

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

PASSAIC COUNTY  
NEW JERSEY



MINUTES – JANUARY 9, 2020

Chairman Hennion called the Planning Board meeting of Thursday, January 9, 2020 to order at 8:03 p.m. in the Municipal Building of the Borough of Totowa.

**PRESENT:**

Councilman D'Angelo	Vice Chairman Coiro	Commissioner Sabatino	Commissioner Campilango
Mayor Coiro	Commissioner Niland	Chairman Hennion	Tom Lemanowicz, 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 9th day of January 2020 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***

Swearing in of New/Reappointed Members:

- Richard Hennion - *Class IV – 4 Year Term*
- Thomas Ferraro – *Class IV (Alternate 2) – 2 year Term (absent)*
- Lou D'Angelo - *Class III – 1 Year Term*
- James Niland - *Class II - – 1 Year Term*

***ITEM #2***

Reorganization – see Minutes

***ITEM #3***

Green Drop	Block 105 – Lot 6.03	Site Plan Approval
360 Union Blvd.		Certificate of Use

William C. Saracino, Esq and Kyle Ruffing appeared requesting approval for occupancy of approximately 2,000 square feet of space to provide a business service to nationally recognized charities such as the American Red Cross, military order of The Purple Heart and the National Federation of the Blind.

Chairman Hennion read a letter of intent into the record. The anticipated hours of operation will be Monday through Friday from 8:30 a.m. to 7:00 p.m. Saturday hours are 8:00 a.m. to 6:00 p.m. and Sunday hours are 10:00 a.m. to 6:00 p.m. There are two parking spaces for donors to drop off items. Employees will park in the rear.

Kyle Ruffing testified that Green Drop raises funds through the generation and collection of donation clothing and household items. Donated items are converted into critical dollars for these organizations to assist them in upholding their mission and programs. No sorting or processing takes place on the premises. Each location is staffed with one or two uniformed employees to remove donations from patron's vehicles and to provide them with a tax deductible receipt.

The Applicant confirmed that it will stripe the parking lot and paint the interior of the building. With respect to signage, the Applicant will install a sign in the sign box affixed to the front façade of the building. In addition, there is a freestanding sign and the Applicant will install a sign in the space provided.

A motion was offered by Commissioner Campilango and seconded by Commissioner Niland 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. The Applicant is permitted to install a sign in the existing sign box affixed to the front façade of the building. The Applicant is also permitted to install a sign in the space provided on the existing freestanding pylon sign.
5. The Applicant shall obtain and maintain any and all licenses, certificates or permits from any and all licensing authorities, including, but not limited to, the Borough of Totowa, County of Passaic, State of New Jersey or any federal agency having jurisdiction hereunder.

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

**ITEM #4**

Aldi, Inc.  
465 Route 46 West

Block 174 – Lots 5&6  
(carried from 12/12/19)

Preliminary & Final Site Plan Approval  
For signage on front of bldg.

Darren J. Del Sardo, Attorney, and Joshua Sewald, Engineer for the applicant appeared requesting approval for the occupancy of approximately 24,890 sq. ft. of space for a grocery store. Mr. Sewald testified that Aldi, Inc. is commonly known as the Aldi Grocery Store. The business is a retail store that sells products ranging from groceries to household essentials.

Chairman Hennion read the applicant's letter of intent into the record. The anticipated hours of operation are Monday through Saturday from 9:00 a.m. to 9:00 p.m. and Sunday from 9:00 a.m. to 8:00 p.m.

Mr. Sewald testified that the Applicant has a minimum shift, an average shift and a maximum shift relative to the number of employees that are working at any one time. He stated that the minimum shift would be staffed by three employees, the average shift would be staffed by six employees and the maximum shift would be staffed by twelve employees. Mr. Sewald also addressed on-site parking. Parking is shared in common in connection with the other tenants of the shopping center. Nonetheless, eighty-five parking spaces are allocated to the proposed use within the existing shopping center.

Mr. Sewald also highlighted some of the external improvements to be performed in connection with this application. Mr. Sewald testified that the Applicant is going to regrade ADA parking spaces in order to make them code compliant. In addition, the Applicant is going to reconfigure the loading dock area. The Applicant will also restripe the area of the parking lot where improvements are proposed and add a cross-walk.

The Applicant is also proposing to add a canopy over the entrance way with gutters and roof leaders that will collect the stormwater and pipe the stormwater underground into an inlet as reflected on the Plans. Furthermore, in the area of the loading dock, Mr. Sewald testified that there is an inlet and the Applicant agreed to television the pipe in order to verify where the flow is going and to insure that there is sufficient capacity to accept the stormwater. Mr. Sewald also stipulated that the Applicant will submit a survey of the property to the Board Engineer as requested by the Board Engineer.

Mr. Sewald stipulated that the Applicant will enclose the dumpster area with either a vinyl or a board on board fence with a six foot high swing gate and will consult with and obtain the consent of the Board Engineer regarding the nature of the dumpster enclosure.

Mr. Sewald also testified in regard to the necessity to obtain ancillary “c” variance relief relative to signage. The Applicant is proposing a 76 square foot building façade sign as well as installing signage in the space provided on the existing free standing sign. Mr. Sewald testified that under the Totowa Borough Code the maximum sign area permitted for a building façade sign is 30 square feet. The Applicant requires “c” variance relief for the sign area of the proposed building façade sign. The Applicant is also proposing to install signage in the space provided on the existing free standing sign.

Mr. Sewald testified that the Applicant is entitled to variance relief under the Municipal Land Use Law pursuant to N.J.S.A. 40:55D-70c(2). In support of the request for variance relief, Mr. Sewald testified that the sign will be located approximately 300 feet from Route 46. Further, the front façade of the building is approximately 25,000 square feet in area. As a result, the proposed sign will constitute less than 3% of the area of the front façade of the building. The sign will be internally illuminated.

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

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

**NO PUBLIC TO BE HEARD**

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

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Niland to approve the Preliminary and Final Site Plan as presented as well as Variance Relief for signage. 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 shall comply with all terms and conditions set forth in the report of Thomas R. Lemanowitz, P.P., P.E., CME, CFM dated January 3, 2020, Planning Board Engineer..
5. The Applicant shall televise the stormwater system in the direction of flow to verify where the stormwater is going and to insure that there is sufficient capacity to accept, convey and discharge the stormwater in satisfaction of technical comment number 4 set forth in the Board Engineer’s review report.

6. The Applicant shall enclose the dumpster with either a vinyl fence or board on board fence with a 6 foot high swing gate. The nature of the enclosure and type of fence to be installed shall be subject to the review and approval of the Board Engineer.
7. The Applicant shall obtain and maintain any and all licenses, certificates or permits from any and all licensing authorities, including but not limited to the Borough of Totowa, County of Passaic, State of New Jersey or any federal agency having jurisdiction hereunder

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

**ITEM #5**

Durum Doner  
326-327 Union Blvd.

Block 92 – Lot 10  
*change of ownership*

Site Plan Approval  
Certificate of Use

Hatih Bozkurt applicant, appeared requesting a change of ownership only in regard to the existing Durum Doner Restaurant, approximately 800 sq. ft of space. Mr. Bozkurt stated that they will serve traditional Mediterranean style food, including, but not limited to kebabs, gyros, traditional Turkish appetizers (hot and cold) and traditional desserts.

Chairman Hennion 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 and there will be two employees. The Applicant is proposing seating for ten individuals inside and ten seats outside.

With respect to signage, the Applicant is retaining the existing signage. To the extent the Applicant will place a sign in the window area, such 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 Niland to approve the 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 place a sign in the window area, such signage shall not exceed 20 percent (20%) of the window area in accordance with the Totowa Borough Sign Ordinance.
5. 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.

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

**ITEM #6**

I Am Hungry  
560 Union Blvd.

Block 139 – Lot 4

Site Plan Approval  
Certificate of Use

Bruce Askin applicant, appeared requesting the approval for the occupancy of approximately 1,000 sq. ft of space to operate a restaurant and bistro at this location. The restaurant will serve pizza and breakfast. Also, Turkish food similar to shawarma will be served to customers.

Chairman Hennion read a letter of intent into the record. The anticipated hours of operation will be 8:00 a.m. to 11:00 p.m., 7 days per week. It is anticipated that there will be three employees. There are nine parking spaces on-site. Parking is shared in common with other tenants at this location.

Bruce Askin testified as to the nature of the business. With respect to signage, the Applicant will replace the sign in the space provided 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. To the extent the Applicant will place a sign in the window area, such 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 Niland 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 comply with the Totowa Sign Ordinance.
5. The applicant will obtain Totowa Borough Board of Health approval, if required.
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.

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

A motion was offered by Commissioner Campilango and seconded by Commissioner Niland to approve the Planning Board Minutes of December 12, 2019 as prepared.

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

**RESOLUTIONS:**

A motion was offered by Commissioner Campilango and seconded by Commissioner Niland to approve the resolution for RD Nutrition Counseling – Blk. 145 – Lot 12 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 Niland to adjourn the meeting.

All in favor.....7-0

Respectfully submitted,

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Pete Campilango, Secretary

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Patricia Paulson  
Board Clerk

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Date Approved