

# BOROUGH OF TOTOWA PLANNING BOARD

PASSAIC COUNTY  
NEW JERSEY



MINUTES – OCTOBER 24, 2013

Chairman Hennion called the Planning Board meeting of Thursday, October 24, 2013, to order at 8:00 p.m. in the Municipal Building of the Borough of Totowa.

**PRESENT:**

Chairman Hennion	Commissioner Campilango	Councilman D'Angelo	Mayor Coiro
Commissioner Paese	Commissioner Murphy	Commissioner Vickerilla	Commissioner Vandembree
Vice Chairman Coiro	Commissioner Festa	Richard Briigliodoro, ESQ	

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 24th day of October 2013 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***

Salon M	Block 114- Lot 11	Amended Site Plan
315 Totowa Road		Signage

Michele Rizzo appeared requesting the approval for a freestanding sign. The freestanding sign will have the name of the business (Salon M) as well as the telephone number for the business. The sign will be a two-sided sign.

Chairman Hennion read a letter of intent into the record. The sign is proposed to be located within the area of an existing planter with shrubs.

Ms Rizzo and the Planning Board Members engaged in a discussion relative to the setback from the sidewalk. The sign will be set back a minimum of five feet from the sidewalk. The exact location of the sign will be established on site and will be coordinated with the Totowa Borough Building Inspector and the Planning Board Engineer. The sign will be in accordance with the sign plan submitted. The applicant stipulated that the sign would be burgundy in color.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the application for an amended site plan regarding signage 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 applicant will install a two-sided freestanding sign within the planter area of the subject premises. The sign will be located a minimum of five feet from the sidewalk. The exact location of the signage will be subject to the review and approval of the Borough Construction Code Official and the Planning Board Engineer.
2. All terms and conditions of the Board's prior resolutions will remain in full force and effect.

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

**ITEM #2**

Hi-Fi Auto Parts  
245 Union Blvd.

Block 43- Lot 24

Minor Site Plan  
Certificate of Use

Mr. Bahram Entezami appeared requesting approval of occupancy of approximately 1,300 sq. ft. of space to operate a business of after-market auto parts for wholesale and retail sale. Mr. Entezami defined the “after-market auto parts” as being new parts, as opposed to rebuilt parts. The new parts are not made by the original manufacturer.

Chairman Hennion read a letter of intent into the record. The anticipated hours of operation will be Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday and Sunday from 8:00 a.m. to 4:00 p.m. There will be one employee.

Mr. Entezami testified that there are two parking spaces available onsite for its customers. Mr. Entezami also indicated that there are additional parking spaces behind the building should they be needed in connection with his business. Mr. Entezami stated that he will have one van and will deliver auto parts himself. However, customers may come to the store in order to pick up auto parts. Mr. Entezami also stated that he would install a magnet sign on the entrance door indicating the name of the business. The sign will be two feet by two feet.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the application for occupancy 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, equipment.
4. The applicant will install a magnetic 2x2 sign on the entrance door and will comply with the sign Ordinances of the Borough of Totowa

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

**ITEM #3**

Clove III Indian Cuisine  
331 Union Blvd.

Block 92 - Lot 11  
(*name change*)

Minor Site Plan  
Certificate of Use

Mr. Lewis Aaron appeared requesting the approval for occupancy & name change to his present restaurant establishment. Mr. Aaron testified that he is the owner of the restaurant at this location and is changing from Greek cuisine to Indian cuisine. .

Chairman Hennion read a letter of intent into the record. The anticipated hours of operation will be 11:00 a.m. to 11:00 p.m., seven (7) days per week.

Mr. Aaron testified that there would be approximately four employees. Mr. Aaron represented that there are eighteen parking spaces onsite for use by customers and employees of the restaurant. In addition, he testified in regards to signage stating that he will replace the existing sign on the freestanding. Mr. Aaron is also proposing to install a new awning, burgundy in color, with the name and address of the restaurant on the awning. He represented that the awning would be burgundy in color with white lettering.

The applicant requires a design waiver because he will be installing a new awning with the name of the restaurant as well as additional information on the awning. The applicant is also replacing the existing text on the freestanding sign with a new sign to reflect the name of the new business. The Planning Board finds that it is appropriate to provide a design waiver for an awning sign because it will enhance the visibility of the site and facilitate safe access to the site.

After a discussion, a motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the application for occupancy and a design waiver for signage 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, equipment.
4. The applicant will comply with the Boro Sign Ordinances. Sign approval is granted to allow the applicant to install an awning with the name and address of the restaurant. The awning will be burgundy with white lettering. The Applicant is also replacing the existing text on the freestanding sign with a new sign to reflect the name of the new business.
5. The applicant will obtain approval from the State and Local Board of Health as required.

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

**ITEM #4**

Kari-Out  
690 Union Blvd.

Block 179- Lot 1

Amended Site Plan  
Add'l Parking Spaces

Mr. Anthony Sartori, Attorney for the applicant, Howard Epstein, Chairman of the Board of Kari-Out, and Mr. Jeffery Morris PE appeared requesting approval for the proposed amendments to the site plan. The site, as currently exists, includes thirty-one loading docks and fourteen trailer storage spaces. The Applicant is requesting approval to provide an additional eighteen trailer storage spaces for a total of thirty-two trailer storage spaces. The proposed storage spaces are not adjacent to the building. They are located in an existing corner of the parking lot, which is paved.

Mr. Morris testified that there is a four foot high planters with significant plantings that will screen the trailers from public view on Union Boulevard. Mr. Morris indicated that the additional trailer storage spaces are necessary because the volume of trucks accessing the site has increased.

Mr. Epstein testified that the area for the additional eighteen trailer storage spaces is essentially a staging area before the trailers proceed to the loading dock area to be unloaded. In addition, this area will also be a staging area for trailers to be removed from the site. Mr. Epstein further testified that the storage trailers would constantly be moved and that a trailer would not remain onsite for more than one or two days. Mr. Epstein testified and further explained the nature of the operation as it relates to the trailers and that there will be no storage in the trailers. He stated if an overseas container arrives after 4:00 p.m., then that trailer would be unloaded the next day. He indicated that on a normal day, approximately 30 trailers will enter the site and 30 trailers will leave the site.

The Board Members and the applicant discussed fire safety issues. The applicant confirmed the existence of an 80,000 gallon holding tank for water as part of a fire suppression inside the building. However, Board Members had some concerns about the lack of a fire hydrant in the area where the additional eighteen trailer storage spaces are located. After a lengthy discussion, the applicant stipulated that it would provide a fire hydrant or other suitable fire suppression system for the trailer area, as long as the Borough has the ability to supply water to the site. The exact nature of the fire suppression system will be subject to the review and approval of the Board Engineer and the Borough Fire Official.

After a discussion, a motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the application 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. All previous approvals shall remain in full force and effect except as satisfied or amended and not in conflict with this approval.

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2. There will be no outside storage of product or materials within the parking lot or within the trailers.
3. The applicant will provide a fire hydrant or other suitable fire suppression system for the additional eighteen trailer storage spaces, the exact nature of which will be subject to the review and approval of the Planning Board Engineer and Borough Fire Official. This is also subject to the Borough being able to provide an adequate water supply for this purpose.
4. Any and all comments or conditions contained in the Board Engineer's review report dated October 16, 2013 will be satisfied.
5. The applicant will receive Passaic County Planning Board and Hudson-Essex-Passaic County Soil Conservation District approval if required.

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

**ITEM #5**

Russo Acquisitions, LLC  
990 Riverview Drive

Block 169.01- Lots 2 & 5

Preliminary & Final Site Plan  
Data Center

Applicant did not appear.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to remove this matter from our Agenda since the applicant did not appear and fees have not been submitted. The applicant will have to re-notice and pay all application and escrow fees.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the Planning Board minutes of October 10, 2013 as prepared.

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

**RESOLUTIONS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the resolution for One Ride Car Service – Block 174-Lot 12 as presented.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the resolution for new Ordinance 16-2013 as presented.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for Auto Smart Inc. – Block 174-Lot 14 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 Allstate Kitchen & Bath – Block 32-Lot 6 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 Sleep Number – Block 172-Lot 4 as presented.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for Cervalis, LLC – Block 166.03-Lot 11 as presented.

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

**VOUCHERS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve a voucher for Alamo Engineering for the Professional services as listed below:

Invoice 074249 Holy Sepulchre - Blk. 12-Lot 1 in the amount of \$160.00

Invoice 074244 Digital Totowa - Blk. 173-Lot 17 in the amount of \$2,482.45

Invoice 074245 Anjo Realty - Blk. 11-Lot 12.01 in the amount of \$1,194.81

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to have Planning Board go into Executive Session regarding the Charles Bressman and J&J Specialized litigation.

All in favor.....8-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to have Planning Board return from Executive Session.

All in favor.....8-0

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

All in favor.....8-0

Respectfully submitted,

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Pete Campilango, Secretary

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Patricia Paulson  
Planning Board Clerk

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Date Approved