

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – SEPTEMBER 13, 2018

Acting Chairman Campilango called the Planning Board meeting of Thursday, September 13, 2018 to order at 8:00 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Commissioner Campilango	Commissioner Ferraro	Commissioner Zarek	Commissioner Festa
Commissioner Murphy	Mayor Coiro	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 13th day of September 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

Mona's Deli & Catering 357 Union Blvd.	Block 94 - Lot 9	Minor Site Plan Certificate of Use
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Ms. Eman Mohamed appeared requesting approval for the continued occupancy to operate a delicatessen at this location where she intends to serve Italian and Egyptian food. The applicant will occupy approximately 5,000 sq. ft. of space, same as last year.

Acting Chairman Campilango read a letter of intent into the record. The hours of operation will be from 6:00 a.m. to 6:00 p.m. Monday through Saturday. The business will be closed on Sunday. There will be two to three employees. In addition, there are eight parking spaces available.

Ms. Mohamed also testified that the Applicant seeks approval for outdoor dining. The Applicant seeks to provide outdoor dining with two tables with four seats per table for a total of eight seats. Ms. Mohamed testified that the tables and chairs would be situated in such a manner so as not to impede, obstruct or prohibit pedestrian traffic in the area of the outdoor dining. Ms. Mohamed was also made aware of the existence of the Outdoor Dining Ordinance and that the Applicant must annually file an application for an outdoor dining permit with the Borough Clerk. The Applicant will utilize the existing sign box and the sign will have a white background with blue letters to reflect the name of the new business.

A motion was offered by Commissioner Festa and seconded by Commissioner Murphy 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 except that which has been identified.
4. The applicant will comply with the Totowa Sign Ordinance.
5. The applicant will comply with the Outdoor Dining of Totowa Borough Code.
6. All terms and conditions of the Board's prior resolutions remain in full force and effect except as satisfied or amended and not in conflict with this approval.

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

ITEM #2

Public Hearing on Housing Element and Fair Share Plan pursuant to a court order in the Borough's Affordable Housing litigation. The Planning Board will consider adoption of the Housing Element and Fair Share Plan, which if adopted, will be an amendment to the Borough's Master Plan.

After Planning Board Attorney, Rich Briigliodoro gave a history of the Housing Element Litigation. The Township Planner Darlene Green, P.P. reviewed with the Planning Board the Housing Element and Fair Share Plan that has been submitted to the court appointed special master for review and will be submitted to the Court in advance of the Borough's compliance hearing before the Court on December 13, 2018. Ms. Green provided an overview of the Borough's affordable housing obligation and proposal to satisfy its obligation. The present need obligation (rehabilitation of units) is 8 housing units. The prior round obligation is 215 housing units with a realistic development potential of 50 housing units and an unmet need of 165 housing units. The third round obligation which is from 1999-2025 is 454 housing units. However, Totowa has a realistic development potential of 22 housing units thereby reducing the unmet need to 432 housing units. This figure combined with the prior round unmet need of 165 housing units totals 597 housing units.

Ms. Green also identified the various sites throughout the Borough that have been either approved or rezoned as an affordable housing site which includes the following sites Sunset Ridge (approved), 95 Shepherds lane (approved), Forest Ave, Gordon Drive and Riverview Drive (rezoned), Forman Mills and 50 -80 Bumont Place (overlay zone for affordable housing). Also, that area of Union Boulevard in the B-2 Zone was rezoned to allow conditionally permitted inclusionary development.

A motion was offered by Commissioner Festa and seconded by Commissioner Murphy to recommend adopting the Housing Element and Fair Share Plan, which will be an amendment to the Borough's Master Plan.

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

ITEM #3

Review of Ordinance No. 16-2018, An Ordinance to Amend the Code of the Borough of Totowa Chapter 415 Entitled "Zoning and Land Use", Part 4," Zoning", Article XXIV, "Conditional Uses", Sub-Section 190(A) Entitled "Smoke Shops" To Include a New Sub paragraph 7.

"The operation of retail or wholesale marijuana establishments, which includes retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities; and the operation of retail marijuana social clubs and therefore, all activities related to the abovementioned retail uses such as, but not limited, to processing, possession, extraction, manufacturing, transporting, storing, laboratory testing, labeling transporting, delivering, dispensing, transferring and distributing are expressly prohibited with the Borough of Totowa".

Planning Board Attorney, Rich Briigliodoro reviewed the proposed Ordinance with Planning Board Members and discussed trend with these type of establishments.

A motion was offered by Commissioner Festa and seconded by Commissioner Murphy to recommend the Mayor and Council approve Ordinance No. 16-2018 and deem it consistent with the Master Plan.

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

RESOLUTION:

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Coronet - Block 11 - Lot 7.01 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Durum Doner - Block 92 - Lot 10 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Gold's Gym - Block 175 - Lot 10 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Il Piatto Bistro - Block 113 - Lot 7 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Sync Health & Fitness - Unity School of Jiu Jitsu - Block 43 - Lot 2 as presented.

Four agreed on a roll call vote.....4-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Zarek to approve the resolution for Ordinance No. 16-2018, An Ordinance to Amend the Code of the Borough of Totowa Chapter 415 Entitled "Zoning and Land Use", Part 4," Zoning", Article XXIV, "Conditional Uses", Sub-Section 190(A) Entitled "Smoke Shops" To Include a New Sub paragraph 7 as presented.

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

MINUTES:

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the Planning Board Minutes of August 9, 2018 as prepared.

Five agreed to a roll call vote... 5-0

Commissioner Murphy abstained

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

All in favor.....6-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Planning Board Clerk

Date Approved