

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 MAY 8, 2024

The May 8, 2024, regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:02 P.M.; followed by the Flag Salute. Attorney DeDio read the Open Public Meeting Act.

Present: Chairman Fierro, Vice Chairman Krautheim, Commissioners Patten, Mancini, Nash, Carr, Alesandrelli, Alternate Henry, Engineer Cristaldi, Attorney DeDio. Absent: Alternate Tedeschi & Planner Czernicki.

A motion to accept the minutes of the April 10, 2024, meeting was made by Commissioner Nash and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: PETER FARINA, 81 HIGHVIEW AVE

Attorney Joseph Mecca requested the case to be carried to the June meeting due to the scope of work may change. Attorney DeDio states the Applicant will need to renotify and republish because of the change to his application. The Board approves the carry.

2ND CASE: ADRIAN SULEJMANI, 82 BULLENS AVE

Applicant Sulejmani purchased the home a few months ago and would like to add an addition with no change to the footprint, he is just going up. The addition required the approval of three variances, C-Bulk, lot depth, and set back. Chairman Fierro asked if he was building over the existing foundation. Mr. Sulejmani states yes and over the garage, the home is currently a 2-bedroom, one bath home and he would like to expand for his growing family. Commissioner Patten points out the elevation drawing at the rear does not show where the fireplace comes through the elevation. Mr. Sulejmani states it was a typo, they are on the final plans. Board Engineer Cristaldi states there are no engineering issues. Chairman Fierro asked about the FAR. Engineer Cristaldi states 15% is allowed and they are at 30%, this is a large lot. Commissioner Patten asked about a slider out back, will there be steps or a deck or patio. Mr. Sulejmani said not at this time.

Munur Lopez, Architect, location of business 192 Clairmont Ave, Montclair, was sworn in by Attorney DeDio and is considered an expert in his field by the Board. Commissioner Patten asked again about the fireplace going to ground outside of the home will change the footprint. Mr. Lopez explained that the slider to go outside would require a platform and did not provide this. The grade in the rear is 16-18" from the first finished floor.

The meeting is opened to the public.

Anthony Ciampa, 76 Bullens Ave, was sworn in by Attorney DeDio. Mr. Ciampa is here to support the project just has a concern about being across the street for the applicant and the runoff is an issue currently and may be worse with the addition. Mr. Ciampa would like to know if there can be any provisions for water retention. The Board recommends he speak with the Mayor & Council about storm basins or catch basins on his street.

Commissioner Carr makes a motion to close the public portion of the meeting.

Commissioner Patten made a motion to approve the application and was seconded by Commissioner Mancini. Application passed 7 – 0 At 7:21 P.M.

3rd CASE: TFI 930 PARKING LLC, 930 North Riverview Drive

Lisa John-Basta, Attorney for the Applicant reviews the application. This is a fully developed site with multi tentative building and associated parking with that building as well as parking for Hello Fresh, which was approved in 2021. They are seeking preliminary and site plan approval, along with use variance approvals in order to permit school bus parking on the lot along with the construction of a small six thousand square foot office/light maintenance building associated with the bus use. The town zoning only permits one principal building on a lot, and they need a variance for this. They are requesting a side yard variance related to the location of the proposed building.

Brendon Flynn, place of business is 19 Francine Place in Millington, is the VP of operations in Northern NJ for Student transportation of America. Mr. Flynn has been employed with the company since 2015. Student transportation of America is the 2nd to 3rd largest contractor in the Country. They have approximately 22 thousand vehicles through 24 states and serve approximately 325 school districts throughout the country. This application is to provide school bus parking and a small office on premises. The school buses would be servicing Parsippany/Troy Hills, West Essex Regional, Fairfield, Millburn, Mountain Lakes, Randolph, Cedar Grove, and private school Delbarton. The proposed bus route, Marked A-1 and labeled West Belt parking bus routing Borough of Totowa, will go out Taft to Jackson Road turning on West Belt Parkway and existing on Route 23. This route will be the route all buses will follow, and they will be tracked by GPS, so the company can monitor that they are flowing only that route. The hours of operations will be Monday through Friday leaving at 6 A.M. to 7 A.M. and returning 8:30 A.M. to 9:45 A.M. and then in the afternoon leaving 1:15 P.M. to 2:15 P.M. and returning 3:30 P.M. to 5:00 P.M. A few buses may return after 5 P.M. depending on after school activities. Occasionally weekly is needed for school activities. Every vehicle will have its own space and there will be an additional overflow for 20 spaces for the first drivers that come into park. As they leave with buses, more spaces will open for workers coming

into park. Buses are designated to the same drivers and parking spaces will be assigned to each, there will also be someone onsite directing drivers. The office space will be approximately 2000 square feet and will be used for dispatching, safety supervisor, and administrative functions. On an average day, 4 full-time employees will be within the office. There is a light maintenance component that is 3000 square feet and will have 4 service bays. This area will service oil & filter changes, exhaust, air conditioning, shocks, brakes, tire and electrical diagnostics and will house 4 mechanics. Exhibit A-4 is a list of light maintenance and what would be prohibited at this site. Items to be prohibited are body work, body painting, transmission replacement, engine replacement or rebuilds. Trash removal will be done by a private company and there will be contracts with the company for removal of fluids or other products used in maintenance building and will come as needed. There will also be security measures with cameras onsite. Chairman Fierro asked about the drivers coming in and parking before the buses lease, and it required a lot of open spaces. Attorney John-Basta states the engineer will explain the 20 designated open spaces to start the day. Commissioner Nash asked how many alternate buses they have onsite, and if you will need that many extra spaces for those buses. Mr. Flynn states there will be 15% and yes, there will be spaces for those. Commissioner Nash also asked how many buses can fit in the garage at one time and if 15 buses break down at one time is there enough space for them. Mr. Flynn states the garage can house 4 buses and there is enough room for additional repairable buses to be parked. Vice Chairman Krautheim asked where they are currently operating out of because the towns, they would be servicing from Totowa are not in Passaic County. Mr. Flynn states they are currently operating out of Pine Brook and their locations in Paterson and Fairlawn handle Passaic County schools. This proposed site will house 115 buses. Commissioner Patten asked about snow removal from the buses and parking lot. Mr. Flynn states they take care of their own removal and have their own plows and will have snow removed from site if needed. Commissioner Alesanadrelli asked if this proposed site would mimic the Pine Brook site. Mr. Flynn states that its location and operations is not even close, it would mimic other sites but not the Pine Brook one. Vice Chairman Krautheim asked about the actual hours of operations. Mr. Flynn explains the Dispatcher arrives at 5 A.M., the drivers arrive at 6 A.M., one Mechanic arrives at 5:30 A.M. and the rest at 6:30 A.M. and everything closes around 5 P.M. Commissioner Mancini asked about tow trucks onsite, Mr. Flynn states they call out for that. Chairman Fierro asked about where the major repairs get done, Mr. Flynn states either in Butler or Fairlawn. Commissioner Patten states sometimes in winter the school buses need to be powered, where is that done, Mr. Flynn states that is not required. Commissioner Carr states light maintenance still has waste and where does that get stored or removed, Mr. Flynn states there is a container for new and used tires and in terms of fluids, there is 50-gallon containers all stored within the building.

Trevor Curtis, Civil Engineer, place of business is 66 Grand Ave, Englewood NJ, was sworn in by Attorney DeDio and considered an expert in his field by the Board. Mr. Curtis presents Exhibit A-3, the proposed parking lot improvements, and is labeled C-01 through C-15. Mr. Curtis explains the application, this is in the I3 restricted industry zone. Mr. Curtis goes over the sheets of Exhibit A-3. The site is approximately 16.3 acres. The site is comprised of existing principal buildings with multitude of use onsite, lab space, office space, church, and self-storage/warehouse facility. They are requesting two D-variances and one C-variance associated with the setback of the new building. The existing parking/exhibit, marked A-4, shows the outline where the uses are in the existing building, which consists of 186,355 square feet of footprint and gross floor area of 234,077 square feet. Hello Fresh was previously approved for 250 parking spaces as well as 10 trailer spaces which are on the southern portion of the site. As of now there are 278 spaces

unallocated. On the full site there are 1023 total spaces and 10 trailer spaces. Exhibit A-5, proposed parking conditions/exhibit shows in orange the new spaces. These spaces are within the developers unassigned spaces. There is a small area on the southern portion of the site that was unassigned-those spaces have become Hello Fresh spaces and a small portion of those will be attributed to the 21st first arrival spaces. The project includes 105 larger bus spaces, 10 smaller bus spaces, and 28 new standard parking spaces. Board Engineer Cristaldi asked if Hello Fresh knows their lease has changed. Attorney John-Basta states they can modify the lease and can be a condition of approval. Site plan exhibit, marked A-6, shows modification of the previously submitted site plan. The modifications are the trash enclosure to be closer to the maintenance door, to adjust the building to approximately 10 feet off the property line rather than 5 feet, and to provide a storage container that houses the used and new tires closer to the maintenance door. Mr. Curtis continues going through the sheets of Exhibit A-3. The utilities will be served off of Taft Road, which would include sanitary, gas, water, and electricity. There will be a buffer for landscaping on the island along Riverview Drive. Attorney John-Basta asked Mr. Curtis about signage on the proposed property. Mr. Curtis states there are 2 existing monument, free standing signs. Mr. Curtis has no objections to Aliamo's report dated May 6, 2024. School buses, according to the DEP do not show a difference for buses, cars, etc., creating more oil seepage. In his opinion the impervious pavement improves the pollutants within the storm water before going into the municipal system. Engineer Cristaldi asked, if you drive a bus all the way to the end of the property, how do they get out? Mr. Curtis states those buses will not be used a lot and smaller buses will be parked there, more like van size. Commissioner Mancini asked where the full-size buses go, Mr. Curtis states on the stacked spaces. Commissioner Patten asked if Mr. Curtis formally worked for Edwards Engineering, Mr. Curtis replied he did. Commissioner Patten states the plans the board has are different from the plans he is using and if the new plans show the changes in the impervious coverage. Mr. Curtis states there are new plans, and it appeared the impervious would decrease but he does not have the exact number, but if it would increase more than 745 square feet, it would have to be mitigate that with additional storm water management system. Vice Chairman Krauthaim asked about the parking spaces that were earmarked for Hello Fresh and what about the existing parking space. Mr. Curtis states they will not impact any of the spaces that were not attributed to Hello Fresh, or the unassigned developers spaced. Commissioner Carr thought they said tires were housed within the building, but you mentioned a storage unit outside. Mr. Curtis states there will be a 8' x 30' x 10'h storage unit outside to house the tires. Commissioner Alesandrelli asked about the FEMA area, the elevations look like 4% slope and is that reasonable for buses to be parked there. Mr. Curtis states yes, because they are the smaller van style buses.

Matt Flynn, professional planner, place of business 101 Gibraltar Drive, Morris Plains, was sworn in by Attorney DeDio and considered an expert in his field by the Board. They are looking for a use variance for this application. Exhibit A-7 is three pages of photos of the site from a drone. This application is approximately a 16-acre lot located in the I3 restricted industry zone. They are requesting two variances, one for use itself, and one for two principal buildings on site. Mr. Flynn takes us through the seek attest for inherently beneficial uses established by the scholastic bus company vs Jolee Tanis & Sons Inc court case form 1999. This use benefits children and education. The positive criteria is purpose A, promotion of the general welfare, purpose G, variety of uses in appropriate locations, Purpose I, desirable visual environment, and Purpose M, efficient use of land to utilize the unused spaces on the site. The negative criteria is the FAR being requested is .27 where .55 is allowed and lot coverage proposed at 27% where 45% is allowed and bulk relief where they are seeking 10' where 30' is required. Commissioner Alesandrelli

asked about the water tank on adjacent property and traffic studies. Mr. Flynn states the tank water is for fire and the traffic engineer will review the traffic studies. Commissioner Patten asked about bus parking facilities are usually fenced in, will this one be. Mr. Flynn states this one will not be fenced in.

Douglas Pllynaik, traffic engineer, place of business is 181 West High Street, Sommerville, was sworn in by Attorney DeDio and considered an expert in his field by the Board. Mr. Pllynaik reviews the traffic report, dated March 18, 2024, and was prepared by him. He goes over the bus route out of the facility, Taft Road to the north, follows path to Jackson and Hanes with left onto West Belt to head onto the Highway system of Route 23, which leads to Route 80 and Route 46. He conducted standard traffic counts at two locations, Hanes intersection of West Belt Parkway, done on March 5, 2024, at 7 – 9 A.M. and 3:45 – 5:45 P.M. He did a no build and build analysis, and this operates at C/D. Exceptional would be rated at A and exceeding capacity would rate at F. Commissioner Fierro asked about bus drivers coming to work in their own vehicles and leaving would have very little impact because of the hours they work to peak hours. Commissioner Mancini asked about leaving, 100 employees leaving at the same time would cause a lot of traffic. Mr. Pllynaik states there will be a slight delay, disbursement is between 3:30 P.M. and 5 P.M. Commissioner Patten asked about radio comps for dispatch to the buses, are there radio towers. Mr. Pllynaik states there are no radio towers.

At this time the meeting is opened to the public.

Bruno Sime, resides at 959 Riverview Drive, was sworn in by Attorney Dedio. Mr. Sime is concerned about being loud, and there is too much traffic. He works from home and is concerned about construction and the change of a lot that is not active to being very active. He also has concerns about noise and pollution.

Commissioner Mancini made a motion to close the public portion of the meeting.

Attorney John- Basta summarizes the application.

A motion was made by Commissioner Patten to carry this application to the June meeting so our planner can be present and have the issues he had in his report addressed. Commissioner Patten also states the Board needs to do some homework about prior approved applications for this site.

Attorney John-Basta states the Boards planners' issues where minimal and submitted a resolution of prior applications.

Commissioner Nash seconds the motion to carry. The Application will be carried out to the June meeting and was approved 7 – 0 at 9:14 P.M.

Attorney DeDio confirms the Application will be carried out to the June meeting with no republication or further notification needed.

RESOLUTION TO MEMORIALIZE:

1ST CASE: TANIM JAIGIDAR, 79 UNION BLVD

A motion to approve the resolution was made by Commissioner Carr and seconded by Vice Chairman Krautheim.

A motion to adjourn was made by Commissioner Carr and seconded by Commissioner Alesandrelli @ 9:17 P.M.

Respectfully submitted,

Pam Steinhilber-Daub