

# BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY



BOARD OF  
ADJUSTMENT

MUNICIPAL BUILDING  
537 TOTOWA ROAD  
TOTOWA, NJ 07512

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## BOARD OF ADJUSTMENT MINUTES OF AUGUST 12, 2020

The August 12, 2020 meeting of the Borough of Totowa Board of Adjustment was held via Zoom. Chairman Fierro called the meeting to order at 7:36 p.m.; followed by the Flag Salute. Attorney Robert Corrado Jr. read the Open Public Meetings Act.

Attendance: Chairman Fierro, Vice Chairman Krautheim, Commissioners Patten, Bavazanno, Nash, Mancini Alternate Masi, Henry, Attorney Corrado Jr., Engineer Lemonowicz, Secretary Steinhilber. Absent: Commissioner Carr.

A motion to accept the minutes of the July 8, 2020 meeting was made by Alternate Masi and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

1<sup>ST</sup> CASE: SUNSET RIDGE  
617 PREAKNESS AVENUE, BLOCK 2, LOTS 1, 2, 3, 4 : BLOCK 3,  
LOTS 1, 1.01, 3, 6, 7, 8

Attorney Corrado reviewed the application and found the Board has jurisdiction to handle this application.

Attorney Vogel reviews the previous application of 48 residential units at 617 Preakness Ave now in the affordable housing zone dated July 13, 2016. The new application does not change the site plan/size/configuration-the only change is in the façade. Previous plans showed a roof line in 2015 which was five years ago, the new application is for a more modern façade. The 2-3 bedroom affordable units will be located off site as stated in the resolution and stated in Ms. Greens, Borough Planner, letter dated August 6, 2020 and the applicant is in the process of doing that.

Pasquale Dellacave, was sworn in by Attorney Corrado, business address is located at 25 Centennial Court in Totowa. Mr. Dellacave is the principal of LLC of the project and the builder of the project at 617 Preakness Ave. In the original drawings from 2015, when the project was first developing, it is a half a decade ago and are now realizing changes of façade needs to be more up to date. Mr. Dellacave shows a picture of the proposed change. The new façade will be a more up and down type look with cornice moldings, hardwood sidings, stucco and stone. This is a more desirable appearance and will incur no change in the size, roof, parking, and power pit. Before the certificate of occupancy is

applied for the affordable units will be established. Vice Chairman Krautheim would like to know the current status of the project because he has driven by it over the past few months and it has seemed to be stalled since September. Mr. Dellacave explains that there was an issue with an adjoining easement on an offsite property and that stalled the project for a few months. Vice Chairman Krautheim asked where will the owners of the unit's park? Mr. Dellacave states they will park underneath the unit and around the backside and the affordable units will be on both the right and left side of the entrance. Exhibit A1, is the marked plans that were updated on May 15, 2020 that shows the angular façade that is being removed. Exhibit A-2 is the color rendering with the new façade. Engineer Lemanowicz asked about the unit count for parking and that this is also a concern from Borough Planner, Ms. Green stated in a letter from her office marked Exhibit B-1 dated August 6, 2020. The change in bedroom count went from the previous approved 40-2-bedroom units and 8-1-bedroom units to 47-2-bedroom units and 1-1-bedroom unit as being proposed tonight. Ms. Green states the parking requirements are different for 2-bedroom unit's verses 1-bedroom units. Attorney Vogel states the number of parking spaces the Applicant is proposing complies with the ordinance. Ms. Green states a potential condition of approval they would submit said proof. Attorney Vogel will comply and apply whatever conditions the Board would like. The required number of parking spaces per the RSIS are 96 and the Applicant is proposing 102. Ms. Green would like to know when the 2-3-bedroom affordable housing units are going to happen. Attorney Vogel understands the concerns of the delay, but with the issues the Applicant has incurred with the easement, this delayed the whole job. There is a commitment on record and before the Applicant applies for a CO on the first unit, they will have satisfied the low-income housing requirement.

Chairman Fierro asked the Board how they feel about the reasons for the delay. Attorney Corrado states the Board should make it a condition of approval and agrees that there was a substantial delay in the project due to the easement issue. Commissioner Patten would like to state there be a condition of approval of no CO or TCO unless the location of affordable units is established. Vice Chairman Krautheim would like to clarify at the current site, the total is 48 units, 47-2-bedroom units, 1-1-bedroom unit and 2-3-bedroom units to be off-site. Mr. Dellacave agrees with the above. Planner Green states there are still items from the previous application that have not been satisfied and would like to know when they will be. Attorney Vogel is only aware of landscaping that will be addressed going forward. Engineer Lemanowicz is also waiting for the deed consolidation for lots. Commissioner Nash asked if the 2-3-bedroom units can be anywhere in Totowa and how many parking spaces are allotted for them, Attorney Vogel states the parking spaces will depend on the zone the homes are in.

At this time the Board opens the meeting to the public to be heard.

There is no public to be heard, the Board votes to close the public portion.

Attorney Corrado states all the impertinent issues have been covered and the resolution will incorporate Ms. Greens concerns and the Boards concerns. Attorney Vogel summarizes the application.

A motion was made by Vice Chairmen Krautheim to approve and seconded by Commissioner Mancini. Application passed 7 – 0 @ 8:11 P.M.

2<sup>ND</sup> CASE: 294 UNION BLVDASSOC. LLC  
294 UNION BLVD, BLOCK 106, LOT 6

Attorney Corrado reviewed the application and found the Board has jurisdiction to handle this application.

Ray Redding, Attorney for the Applicant, explains the application to refurbish the building with additional retail space and residential units.

Architect, Mark Montalbano, was sworn in by Attorney Corrado is considered an expert in his field. His business is located at 97 Lackawanna Avenue in Totowa. The proposed property is located in the B2 business district and is formally know as Walkers Hardware. It is a 1 and 2 ½ story building with several additions to existing building over the years. The basement is level with the lower parking area. The first floor is retail and adjacent to that is a small loading dock with a garage door and adjacent to that is a small blind shop tenant. The second floor is a 3-bedroom apartment with a front door stair access to that apartment. The proposed application is to remove the existing carport in the rear of the property and one story shed addition. Where the shed removal is, there will be a new stairway entrance. The existing basement will remain a basement/utility space and storage. The proposed application is for 3 retail spaces on the first-floor totaling 1,157 square feet. The existing Walkers will be split in half for 2 spaces and the rear portion will be storage. The existing loading dock will be the 2<sup>nd</sup> tenant totaling 346 square feet. The third tenant will be the existing blind store totaling 620 square feet. The existing tenant door and stairway and stoop will be removed. The second-floor existing unit will be a one-bedroom unit, the second 1-bedroom until will be constructed over the existing roof, and the third 1-bedroom unit will be over the blind store. The exterior finishes will be brick to the second-floor line with 50% of the façade to be glass doors. And 4 feet of brick base on the sides with clapboard siding and new windows. There will be panelist details where the signage goes. The roof will be asphalt shingles and new gutters. There will be three façade mounted signs, 1 per tenant at 15 square feet each and will have illuminated gooseneck fixtures. There will be 12 off street parking spaces, which are pre-existing and will remain proposed at the rear of the building. Parking spaces, on C2, 1, 2, and 3 are existing 45% angle spots at approx. 9' x 19'. Spaces 4 and 5 is where the former car port existed and are 11' x 28', space 6 is 10' x 28' and spaces 7 to 12 are 8'6 x 19'. Six residential spaces are required for residential component of the project. There are 21 required spaces and 12 are proposed that are existing on site.

There are exhibits listed below:

1. A-1 Architectural Plans submitted by Architect Montalbano
2. A-2 Front of existing building
3. A-3 Side elevation of existing building
4. A-4 Side elevation existing form lower on Totowa Road

5. A-5 Rear Existing
6. A-6 Church parking lot facing existing rear of building

Commissioner Mancini would like to know if the tenants will have assigned parking spots, Mr. Montalbano would refer that to the owner.

7. A-7 Existing rear of building parking spaces
8. A-8 Rendering of the front
9. A-9 Rendering of rear of the building

Commissioner Patten asked if tenant 3 on the first floor has access from the rear, Mr. Montalbano states they will not have access from the rear. Commissioner Patten asked what the dimensions of the tenant entrance is in the rear, Mr. Montalbano states the footprint is 12' x 18'4" and 205 square feet. Commissioner Patten points out the 2 bay windows for the second floor tenants, when ice is on them how will the pedestrians be protected. Mr. Montalbano states there will be gutters and overhang on the roof. Commissioner Patten would like to know if the third floor is an attic, Mr. Montalbano states it will be mechanical space. Chairman Fierro asked about snow removal and dumpster. Mr. Montalbano did not have time to update the site plan, but on site plan C1, the proposal to the 23' x 11' on parking spaces 4, 5, and 6 – space 5 will have the dumpster. Engineer Lemanowicz states if a car is parked in space 5, then the car on space 7 can not get out. Mr. Montalbano states that this is an existing issue. Engineer Lemanowicz states you can not base size of the parking spaces on the line, there are many issues with the parking even though they are existing. Planner Green also shares the same concerns about the parking spaces and suggest re-configuring that stair tower to shift and gain 5' of width. Engineer Lemanowicz goes through his report. There are concerns about the cross slope being too steep and the square footage calculations of retail space. Engineer Lemanowicz's report is labeled Exhibit D1 and Planner Green's report is labeled Exhibit D2. Ms. Green's report is dated August 7, 2020 and states the mixture of usage is a condition use in zone, and would like to know who is planning testimony? The rear storage area needs to be clarified, what are the hours of business, and on sheet C1 the awning on façade has no dimensions. Mr. Montalbano states the awning is being removed, the curbing along the parking will be street floor, there will be one handicap parking space, they will comply with the new ordinance affordable housing, they will comply with the signage waiver. The Applicant will still need to specify landscaping on the plans and supply more details on the signage. Mr. Montalbano goes over the variances-B2 requires 20 thousand square feet where 12,025 is being proposed, the side yard variance is required at 8' and 4" and they are proposing 1.33' and 7.73', the rear lot depth are as of right, the F.A.R. is required at .35 and proposed is .37. Planner Green would like to know which variance is the Applicant seeking-a D3 conditional use where no F.A.R. is required or a D1 use variance the needs an F.A.R.. Mr. Montalbano assumes a D3 is what is being required. Ms. Green explains the differences to the Board. Attorney Redding suggest Mr. Montalbano go through the D1 use variances and why the Board should grant them. Vice Chairman Krautheim would like to know if this application is coming back in front of us, because a planner should address the parking

and there are a lot of unclarity on this application. The Board would like to table this application to our next meeting.

At this time the Board opens the meeting up to the public.

There is no public to be held so a vote is taken to close the public portion of this meeting.

Attorney Corrado states there is no notice needed for this to be carried to the September 9, 2020 meeting.

**RESOLUTION TO MEMORIALIZE:**

1<sup>ST</sup> CASE: THE MANOR  
100 SHEPARDS LANE, BLOCK 12, LOT 1.02

Applicant was approved for use variance, floor area ratio variance, along with design waiver relief and preliminary and final site plan.

2<sup>ND</sup> CASE: MILUN KONATAR  
188 GRANT AVE, BLOCK 115, LOT 1

Applicant was approved for an addition and alteration to an existing single family home requiring variances for front and side yard setbacks, floor area ratio variance, front and side yard setbacks for an accessory structure.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Mancini. The meeting was adjourned at 9:37 p.m.

Respectfully submitted,  
Pam Steinhilber, Secretary