

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY

BOARD OF
ADJUSTMENT



MUNICIPAL BUILDING
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BOARD OF ADJUSTMENT MINUTES OF OCTOBER 14, 2020

The October 14, 2020 meeting of the Borough of Totowa Board of Adjustment was held via Zoom. Chairman Fierro called the meeting to order at 7:03 p.m.; followed by the Flag Salute. Attorney Robert Corrado Jr. read the Open Public Meetings Act.

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

A motion to accept the minutes of the September 9, 2020 meeting was made by Commissioner Bavazanno and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

1ST CASE: 294 UNION BOULEVARD ASSOC. LLC
294 UNION BOULEVARD, BLOCK 106, LOT 6

Attorney Ray Reddin explains this Application appeared at the August 12, 2020 with testimony from the Architect Mark Montalbano. The owner of the property is Rocco Pistone, Architect, Steve Coppa, Planner, Ken Ochab, and Engineer, Pat McClellan.

Engineer, Patrick McClellan, was sworn in by Attorney Corrado and considered an expert in his field by the Board. Mr. McClellan prepared the site plan and prepared a plan for parking configuration outside the building and zoning analysis. He goes through Engineer Lemonowicz's report.

1. #5-asking for relief from a D1 use variance
2. #6-C-variance needed
3. #7-street address signage will be added
4. #8-each sign comply but combined does not
5. #9-asking for a waiver
6. #10-existing condition
7. #11-5 A.M. to midnight will comply
8. #12-sideyard for on side asking for relief, F.A.R. asking for relief of the coverage, building height, update zone schedule

9. #13-narrative about variances needed
10. #14-narrative about proofs required
11. #15-curb detail on plan-no proposed changes to the parking lot other than landscaping and lighting
12. #16-will comply-no design waiver needed
13. #17-existing-waive condition
14. #18-will not extend pavement line beyond where it currently is-no waiver needed-will provide size
15. #19 & 20-are companion to #16-will comply
16. #22-need waiver
17. #23-waiver request for 3 spaces on the angle are 9 x 17 and the rest are 9 x 18
18. #24-waiver requested
19. #25-waiver required-Engineer Lemanowicz needs to take that comment out
20. #26-will correct and amend
21. #27-site plan will need to be corrected
22. #28-single zoning schedule
23. #29-applicant is confident they will comply
24. #30 typo on the site plan
25. #31-waiver
26. #32-will delete from notes
27. #33-typo-will correct-will show accessible path with smart level from parking spaces to the building
28. #34-plan will be corrected
29. #35-will be added to the plan
30. #36-5 feet wide-garbage pails instead of dumpsters-maybe make longer
31. #37-smart level and graphically depict on the plan
32. #38-commintary
33. #39-will be removed along the door
34. #40-propose to formalize the easement with the neighbor
35. #41
36. #42-proper signage will be in place
37. #43,44,45 & 46-two types of trees in the parking are-one dogwood and one linden-the plans need to be updated and the outlined area to be made darker
38. #47,48,49,50, & 51-will provide
39. #52-will differ to the applicants Architect
40. #53-will supply letter
41. #54-applicant will address during construction

Commissioner Patten about the snow removal and the 3 diagonal spaces. Snow will be removed to the landscaped area and agrees the lot is not an ideal parking situation. Attorney Corrado marks the plans that were prepared by Mr. McClellan as A-1. Commissioner Bavazanno asked about cars going in and out at the same time. They would bottle neck past the first angle parking space. Commissioner Bavazanno asked about loading for stores to be on Union Boulevard. The loading will be on Union Boulevard, but only deliveries from Fed-Ex, UPS, etc. Commissioner Mancini asked about a dumpster. There is no dumpster as of now, just garbage cans.

Planner Ken Ochab, sworn in by Attorney Corrado, is considered an expert in his field by the Board and the business is located at 1216 Fairlawn Ave, Fairlawn New Jersey. All uses are permitted as is in the B-2 zone, proposed to subdivide Walkers space and use front of Walkers as a retail use and the rear as a residential use and add an additional residential use on the second floor. Add new one-bedroom apartment above the garage and blind store with 3 retail uses all fronting on Union Boulevard. One apartment is on the first floor in the rear, two apartments will be on the second floor. The apartment on the first floor is not permitted in the B-2 zone and the Applicant needs a D-1 variance. A photo of the existing front of the site is shown, the site plan is 1,200 square feet of retail space and 1,100 square feet of residential space. There is an increase in F.A.R., which is an existing condition variance. There will be no entrance for apartment on the first floor in the front of the building, only entrance in the rear. There is a less intense use of the proposed application and this is a suitable location for the proposed. This application will promote the intent purpose of the Master Plan. Commissioner Patten would like testimony for the first floor and the three apartments on the second floor. The rear of Walkers Hardware will have one apartment and above Walkers already has the second apartment and the third apartment will be built above the back garage. Attorney Corrado clarifies the original proposal. Mr. McClellan states the intent of ordinance was to eliminate any entrance to the residential units from Union Blvd. Commissioner Mancini would like to know about the two new apartments and the parking spaces. The application is for three apartments. Engineer Lemanowicz states the D-1 variance for the first-floor apartment and a D-3 variance where you do not need the conditions. Attorney Corrado marked Mr. Ochab's plans as A-2.

Architect, Steve Coppa, was sworn in by Attorney Corrado and is considered an expert in his field by the Board. Attorney Corrado marks the color elevation rendering as C-1. Mr. Coppa addresses Engineer Lemanowicz's question #53 and shows it on plan A-1. Commissioner Mancini wants to clarify that there is no entrance to any of the apartments from the front of the building. Commissioner Patten the rear second floor roof area could house the RTU units. Mr. Coppa states they have not gone that far-the roof may not support that. Commissioner Carr asked about emergency vehicles getting to the back with the narrow driveway since you can only get to the apartments from the rear. The ambulance vehicles will not be an issue, the fire truck access would have to be from the front and drag the hoses to the back. Mr. Corrado marks Architect's plans as A-3.

At this time the meeting is open to the public.

There is no public to be heard, so at this time the public portion of the meeting is closed, a motion was made by Commissioner Bavazanno.

Attorney Reddin addresses the Applicant about the affordable housing issue and Mr. Pistone would like to pay the amount in-lieu of affordable housing on-site.

A motion to approve the application was made by Commissioner Bavazanno and seconded by Commissioner Nash at 9:16 P.M. Application passed 7-0.

The next scheduled Board of Adjustments meeting scheduled for November 11, 2020 will be changed to November 4, 2020 in lieu of Veterans Day.

A motion to adjourn the meeting was made by Alternate Masi and seconded by Commissioner Mancini. The meeting was adjourned at 9:24 P.M.

Respectfully submitted,
Pam Steinhilber, Secretary