

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY



BOARD OF
ADJUSTMENT

MUNICIPAL BUILDING
537 TOTOWA ROAD
TOTOWA, NJ 07512

Phone (973) 956-7929

BOARD OF ADJUSTMENT MINUTES OF MARCH 13, 2019

The March 13, 2019 regular and meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:04 p.m.; followed by the Flag Salute. Attorney Briigliodoro read the Open Public Meetings Act.

A motion to accept the minutes of the February 13, 2019 meeting was made by Commissioner D'Ambrosio and seconded by Commissioner Patten. On a roll call vote all Commissioners present voted in the affirmative.

Attendance: Chairman Fierro, Commissioners D'Ambrosio, Patten, Mancini, Bavazzano, Nash, Alternates Korsakoff, and Masi, Attorney Briigliodoro, Engineer Cristaldi, and Secretary Steinhilber. Absent-Vice Chairman Krautheim.

1ST CASE: SUN BELT RENTALS
800 RIVERVIEW DRIVE, BLOCK 172, LOT 2 & 3.01

Applicant requesting to lease property in order to operate an equipment rental business requiring two D(1) use variance and design waivers.

Raymond Redding, Attorney, explains this is a minor site plan for outdoor storage, certificate of use, and a design waiver. The business will be for equipment rental and is very reportable; they have 800 locations across the country and 13 in the state of NJ.

Howel Hackbarth, regional manager of the company and Shane Cunningham, onsite manager where sworn in by Attorney Briigliodoro. Exhibit A-1 is a handout. This is a rental company with storage of generators and HVAC units. All equipment will be brand new and in the company color of green. There will not be much walk in business. Orders are called in, placed on-line, or placed remotely. There will be 50-100 pieces at one time; rentals could be out for a month or more depending in the use needed. Commissioner D'Ambrosio asked about the hours they business will be open; they will be open 5 days a week from 7 am to 5 pm and will need to be open for emergencies. Repairs will be done on-site and inside of the building. There will be no change to the current facility. Exhibit A-2 is photos of the different styles of equipment. Commissioner Mancini asked about customers picking up equipment, most of the equipment is shipped out. Alternate Korsakoff asked about fuel or diesel storage,

sometimes diesel is stored on-site, there is a pump there now. Chairman Fierro asked about the closest facilities, Carlstadt, Perth Amboy, 2 in Kearny, and Linden. There will be 6-7 employees in site including Shane. Commissioner Patten would like to know if this will expand to any other divisions, just power and HVAC. The equipment will be stored outside of the building.

Patrick McClellan, was sworn in by Attorney Briigliodoro and is considered an expert in his field by the Board. Exhibit A-3 is the site plan. There will be no physical changes, just change in sign with no changes in the size, a wall mounted sign, change of outdoor storage on lot 3.01. There is a waiver needed for outdoor storage. Commissioner Patten asked if the existing lot 3.01 will remain grass and gravel, yes. Attorney Briigliodoro explains ordinance 415.104 states any items stored overnight including but not limited to materials, trucks, or equipment shall be kept in a completely enclosed building or shall otherwise be screened by such walls, fences and landscaping as may be determined by the planning board to be adequate to appropriate screen such equipment and materials set the boundaries of the lot. Commissioner Bavazzano asked if PSE&G needs power, are these the same type of services they would request, yes. Attorney Briigliodoro states the signs that are free standing is perpendicular to route 46 and building façade, Mr. McClellan states they will comply. Commissioner Patten asked where the egress of lot 3.01, there is no access to route 46.

At this time the Board open the meeting to the public.

Aubrey Stern, resides at 72 Shindler Court in Parsipanny, was sworn in by Attorney Briigliodoro. Ms. Stern is here on behalf of r45 Realty Associates, owner of lot 3.02. Questions for the applicant are, will there be any repairs (all will be done inside of the building), will be any cleaning of the machines (very little cleaning), and will any runoff impact environmentally (none).

At this time a motion from Commissioner D'Ambrosio was made to close the public portion of the meeting and seconded by Commissioner Patten.

Commissioner Patten would like to know if there was a bad month how much equipment will be stored, there could be 75 to 100. Attorney Briigliodoro asked if a generator is needed, does your company bring it to the site and pick it up when done, yes but if it is a small piece someone could pick it up and return it.

A motion was made by Commissioner D'Ambrosio to approve the application and was seconded by Commissioner Patten @ 7:36 pm. Granted 7-0

2ND CASE: ENGLEWOOD LABS
20 CAMPUS ROAD, BLOCK 10.01, LOT 6 & 7

Applicant seeks approval to construct a two-story addition to an existing building. The property previously received site plan approval with variance relief to construct an addition to the southern end of the building in September of 2008. The approval

permitted a side yard setback of five feet where 30 feet is required. However it appears that this addition was never constructed. The applicant requires a D(4) FAR variance, a D(6) height variance, three "C" variances and a design waiver.

Attorney Kristin Corrado steps in for Attorney Brigliadoro because of a conflict of interest. Robert Landel, manufacturer of cosmetics, states part of the processing is done in Englewood and would like to consolidate to one in Totowa. There was a prior approval in 2008, slightly smaller but it was approved and not acted on by prior owner. JR Frank, Architect, was sworn in by Attorney Corrado. This site was previously occupied by Vital Signs. The applicant is the owner of a cosmetic industry with approximately 50 clients. Exhibit A-1 is photos and example of processing center. They are regulated by the FDA. They want to move manufacturing to Totowa site, build manufacturing component and bring it to the site-raw materials into the site from back building, processed then the processed material would move forward and into the building and from there packaged depending on what consumer needs. There would also be an area for bulk storage. Exhibit A-2 is the site plan dated January 18, 2019. The addition to the back of the building-removed the existing silos and add 3 loading docks and access ramp. The addition will screen the truck so not visible to the residential homes. The applicant is requesting 12' front yard setback. Exhibit A-3 is the lower level floor plan which is drawing D3. Exhibit A-4 is the upper level floor plan-Lab which is drawing D4. Exhibit A-5 is west elevation which is drawing D1. Exhibit A-6 is the side elevation which is Drawing D2. Commissioner D'Ambrosio asked about the cul de sac on Colonial Court and if there is any buffer. There is a 100' buffer currently there and will not change but the applicant will work with the town to spruce that up again for privacy. Chairman Fierro asked about run off and waste, the applicant will have to comply with removal of waste and document it. Commissioner Mancini wanted to know the hours, the hours will be 7 am to 4 pm 5 days a week, there will be 40 to 50 additional employees, and there will be plenty of parking for the additional employees.

The applicant needs a height variance, the equipment needs approximately 32'-36' so they dropped the first floor by 4' and tied in the grade, there also was silos that were removed which were the same height. There is 4' difference in elevation so 40' facing the residence. There is no negative impact with height-front is facing another commercial use. The increase in the F.A.R is because of the basement. This application promotes the purpose of the municipal land use act. The roof drains will tie into the storm water management system. The Totowa Borough engineer has questions, on her report, page 6 item 7 the keystone retaining wall-create a recess stop? The height will be less than 14'. Will there be building mounted lighting-exception to some security lighting and facing the building but nothing intrusive. Will landscaping be 10% of the parking area-no additional parking at this time but will be additional landscaping within the residential buffer.

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

A motion was made by Commissioner D'Ambrosio to close the public portion and seconded by Commissioner Patten.

The planner goes over the variance, D-4 for the F.A.R., D-6 for the height, and three C variance for shade tree, one for side yard setback abutting a lot, and one for front yard setback and a design waiver.

A motion was made by Commissioner Nash to approve the application and seconded by Commissioner D'Ambrosio @ 8:23 pm. Granted 7-0.

RESOLUTION TO MEMORIALIZE:

1ST CASE: ANITRA DAKAKE
23 COOLIDGE AVE, BLOCK 102, LOT 21

Application was denied for an addition to existing garage, construction of an above ground pool and deck.

2ND CASE: S & S @ LACKAWANNA LLC
75 LACKAWANNA AVE, BLOCK 177.01, LOT 8

Application was approved for a use variance to increase the number of dwelling units in a multi-family development and amended site plan.

3RD CASE: FORTRESS HOLDINGS LLC
555 PREAKNESS AVE, BLOCK 6, LOT 2

Applicant was approved for an amended site plan, bulk variance relief, and design waiver relief.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Bavazzano. The meeting was adjourned at 8:29 p.m.

Respectfully submitted,
Pam Steinhilber, Secretary