

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY

BOARD OF
ADJUSTMENT



MUNICIPAL BUILDING
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BOARD OF ADJUSTMENT MINUTES OF JUNE 13, 2018

The June 13, 2018 regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Vice Chariman Krautheim called the meeting to order at 7:42 p.m. followed by the Flag Salute. Attorney Brigliadoro read the Open Public Meetings Act.

A motion to accept the minutes of the May 9, 2018 meeting was made by Commissioner Bavazzano and seconded by Commissioner Patter. On a roll call vote all Commissioners present voted in the affirmative

1ST CASE: ALML ASSOCIATES
435-441 MINNISINK ROAD, BLOCK 171, LOT 21 & 22

Raymond Redding, Attorney for the Applicant states he would like to re-wreck a business type property for a commercial/retail building.

First witness is Patrick McClellan, Engineer is considered an expert in his field by the Board. Mr. McClellan refers to sheet 1 of 6 of the site plan & subdivision plan dated April 30th, 2018 and sheet 2 of 6 the site dimension plan dated April 30th, 2018. The Applicant proposes a generic use building with half retail and half restaurant. The building proposed will be 7,990 square feet with 31 parking spaces. The variances are for minimum side yard abutting a lot, maximum cover, and variance relief for parking. Applicant is requesting 31 parking spaces, parking stall widths of 9' where 10' is required. Commissioner D'Ambrosio asked about the easement, the easement is 24' wide with 12' on the property and 12' on the adjacent property. The storm water management plan is part of the application. The existing building will be knocked down.

Commissioner Bavazanno asked if the bus depot is to the right of the proposed building, which it is. Attorney Brigliadoro states the variance for the number of driveways, the existing driveway on Minnisink and the second will be closed off and the third will be on the adjacent property. The Applicant will provide cross-easement between the subject property and the adjoining property located at 809-813 Riverview Drive for access so as to integrate both lots.

Second witness is Yogesh Mistry, Architect is considered an expert in his field by the Board. The applicant is proposing a single, one story building at 7,990 square feet, 101'

in length and 79' in width which will be set back further than the previous building. Mr. Mistry refers to Exhibit A-1 a photo rendering featuring the longer part of the building facing Minnisink and the shorter side facing Riverview Drive. Approximately half of the building will be restaurant and the other half to be retail. The restaurant section will be 2,397 square feet and occupy 120 people. There will be three main entry doors, one on Minnisink, one on Riverview, and one on the corner of the building. The exterior will be a mix of stone and stucco with blue awnings. This new proposal will be more attractive than what is there now, including 4 signs on the building. There will be 2 signs on the main tower at about 52 square feet, one on each entrance of 25 square feet each. The entrances will be ADA compliant and comply will all building codes. Commissioner Bavazzano asked if he testified for the other property and if it was similar signage, Mr. Mistry replied yes.

Third witness is Andrew Jafolla, traffic engineer is considered an expert in his field by the Board. Mr. Jafolla speaks about the parking spaces and that 67 are required and 31 is what is being proposed. With the calculations of the proposed use, 20 spaces is what is demanded. The combination of the two properties gives 104 spaces. There will be 73 on Riverview North and 31 on Riverview South. Attorney Brigliadoro states the site and previous site will be intergraded and the calculation were based on National standard. Vice Chairman Krautheim asked if the calculations were considered when peak times of the day, Mr. Jafolla states yes. Attorney Brigliadoro asked for this site under ITE is only 20 spaces, Mr. Jafolla states yes. Commissioner D'Ambrosio would like to know if the job will be built out completely to have enough spaces, Mr. Jafolla states according to ITE there is enough spaces for each to be done at separate times. Alternate Korsakoff asked as people are coming in looking for a spot will there be an overflow onto Minnisink, Mr. Jafolla there will not be because there is a drive isle that should accommodate that. Alternate Korsakoff would like to know with the calculations does it vary drastically from the municipalities and do you find this to be an issue, Mr. Jafolla states they like the calculate 10% over what the ITE calculates. Vice Chairman Krautheim asked about the reduction of the stale sizes, Mr. Jafolla states the larger cars needed wider spaces, but because cars are more compact 9' is sufficient. Commissioner Mancini would like to know that out of the 30 spaces, would that include employees, Mr. Jafolla states the ITE takes that all into consideration with the calculations.

Fourth witness is Ken Ochab, the professional planner, is considered an expert in his field by the Board. Mr. Ochab reviews the variances. There is a use variance for the retail and restaurant in a B-2 zone, the 2016 master plan talks about this property being well suited for that. The side yard, lot coverage, signs, number of driveways and number of on-site parking spaces. The side yard setbacks the applicant is proposing .3 where 4' is required, this only affects the applicant himself. The lot coverage is slightly over the F.A.R., where 25% is permitted and the proposed is 31.7%. Shared parking approach is the best way to go when one is active the other is not and vice versa. The number of driveways, there are three, one comes in from Minnisink Road and two are onto the adjacent property which is owned by the applicant. There will be 2 signs on the tower, one on Riverview and one on Minnisink, the total is 75% where 15% is permitted-but in comparison to the size of the building the permitted would be too small. The negative

criteria are there is no detrimental impact to the public and the impairment to the zoning ordinance. The redevelopment of an area that has been on a downslope for years, the new application will enhance the area. Commissioner Patten would like to know about freestanding signs, Mr. Jafolla states there will be no freestanding signs. Commissioner Patten would also like to know because of the location does the State or County have to be involved, Mr. Jafolla replies the State would be involved. Attorney Brigliadoro would like to know the anticipation date of when the applicant would start, Mr. Oldja states it would not happen for a while. Attorney Brigliadoro would also like to know if the Applicant applied with the DOT yet, Mr. Oldja has not applied yet.

At this time the Board opens the floor to the public.

Celia Kurek, has a business at 429 Minnisink Road, is concerned about the width of the current shared driveway and if it will stay the same and how close will the building be to her property. Mr. McCleelen states it will stay the same.

At this time the public portion of the meeting is closed.

A motion to approve the application was made by Commissioner D'Ambrosio and seconded by Commissioner Nash at 9:03 pm. Vote passed 7 – 0.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Mancini. The meeting was adjourned at 9:04 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary