. Mr. Klele indicated that there are nine parking spaces on-site. In regard to signage, the Applicant proposes to remove the existing awning and to replace the awning with a new awning blue in color. The awning will have text reflecting the new business. In addition, there is an existing freestanding sign and the Applicant will change the text in the sign to reflect the name of the new business.

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

Nine agreed to a roll call vote... 9-0

**NO PUBLIC TO BE HEARD**

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

Nine agreed to a roll call vote... 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa 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. There will be a text only change to the existing sign.

Nine agreed to a roll call vote... 9-0

**ITEM #2**

Ablar Associates, LLC  
540-548 Route 46 E

Block 172 - Lot 3

Final Site Plan

Mr. William C. Saracino, attorney for the applicant appeared for final site plan approval for façade and related improvements inclusive of signage.

Mr. JR Frank, AIA, a registered architect represented to the Planning Board that there are three tenant spaces at this location inclusive of a Verizon store, a curtain store and a Mattress Warehouse. The Mattress Warehouse will be a new tenant at this site. Mr. Frank testified that there is an existing roof-mounted billboard style sign on the structure which is being removed as part of this application. Furthermore, in the space to be occupied by Mattress Warehouse, there is an existing box channel sign approximately 110 square feet in area. The existing sign box will be removed and will be replaced by a new box sign approximately 100 square feet in area in order to reflect the name of the new business "Mattress Warehouse." There is also an existing freestanding sign and the Applicant represents that Mattress Warehouse will place signage on that existing freestanding sign. However, it was further represented that Mattress Warehouse will file an application before the Board for minor site plan approval and certificate of use approval in accordance with the Totowa Borough Code.

The Applicant is also providing a barrier-free curb cut. The Applicant will also replace approximately 20 feet of sidewalk in front of the store. The Applicant is also providing new entry doors for the store fronts. The Applicant intends to promote a uniformity of design and construction for the building and the three tenants.

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

Nine agreed to a roll call vote... 9-0

**NO PUBLIC TO BE HEARD**

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

Nine agreed to a roll call vote... 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the final 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 install a façade signage above the entry to the tenant space for Mattress Warehouse not to exceed 100 square feet of sign area. The Applicant shall remove the existing roof-mounted billboard style signage structure.
3. All terms and conditions of the Board’s previous Resolutions remain in full force and effect except as satisfied or amended and not in conflict with this approval.

Nine agreed to a roll call vote... 9-0

**ITEM #3**

Living Social  
811 Totowa Road

Block 10.01 - Lot 2.01

Minor Site Plan  
Certificate of Use

Mr. Charles Tempio, attorney for the applicant appeared requesting approval for occupancy of approximately 1,959 sq. ft. of space to operate a social media branding company with services to include building social media platforms for their clients, creating content for social media pages and documenting photographs and video for editing.

Jennifer Pina testified as to the nature of the business and that there will be three employees. The anticipated hours of operation will be Monday through Saturday from 8:00am to 5:00pm. Ms. Pina represented that for the most part customer contact is done through the internet via Skype or over the telephone. She further stated with respect to signage she will identify the business on the door to the entry suite.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa 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.

Nine agreed to a roll call vote... 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to admit Boro Planner, Darlene Green into the remainder of the meeting.

All In Favor .....9-0

**ITEM #4**

Cibo Vita  
25 Madison Road

Block 169- Lot 8

Minor Site Plan  
Certificate of Use

Mr. Anthony Fiorello, attorney for the applicant and Ahmed Celik appeared requesting approval for occupancy of approximately 70,828 sq. ft. of space for the business of importing food items, processing, packaging and distributing them to customers throughout the United States and the world. The food products generally consist of high quality, conventional and organic, nuts, seeds, trail mixes, dry food, snacks and confectionary items. The products are certified organic and kosher and have FDA approvals. Due to the growth of the company, the Applicant finds it expedient to split off aspects of the business with the Vreeland Avenue facility servicing the larger national and international companies as set forth herein while the 25 Madison Road facility will make deliveries to smaller retail users. It’s anticipated that the site will have approximately sixty-five workers. The anticipated hours of operation will be 7:00 a.m. to 10:00 p.m. Monday through Friday and 7:00 a.m. to 6:00 p.m. on Saturday. The site also has twelve loading docks.

Mr. Fiorello represented that the 25 Madison Road operation is being designed as a standalone operation separate and apart from the Vreeland Avenue facility. It is anticipated that there will be nine small box trucks that will distribute from the 25 Madison Road site. Mr. Fiorello also represented that access to the site would be from Riverview Drive whether or not a truck was exiting Route 80 or exiting Route 46. Mr. Fiorello also indicated that there will be no truck traffic from the Vreeland Avenue site traveling down Vreeland Avenue to Riverview Drive to access the second facility on Madison Road.

Mr. Ahmed Celik is the president of Cibo Vita, Inc. and testified that the Applicant is not proposing any changes to the existing site. He also represented that the 25 Madison Road facility would be for packaging and distribution only. There will be no roasting done on the site. Mr. Celik also explained that there are twelve loading docks at this site and they expect nine loading docks to be occupied by trucks and three loading docks to remain open. He also represented that there will be no receiving after 6:00 p.m. Monday through Friday. The loading of trucks occurs in the morning hours.

There will be sixty-five employees on-site. The sixty-five employees are existing employees that will be transferred from the Vreeland Avenue facility to the Madison Road facility. In addition, the Applicant has the use of sixty-eight on-site parking spaces. Mr. Celik represented that many of the employees come to work via car pool. As a result, the Applicant is of the opinion that it has ample on-site parking to accommodate sixty-five employees at this location. Mr. Celik also testified that he anticipates there to be a minimal interaction between the Vreeland Avenue site and the Madison Road facility which he estimated to be approximately 10%. The Applicant stipulated that tractor trailers will not be permitted to park or idle on any public roadway. Any tractor trailers that are accessing the site must be in the parking lot or at a loading dock. All tractor trailers must comply with New Jersey law in regard to idling of vehicles. With respect to signage, there is a small pylon sign. The Applicant will change the text on the sign to reflect the name of the new business. It was also represented by the Applicant that the Applicant's business is regularly inspected by the FDA, as well as being subject to kosher inspections. The Applicant's business was characterized as being pristinely sanitary.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa 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.

Nine agreed to a roll call vote... 9-0

Chairman Hennion excused himself from the next applicant due to a conflict of interest.

**ITEM #4**

Three Crown Development  
1 Ottilio & 101 Forest

Block 9 - Lots 1 & 3

Preliminary Major Site Plan  
81 Unit Multi-Family Development with  
Lot merger, Variances & related relief

Planning Board Attorney, Rich Briigliodoro indicated that this is the fourth public hearing for the applicant. Planning Board Members that have missed any of the hearings have been identified. Those Planning Board Members have had the opportunity to listen to those meetings and have signed an affidavit stating as such.

Ms. Priscilla Triolo, attorney for the applicant indicated that they have one witness for testimony but also intends to ask that this matter be carried to the next regular meeting of June 27<sup>th</sup> due to additional revisions that the engineer will be making pertaining to the Borough Planner's comments regarding trees that will be removed for the proposed water connection. Ms Triolo also indicated that a meeting was held with representatives of Sunset Ridge and their attorney, Mr. Vogel. As a result of the meeting, she presented the Board with a letter authorizing her to inform the Boro of Totowa that Sunset Ridge will be installing an 8" water line thru the easement for Three Crown's connection to the water tank.

Ms Triolo further indicated that they intend to have an onsite meeting with them to identify where the easement should be and discuss the existing chain link fence that is partially on that easement. She also stated that Sunset Ridge has already met with Boro officials regarding water capacity and location of easement for their project.

Planner Board Engineer, Mike Cristaldi discussed a conversation he had with Paterson regarding connections to utilities and the feasibility of having some conceptual input prior to Preliminary Approval. Ms Triolo indicated that they need an approved plan before any input would be given by Paterson. The Planning Board Engineer has concerns about what repairs to utilities may be required by Paterson and who would be responsible. Ms. Triolo insists that their strategy is to get Preliminary approval with conditions so that they could get concrete input from Paterson.

Mr. John Linson of Shade Tree Development, LLC is a Tree Expert since 1976 – License #198, An Arborist - # ISA 086A, and a NJDEP Forester. Mr. Linson presented an ariel photo with proposed improvements superimposed over top (Exhibit 17A). He testified during his inspection of the buffer, he took photos every 50' from different angles to show all the trees within the buffer. He indicated that many of the trees were damaged from weather and lack of maintenance. Mr. Linson indicated that the dead trees would be removed and replaced with multiple trees according to the Timber Standard Improvement. The applicant is proposing to plant more trees than required. Mr. Linson went on to discuss his recommendation to plant more Evergreens and native trees to enhance the screening. He stated that only two trees need to be removed for grading the buffer. There are 39 trees in the buffer of which 26 will be preserved, the other 13 are dead and will be removed. The applicant intends to plant 19 trees in their place.

Borough Planner, Darlene Green had concerns regarding the smaller diameter trees and how the water line will be run thru the buffer so not to impact the trees.

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

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

Patricia Massari – 314 Richmond Ave, Paterson – concerns about the project as a whole and likelihood of not disturbing the property as it presently exists. Ms. Massari would like the developer to put in a botanical garden.

Robert Niemiec – 7 Hamilton Trail, Totowa – concerns regarding the trees in the buffer and regrading of property.

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

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

Ms. Triolo then requested this matter be carried to the Planning Board Meeting of June 27, 2019 on or about 8:00pm so that the Engineer can present revisions.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to carry this matter to the next regular Planning Board meeting of June 27, 2019 on or about 8:00pm.

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

**MINUTES:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the Planning Board Minutes of May 23, 2019 as prepared.

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

**RESOLUTIONS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the resolution for VJ Burgos Photography – Blk. 117 – Lot 59 as presented.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the resolution for NJ Urban Development – as presented.

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

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

All in favor.....8-0

Respectfully submitted,

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Pete Campilango, Secretary

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Patricia Paulson  
Board Clerk

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Date Approved