

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 NOVEMBER 13, 2019

The November 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 Brigliadoro read the Open Public Meetings Act.

A motion to accept the minutes of the October 9, 2019 meeting was made by Commissioner Mancini and seconded by Commissioner Nash. On a roll call vote all Commissioners present voted in the affirmative.

Attendance: Chairman Fierro, Commissioners Patten, Mancini, Bavazanno, Nash, Attorney Brigliadoro, Engineer Lemanowicz, Secretary Steinhilber. Absent: Vice Chairman Krautheim, Alternate Masi

1ST CASE: MICHAEL HAMMER (CARRY OVER)
105 JEFFERSON PLACE, BLOCK 39, LOT 10

Attorney Brigliadoro explains the Applicant needs to obtain a D-variance and in order to obtain that variance the Applicant needs 5 Board members to approve, since we only have 5 Board members this evening the Applicant would like to carry the case to our December 11, 2019 meeting. The Applicant does not need to re-notice the public.

2ND CASE: THE MANOR @ TOTOWA LLC
100 SHEPARDS LANE, BLOCK 12, LOT 1.02

Attorney for the Applicant is Paul Jemas, this Application was previously approved but because the building was unsafe it needed to be demolished. Applicant needs to amend the site plan because of this.

Patrick McClellan, was sworn in by Attorney Brigliadoro, is a licensed Engineer and is considered an expert in his field by the Board. Engineer McClellan prepared the plans for this evening. The Application was approved and construction began, but the Engineer Company, Efsen, found major structure flaws, water inflammation of ground and some

organic materials under the building. Modifications to the site plan was to remove the existing building and to replace with a new one which created an increase in the setback which was originally 107.1 feet and will now be 168 feet. A letter marked Exhibit A-1 is from Efsen dated September 24, 2019 and was addressed to the Borough of Totowa Building and Engineering Department. A letter marked Exhibit A-2 is a letter from Steven Corso, dated September 27, 2019 and was addressed to the Borough of Totowa Building and Engineering Department, also sent to them was Exhibit A-3 a letter from Patrick McClellan dated October 18, 2019. A site plan marked Exhibit A-4 was created by Patrick McClellan and also submitted to the town, sheet 2, 3, and 4 are from previous set. Exhibit A-5, sheet 2 of 9 of the previous plans was dated 7-16-2019 the site dimension plan-the current status of site plan from the previous application. Exhibit A-4, sheet 2 of 9 is the new plans showing the setback is 60 feet more than the previous and shows more landscaping.

Engineer McClellan reviews Totowa's engineer's report, which is Exhibit B-1 dated 11-13-2019.

1. Front yard setback from 107.1 feet to 168.3 feet
2. Reduce building height from 51.5 feet to 47.5 feet
3. Increase in F.A.R.-was 51.4% and is now 56.2%
4. Maximum impervious coverage within 3,000 square feet from previous application
5. 303 previous parking spaces to 324 parking spaces

Variance & Waivers

1. Summarizing variances needed and site plan approvals
2. Amended plan to remove 8' compact spaces, which is part of the 324 to 9' spaces that would reduce the spaces to 322

General & Layout

1. Will notify and comply
2. Acknowledge
3. Still working with the architect and will provide if application is approved
4. Will comply-one parking space per unit will be assigned

Chairman Fierro would like on record that the additional parking spaces will not be rented

5. Will revise to 8 handicap spaces
6. Will comply
7. This is just a comment
8. Not intended for commercial use-the Applicant will agree to a condition of approval

Landscaping & Buffers

9. Will supply a copy to Totowa Engineer and will comply with our Engineer
10. Will review and if adjustments needed they will comply
11. Will depict on plan
12. Will comply with fence around tennis courts-this was addressed at prior application
13. More screening-Applicant will comply

Grading & Drainage

14. Will supply
15. Prepared a report in the previous application-Applicant will update
16. Will provide
17. This comment makes sense
18. Cumberland Ave side will be noted
19. Would like to see it stay green-will provide with cuts of attention

Lighting

20. Will incorporate into the plan
21. Will modify and comply with towns ordinance
22. Not to be lighted
23. Will include in revised lighting plan

Utilities

24. No objection

Traffic Report & Architecture

Will refer to the experts

Other Jurisdictions

30. Part of water and sewer extension
31. Will do what works best for emergency responders
32. Some are obtained and some are in process
33. Will prepare and be ready shortly within 1-2 weeks

Commissioner Patten would like to know how the parking will be controlled; there will be a gate at the entrance with a keypad. Engineer Lemanowicz asked about siren activated and power failure, there will be a siren activated entrance and there will be generators in case of a power outage.

Steven Corso, Architect, was sworn in by Attorney Briigliodoro. Mr. Corso has 40 years' experience and his lessened is current in the state of New Jersey, the Board accepts him as an expert in his field. Exhibit A-6 are plans prepared by Mr. Corso, Exhibit A-7 is a color rendering of the proposed building. The Architectural plans are A-1 and A-3. The proposed application is for 22 one bedroom units that range from 1150 to 1320 square feet and 118 two bedroom units ranging from 1350 to 2650 square feet, there will be 4 exit stairs and 2 elevators off the lobby. The air conditioning units are on the roof and the height of the roof including the units is 47.5 feet. Part of A-6, Architectural sheets, which are part of his plans. Commissioner Patten asked if there is no access from Cumberland Ave to this building, the answer is no. Chairman Fierro would like to know how many units were proposed on the previous existing building, there were 8 units in the old building and there will now be 28.

Joseph Staigar, traffic engineer, was sworn in by Attorney Briigliodoro and is considered an expert in his field by the Board. Exhibit A-8, traffic impact study report that was dated October 29, 2019. The report is similar to the previous application which reflected the Childrens Home at full operations with 68 staff members in the first shift and 11 staff members in the second shift. This report generated 67 trips in the morning peak hours and 72 trips in the evening peak hours. The new application actually has decreased to 19 less trips in the daytime and 11 less trips in the evening. Shepard Lane and Union Ave

capacity analysis was done at three different times, the first was done in March 2017, second March 2019 and third October 22, 2019. The report show operating with different ranges that go from A to F, A is 0 to 10, B is 10 to 20, C is 20 to 30 and so on. On the report done on October 22, 2019 taking into consideration the other application that is approved for building the report showed a D-E range. The Applicant will submit to the County for their approval because Union Blvd is a county road. The isle widths are 24 feet which is sufficient for 2 way traffic. The garage doors at two ends will have keypad entry and emergency vehicle access will be provided in a truck circulation plan. Commissioner Nash would like to know how the time is figured for people going to and from work. The ITE determines trip generation rate with the data that is sent to them. Commissioner Patten asked about the parking garage spaces, if 24 feet wide is enough to do a k-turn. Mr. Staiger explains it is a 27 feet wide width. Commissioner Mancini asked if the fire trucks will have any issues getting around to the back of the building, there will be an emergency gate from Cumberland Ave for that.

Jeffery Stiles, Planner, was sworn in by Attorney Briigliodoro and has a current New Jersey license and is considered an expert in his field by the Board. Mr. Stiles prepared the plans from the last application, but was not present at it. The property is located in an R-40 zone in a single family zone. Mr. Stiles feels the change of this application is for the good because the front yard setback has increased, the maximum building height has decreased, the maximum F.A.R. has increased because of larger units which are more attractive and will have less turn over, and maximum impervious coverage. The positive aspects of this application helps Totowa's master plan to redevelop older rundown buildings. The negative aspects are substanly impaired, the traffic will work and there will is no commercial use.

At this time the meeting is open to the public.

Robert Van Wyck, resides at 239 Maitland Ave in Paterson, was sworn in by Attorney Briigliodoro. Mr. Van Wyck would like to know if there is one vehicle per unit and if 2 are needed the overflow will spill over onto the streets. Attorney Briigliodoro states the Applicant meets the parking standards and they actually exceed the standards. Engineer McClellan states there will be only one space specifically assigned per unit and there is a total of 322 spaces available. Mr. Van Wyck read a statement that was prepared by him about his experience in his home for 27 years.

Frank Grosso, resides at 131 Shepards Lane, was sworn in by Attorney Briigliodoro. Mr. Grosso would like to know if the units are rentals or condos. Attorney Briigliodoro states under the law the Board only has jurisdiction to approve/deny the type of use not the ownership. Mr. Grosso has concerns about making a left turn onto Union Blvd and suggests that it be a right turn only. Attorney Briigliodoro states that Union Blvd is a county road and we cannot decide that.

At this time a motion was made by Commissioner Patten to close the public portion of the meeting.

Attorney Briigliadoro sums up the application.

A motion was made by Commissioner Patten to approve the application and was seconded by Commissioner Mancini. Application passes 5 – 0 at 9:05 P.M.

RESOLUTION TO MEMORIALIZE:

1ST CASE: PATRICK & JENNIFER FIORITO (CARRY OVER)
37 CRESCENT AVE, BLOCK 128, LOT 24

Application was approved for construction of an addition requiring variance for side yard setbacks.

A motion to adjourn the meeting was made by Commissioner Bavazzano and seconded by Commissioner Patten. The meeting was adjourned at 9:09 P.M.

Respectfully submitted,
Pam Steinhilber, Secretary