

# BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY



BOARD OF  
ADJUSTMENT

MUNICIPAL BUILDING  
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TOTOWA, NJ 07512

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## BOARD OF ADJUSTMENT MINUTES OF APRIL 14, 2021

The April 14, 2021 regular meeting of the Borough of Totowa Board of Adjustment was held via zoom. Chairman Fierro called the meeting to order at 7:01 p.m.; followed by the Flag Salute. Attorney Corrado read the Open Public Meetings Act and the Remote Meeting Protocol.

A motion to accept the minutes of the March 10, 2021 meeting was made by Commissioner Bavazanno and seconded by Commissioner Carr. On a roll call vote all Commissioners present voted in the affirmative.

Attendance: Present-Chairman Fierro, Commissioners Patten, Mancini, Bavazanno, Nash, & Carr, Alternate Masi, Attorney Corrado, Engineer Cristaldi, and Planner Green. Absent-VC Krauthem and Alternate Henry.

1<sup>ST</sup> CASE: FORTRESS HOLDINGS  
555 PREAKNESS AVENUE, BLOCK 6, LOT 2, AND 561 PREAKNESS AVENUE, BLOCK 6, LOT 4 (PORTION OF SHERWOOD AVENUE) AND 322-324 BERKSHIRE AVENUE, BLOCK 6, LOT 12 (TOTOWA LOT DESIGNATION)

Attorney Corrado states we will not be hearing this application tonight. Mr. Corrado has reviewed the legal notice and property owners within 200 feet and everything is in order and the Board does have jurisdiction to hear but due to the fact that prior issues with applicant our professionals were not in the position to review the application. Applicants Attorney, Mark Semeraro would like to request a special meeting for April 28, 2021. A motion was made by Commissioner Patten and seconded by Commissioner Mancini. Attorney Corrado will adjourn this application to the April 28<sup>th</sup>, special meeting date and there will be no re-notice to the public.

2<sup>ND</sup> CASE: TOTOWA INVESTMENT GROUP LLC  
515 UNION BOULEVARD, BLOCK 110, LOTS 1 & 2, BLOCK 148 LOT

The Applicant seeks a “D” variance and preliminary and final major site plan approval with related “C” variances in order to develop the property with a self-storage facility and constructing a 3-story mixed use building consisting of 32 residential units over retail space on the ground floor. Attorney Brian Alia, business is at 2 Broad Street in Bloomfield, seeks preliminary and final site plan approval for 515 Union Blvd to develop the properties. There will be a self-storage on the second and third floor and rear section on 1st floor the first floor will be office and retail space which will be facing new Blvd there will be a construction of a three-story mixed use with retail space on the 1st floor and 32 apartments total on the second and third floor. The applicant also seeks reconfigure parking and circulation layout for the bank property and seeks to adjust the lot line and consolidate the remaining property into one lot which would create two lots. The new design will improve parking and flow there will be improvement to the landscaping and improvements to the facade landscaping lighting and parking surrounding the building. The current parking area proposed to construct will have a three-story mixed-use building with retail on the 1st floor and 32 apartments total on the second and third floor. Improvements to landscaping, buffer zones and lighting applicant will abide by all requirements for the above.

1<sup>st</sup> witness is Engineer, Patrick McClellan. Mr. McClellan was sworn in and considered an expert in his field by the Board. Mr. McClellan has prepared the site plans labeled exhibit A1 the existing plan is dated March 26, 2021 and consist of eight sheets. Lot 4, block 100 is the Wells Fargo property lot 1, block 100 is the vacant three story building as well as the Wells Fargo drive thru and block 148 lot 1 is parking. On sheet 2 the existing conditions plan intersection of Crews and Union Blvd. there is an existing enter an exit from Crews with limited parking and a drive aisle that continues through the site to the back of the building. The applicant plans to renovate the entire property shown on sheet three of site plan this has been modified so viewing would be easier to identify and will be labeled A-2 site dimension plan an if the new renovation date is April 14th 2021. The current property has three lots, the Wells Fargo lot known as lot 4 block 100 which the applicant is suggesting a slight lot line change from lot 4 and lot 1 to better circulate around the entire building. The second part of this subdivision is the removal of the existing lot line so one lot would be the Wells Fargo building and the second lot would be the existing structure plus the parking areas. The Wells Fargo lot will have a circulation around the building with no drive-thru window or exterior ATM with drive up purposes just a bank. They are proposing to combine the two driveways on Crews Street and close the driveway closest to Union Blvd, the two-way entrance on Crews Street and two-way traffic around all 4 sides of the bank have a right in and right out of new access on Union Blvd. There will be 38 parking spaces for the bank and landscaping along the front of the property and replacing of the curb and sidewalk along Crews Street and increase from 28 to 38 parking spaces where 44 are required.

The existing building, currently being renovated will have one Lane in and two lanes out on union Blvd no cut through on the two properties. Truck loading entrance will be at the rear of the building. The proposal of the new building will be the first floor to have office and retail space and mechanical rooms and the lobby Anne on the second and third floor will be a total of 32 apartments 22 one-bedroom units and 10 two-bedroom units. The

applicant will modify access to Bogert street right now it's very wide the applicant plans to narrow the existing also there will be a sidewalk access to Bogert St. There are 62 parking spaces in rear of the property, proposing an easement to allow public access to the parking spaces facing the field for events at the ballfield. Commissioner Bavazzano asked if the existing Wells Fargo entrance and exit on union Blvd that the left turn coming out is very difficult and could be an issue with the amount of traffic created from the proposed application. The applicant would have to adhere to the requirements of the County because union Blvd is a County Road. The landscaping plan will consist of a 6-foot-high solid white privacy fence along Bogert St running along the sideline of lot 2 and then along the back of the remainder. If the homeowners are comfortable, they will replace any existing fence with the new fence or put them back-to-back whichever suits the homeowner's needs. Also, a row of arborvitae trees will be planted which are usually 6 to 8 foot tall and then as they grow, they fill in. Commissioner Patten asked about the garbage and recycling being right next to the ballfield. The Applicant will have it screened in. Chairman Fierro asked if the homeowners have to give approval first before they put a fence up. They do not have to give approval, only have to let them know if they want an existing fence removed and replaced or they will put the new fence on the applicant's property.

Mr. McClellan reviews the Board planners report dated April 8, 2021.

Page 3, section B-Variations-a D-1 variance is needed to operate the self-storage unit, a use variance is needed for the apartments on the 2<sup>nd</sup> and 3<sup>rd</sup> floor mixed use, a D-4 variance for the F.A.R. (which the new calculation is .732) and a D-6 variance for the stair bulkheads.

Page 4, section C-Variations

1. The applicant does not intend to ask for a variance for lighting.
2. The applicant will revise the variance for landscaping.
3. Variance for the number of principal building on lot
4. The mixed use is 31.8 from the residential zone and does not comply.
5. The applicant does not need the variance for sign compliance.
6. Variance needed for parking.
7. Variance needed for parking location.
8. Variance needed for parking visibility.
9. Three quarter of acre and will remain which is an existing non-conformity.
10. Variance needed for lot depth.
11. Variance needed for front yard setback.
12. Variance needed for side yard abutting a lot.
13. Variance needed for rear yard setback.

The non-conformities:

1. Require 300 feet lot width.
2. Maximum front yard setback.
3. Minimum side yard and setback abutting a lot of 50 feet.

Page 8, section Waivers & Exceptions

1. Waiver for fence height.
2. Waiver for light intensity-applicant will comply.
3. Waiver for off-street loading.
4. Waiver for residential parking.

5. Waiver for off-street parking.
6. Waiver for parking space size.
7. Waiver for the number of parking spaces-lot 1, block 100 has 132 spaces-lot 4, block 100 has 44 spaces and the new building will have 127 spaces.
8. Waiver for street address signage.

Pre-existing non-conforming conditions

1. Not one required because there is no loading or unloading.
2. None needed for bank and no on-site solid waste.
3. No recycling facility.

Comments, General-item 3 the applicant will revise and add the label.

11. Already testified to the F.A.R. at .732.
12. Applicant will correct.
13. Applicant will add the line item that is missing.
14. The correct height is 40.6
15. Applicant will comply and update on sheet 3.
16. This will be deferred to the Architect
17. The speed bump will be removed
18. This will be deferred to the Planner

Parking & Circulation

19. The traffic engineer will provide testimony
20. The Applicant will update
21. This will be deferred to the Traffic engineer
22. Snow storage or removal
23. The Applicant will make the revision
24. There are 62 parking spaces in that easement
25. The Traffic engineer can prepare an exhibit for submission

Architecture-This will be deferred to the Architect.

Lighting

34. Security level lighting from dusk to dawn and will follow the towns ordinance.
35. The Applicant will correct
36. The Applicant will correct
37. This will be deferred to the Architect
38. This was addressed in the Engineers letter

Landscaping

39. The Applicant will make the change
40. The Applicant will resolve
41. The Applicant will amend the plan with better shrub choice

Trash & Recycling will be deferred to the Architect.

Signage will be deferred to the Architect.

Details

46 – 49. The Applicant will need to add additional details on the plans, the fence will be white unless the Board has an objection.

Mr. McClellan reviews Board Engineer Cristaldi's letter dated April 12, 2021. On section B number 4 they will revise, and number 6 will be updated. Items 7 to 14 have been addressed on the plan. Mr. Cristaldi would like to know what is the access path to go from

the angle parking to the field. The easement is memorializing that. The Applicant has been in communication with the Totowa Borough Council. Mr. McClellan has taken some pictures of the parking spaces. Exhibit A-3.1 is a picture of his car parked in an angle parking space with plenty of room. Exhibit A-3.2 is the same parking space but the back of his vehicle to show he still has room before the end of the faded white line. Exhibit A-3.3 is an additional picture on an angle space facing Bogert. Exhibit A-3.4 is a picture of an angle space facing the ball field. Exhibit A-3.5 is a picture of the same spot but overhang to front. Noted on the plans on the pavement notes that the existing paved surfaces shall be milled and resurfaces and the existing curb and sidewalk along Crews Street and Bogert Street will be replaced. Commissioner Mancini asked about the lighting. The lighting will be LED with hardly any impact on the residents on Bogert.

Architect Anwar Alkhatib, business address is 151 West Passaic Street in Rochelle Park was sworn in by Attorney Corrado. Mr. Alkhatib has prepared the Architectural drawings dated March 26, 2021. Exhibit A-4, which is 7 pages if the rendering of the existing building. In 2016 the Applicant was granted building permits. The building will be stone veneer and they will be adding a canopy at the entrance of the building with decorative lighting. The floor plan consists of a self-storage unit at 33 thousand square feet and will be divided on the first floor with a center corridor and retail/office use along Union Blvd. There will be a loading door to the self-storage area to the back of the building. The second floor will be self-storage and the third floor, which is the roof, will have a self-storage area. The elevation of the building shows the canopy and wall mounted signs. There is no change of the building just adding a canopy which will be steel covered with stucco and the color will match the existing building. The new wall mounted lights will match the mixed-use building lights. The canopy's will be metal with fabric. The building signage will be filed under a separate application, they just put it on the plans to get an idea.

The mixed-use building, which is the proposed new building, will consist of 3 retail spaces with no more that 2 thousand square feet each and a residential lobby with access from the back of the building not Union Blvd. The second floor will have sixteen units mixed of five 2-bedroom units and eleven 1-bedroom units per floor. The roof will only have mechanical units with an access stair. The building will have brick with black lighting fixtures and the storefronts will be aluminum and glass. The canopy's will be black metal. Mr. Alkhatib reviews the Board planner report. Exhibit A-5 show a white box that is small, this is the bulkhead view form the other side of Union Blvd. If you were closer to the building, you would not be able to see this. All the mechanical units will not be visual because the parapet is 4'6 and the highest unit is 4'. There will be five affordable units, one 1-bedroom and four 2-bedroom units. Commissioner Patten asked about the storage building and if there will be a freight elevator for the first, second and third floors. There is no plan for an interior alteration that will be submitted by self-storage owner. Commissioner Patten would like to know if they do need that, then they would have to extend the roof height. Commissioner Patten asked about the new 3-story building being constructed in the existing parking lot and feels that 32 units is a bit excessive and would like to see if they would consider reducing units to 24. The proposed 32 units are mostly 1-bedroom units, and the Applicant would need to address a reduction. Attorney Aloia feels 32 units are not excessive for the size lot. Commissioner Bavazzano agrees with

Commissioner Patten that the application would be better if the units were reduced. Chairman Fierro states less units would lessen the traffic impact. Commissioner Mancini feels the traffic on Union Blvd is a problem and this would just increase it more. Planner Green states the fabric color on the awnings stated bronze for the color, but that is not part of the ordinance, the Applicant will comply with the town's ordinance. Planner Green would like to know how the storage unit windows will be covered so the residents will not see boxes and unorganized spaces. There is no plan yet, but the owner of the storage units can address that. Planner Green asked about the 3D view from Union Blvd and if the third floor is stepped back. The floor is flush, and the roof has an overhang. Planner Green would like the signage to be removed from the plans and when the signage is needed, they will have to come in front of the Board for approval. Planner Green suggested the location of the trash facility for the apartments to be moved to the mechanical/electrical room as a solution. Planner Green also suggest a picture to be taken from a second floor on Bogert Street to see how the roof looks from there view. Commissioner Pattern would like to see the number of units reduced to eight 2-bedroom units and sixteen 1-bedroom units which would total 24 units instead of 32. Commissioner Patten says the front elevation of the storage building if they will be adding three entrance ways with a walkway. There will be access from the corridor and front on Union Blvd with a walkway into each.

David Ellison, Owner of the self-storage investment and development company, was sworn in by Attorney Corrado. Mr. Ellison's place of business is located at 4408 Forest Drive, Suite 350 in Columbia, South Carolina 29206. The self-storage hours will be 9:30 A.M. to 6 P.M. Monday thru Friday and 9 A.M. to 5:30 P.M. on Saturday and closed on Sunday. There will be access for tenants from 6 A.M. to 10 P.M. by keypad. The windows will be tinted or metal panel partitions will be added on the exterior windows. There will be 10 to 15 parking spaces and would generate 30 trips per day. Commissioner Patten would like to know if there will be any outside storage. There will only be interior units for climate control. There are two existing elevators that are un-usable, there will be a new shaft or used the existing shafts for new elevators. There is an extensive list of what can be stored in the units.

Traffic Engineer, Craig Peregoy, was sworn in by Attorney Corrado and his place of work is located at 245 Main Street in Chester New Jersey. Mr. Peregoy is the owner of Dynamic Traffic. Mr. Peregoy has done a traffic impact study and the traffic counts with existing access points of the bank and the main property and took counts of the intersection of Crews and Bogert Street and on the back on Peterson Street. This study was done in 2018 and have increased with the NJ DOT's growth rate. They projected how much traffic the project is going to generate by using the ITE trip generation manual. The self-storage is one of the lowest traffic volumes and the residential apartments are also low traffic volume. Mr. Peregoy feels that the reduction the Board is requesting would not make much difference in the traffic numbers. This application actually reduces the trip generation with the use than if this was a commercial building. Commissioner Bavazzano states the car wash up the street on Union Blvd causes a lot of traffic which backs up on the Blvd. Commissioner Patten questions page 8 of the report that on a Saturday it states 18 cars going in and 12 going out, wouldn't that need to be the same number. That number is for the peak hour and the remainder of cars might leave after that peak hour. Commissioner

Patten asked if a 24-foot truck came into the storage unit, how would it get to the loading entrance since Bogert has a limit on truck traffic. They would have to make a left from Union Blvd into the entrance. Commissioner Mancini states the Union Blvd is a county road and they would have to approve.

At this time the meeting is being adjourned because of time to the May 12, 2021 meeting to hear testimony from the Applicants' Planner and the public.

A motion to adjourn was made by Alternate Masi and seconded by Commissioner Bavazzano. The meeting was adjourned at 9:53 P.M.

Respectfully submitted,  
Pam Steinhilber, Secretary