BOROUGH OF TOTOWA
PLANNING BOARD

PASSAIC COUNTY
NEW JERSEY

MINUTES – SEPTEMBER 11, 2025

Chairman Hanrahan called the Planning Board meeting of Thursday, September 11, 2025 to order at 7:30 p.m. for the Borough of Totowa.

PRESENT:

Commissioner Zarek	Commissioner Murphy	Commissioner Sabatino	Commissioner Niland
Councilman D’Angelo	Commissioner Festa	Commissioner Coyle	Vice Chairman Coiro
Chairman Hanrahan	Paul Danner, ESQ	Tom Czerniecki, Planner	

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 11th day of September 2025 is in accordance with the Schedule of Annual Notice, which is posted, and in accordance with Chapter 231 P.L. 1975 of the State of New Jersey. The agenda for this meeting has been prepared and distributed to the members of the Planning Board, posted on the Borough’s website and a copy has been on file in the Construction Official’s Office. The Planning Board Agenda has also been posted on the entrance doors to the Municipal Building including the entranceway for handicapped individuals.

ITEM #1

Total Quality Trucking LLC	Block 166.04 – Lot 1	Minor Site Plan Approval
999 Riverview Drive	(Suite 303)	Certificate of Occupancy

Mr. Artur Aydinov appeared requesting approval for occupancy of office space for his Trucking Company..

Planning Board Attorney advised that since he was incorporated, he would need to be represented by Legal Counsel and would be carried to our next regular meeting of September 25, 2025 at 7:30pm.

Mr. Aydinov agreed and will return with an attorney at the next meeting.

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to carry this matter to the meeting of September 25, 2025 at 7:30pm

Nine agreed to a roll call vote… 9-0

ITEM #2

BMD Totowa LLC (Dunkin Donuts)	Block 174 – Lot 3	Preliminary & Final Site Plan
410 Minnisink Road		Ancillary bulk variance relief

Mark Semeraro, Esq. and Mr. Ever Santana, employee of BMD, appeared requesting a preliminary and final site plan approval with ancillary bulk “c” variance relief for purposes of modifying the existing drive-thru aisle into two lanes, relocating the existing dumpster on the Site, removing an existing guardrail along the southwest side of the Site, removing the existing metal gate on the Site, and increasing the curb size at the rear of the Site. The Applicant also seeks bulk relief for maximum lot coverage given that it will exceed the

20% maximum lot coverage in B-3 zone. The Applicant does not seek to make any interior changes to the Dunkin Donuts. Instead, it seeks approval to widen the existing drive-thru lane to create two lanes – the second of which will service an expanding pre-order mobile business. In addition, it helps to reduce and/or eliminate existing parking issues for customers at the Site. The number of employees will not change.

A discussion between the Applicant's counsel and the Planning Board regarding existing non-conformities: (1) Lot Area – A minimum of one acre is required and the Site contains approximately 0.588 acres; (2) Lot Depth – A minimum of 200 feet is required and the Site only has a depth of 146.8 feet; and (3) Front Yard Setback – A minimum of 40 feet is required and the existing building has a front yard setback of 37.8 feet. The Applicant does not seek to expand or intensify these specific non-conformities.

In addition, there was discussion related to the Applicant's desire to remove the existing gate on the Site. Mr. Semeraro discussed the issue with Fire Chief Schopperth in advance of the hearing. The Applicant's counsel represented his understanding that the Fire Chief did not object to the removal, although Mr. Semeraro acknowledged that the gate would not be removed unless the Applicant receives a formal written response from the Fire Chief not objecting to the removal.

Mr. Hansen, P.E., a licensed engineer, provided testimony regarding the current Site conditions and proposed changes. The Site currently has three access points from Minnisink Rd. and thirty parking spaces, where twenty are required. As per Mr. Hansen, the proposed changes seek to improve the traffic at and on the Site. The proposed changes would reduce the parking spaces by one to twenty-nine, and re-stripping of the parking lot may further reduce the number of spaces to twenty-seven. Mr. Hansen testified as to the relocation of the existing dumpster and its enclosure from the southwest corner to the southeast corner, which will improve traffic flow. In addition, Mr. Hansen testified that the fencing for the enclosure will be six feet high, which does not exceed the height limit. He testified that bollards will be installed to further protect the area. There was also discussion concerning the removal of the existing guard rail on the Site, which appears to have no current use. As per the Applicant, the landlord consents to the removal. The Planning Board's Engineer did not object to its removal.

Mr. Nicolas Kennedy, P.E., a licensed engineer, testified concerning the parking study/assessment, dated May 27, 2025, which included discussion of peak usage of the Site. Mr. Kennedy testified that the maximum demand during this time (7:00 a.m. to 10:00 a.m. on Friday workday) was sixteen parking spaces. He also testified that the new drive-thru configuration will improve traffic flow in/out of the Site and traffic circulation on the Site. There was also discussion of the County's concerns raised in its letter to the Planning Board, dated August 21, 2025, including parking spaces proposed to be in the right-of-way. Mr. Kennedy advised that in the event the County requires the Applicant to remove those spaces from the right-of-way, the Site will still have more than the required twenty spaces.

A motion was offered by Commissioner Festa, seconded by Commissioner Niland to open the public portion of the meeting.

Nine agreed to a roll call vote… 9-0

NO PUBLIC TO BE HEARD

A motion was offered by Commissioner Festa, seconded by Commissioner Niland to close the public portion of the meeting.

Nine agreed to a roll call vote… 9-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the preliminary and final site plan approval with ancillary bulk "c" variance relief as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

1. Applicant shall comply with any terms and conditions set forth in either the Borough Board Engineer, Michael Cristaldi's report, from Alaimo Engineering or testimony regarding this application.
2. The Applicant is responsible for obtaining approval of the plan application from the County of Passaic, which is a condition hereto.
3. The granting of this application is subject to and conditioned upon the review and approval of the Borough Fire Inspector, Fire Sub Code Official and Building Inspector with respect to any internal partitions, exits, entrances and fire safety devices.
4. The granting of this application is subject to and conditioned upon Applicant supplying the Borough of Totowa Police Chief or his designee with an emergency contact list. The Police Chief or his designee shall also review and approve the installation of all alarms and security devices.
5. The granting of the application is subject to and conditioned upon Applicant providing payment in full of all taxes, fees, escrows, assessments and other amounts due and owing to the Borough and/or any other agency. Any monies are to be paid by Applicant within twenty days of said request by the Board Secretary.
6. The granting of the application is subject to and conditioned upon Applicant providing a revised Zoning Table on the cover page of the Site Plan and providing the calculation for the building only on the Site, as per the Applicant's communication(s) with the Town Planner.
7. The removal of the existing gate on the Site is subject to and conditioned upon Applicant receiving written notification from Fire Chief Schopperth not objecting to its removal.
8. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Totowa Planning Board, County of Passaic, State of New Jersey, or any other agency having jurisdiction hereunder.
9. All internal construction by Applicant, if any, will be submitted by and through the normal building process for the Borough of Totowa.

Nine agreed to a roll call vote… 9-0

ITEM #3

Boot Barn, Inc	Block 170 – Lot 3	Preliminary & Final Site Plan
545 Route 46		Design Waiver

Mr. Semeraro, attorney for the applicant, and Danielle Snell, District Sales Manager for Boot Barn, appeared requesting a preliminary and final site plan approval with design waiver relief approval of approximately 18,056 square feet of the 45,376 square foot of retail space specializing in Western clothing, cowboy boots, workwear, home décor, and other outdoor recreation merchandise

The Applicant plans limited site improvements, the majority of which are to be done internally, minor alterations to the facade, which includes a cantilever "eye-brow" with signage, and pylon signage to replace a portion of the prior tenant's sign. The existing storefront doors are to remain in their location, as approved with the Lidl application.

The exterior facade will undergo minor alterations. A parapet is proposed to be affixed to the existing facade located approximately thirteen feet and nine inches up from the sidewalk. The bottom portion of the parapet is proposed to extend approximately four feet from the façade, which will create an overhang above the entryway. The top portion of the parapet is proposed to extend two feet from the façade. The middle of the

Parapet is proposed to have reclaimed barn wood siding behind the illuminated lettered signage spelling the words “Boot Barn”. The length of the parapet, measured from the bottom of the entryway to the top is approximately thirteen feet and three inches. The Applicant seeks design relief with respect to the size of the proposed façade signage. The application also triggers certain parking considerations.

Ms. Snell testified that Boot Barn currently has 482 stores nationwide and six currently in New Jersey. It sells Western-inspired goods and was described as having a similar business to the former tenant, Marshalls. The hours of operation will be 9:00 a.m. to 9:00 p.m., Monday through Saturday, and 10:00 a.m. to 7:00 p.m. on Sunday. There will be seven to eight employees at any one time. All deliveries will be during business hours. The Applicant plans to build a façade consistent with other Boot Barn locations and its branding. It also plans to place vinyl film on the front windows, but the film does not obstruct the view into the leased space. Based on prior experience at other Boot Barn locations, Ms. Snell testified that the maximum number of customers will be forty at any one time.

Matt Evans, licensed architect, testified regarding the proposed changes to the façade. Specifically, he testified that the Applicant seeks to install distressed wood with channel letters on the façade. Mr. Evans further testified that the Applicant seeks relief to install a façade sign totaling one hundred twenty-five square feet when thirty square feet is permitted. This prompted discussion with the Planning Board over the proposed size of the sign. The Applicant stated that it would be occupying approximately 40% of the space formerly occupied by Marshalls with Lidl taking the remaining 60%. The Planning Board noted that the resolution approving Lidl’s application granted it relief to install a façade sign approximately the same size (126.47 square feet) to the current proposed façade size, which raised concerns as to the proportionality of the proposed Boot Barn sign. The Applicant recognized the Planning Board’s concerns and agreed, if approved, that it would install a façade sign no bigger than ninety square feet.

There was additional discussion concerning the pylon sign. The Applicant proposed to install a pylon sign in the space on the pylon formerly occupied by Marshalls. The Planning Board advised that it does not necessarily object to the proposal, but, as part of Lidl’s resolution, it was granted permission to use to entire pylon space formerly used by Marshalls. The Applicant’s counsel advised that it would address the issue(s) with the landlord, it would be worked out among the interested parties, and that the pylon signage for the Lidl and Boot Barn would not exceed the prior size of the Marshalls pylon signage.

Nicolas Kennedy, P.E., a licensed engineer, testified concerning the parking study/assessment, prepared by Atlantic Traffic & Design, dated August 30, 2024, prepared in connection with the recent Lidl application, and general parking conditions at the property. He testified that there are currently five tenants on the property with the Applicant being the number six. As per Mr. Kennedy, a shopping center generally requires seven spaces per 1,000 square feet and auto sales one space per 400 square feet. Based on these requirements, the Borough Ordinance technically requires 1,482 parking spaces. The current supply is 1,090 spaces, which leaves a shortfall of 392 spaces. However, based on the parking study, the actual demand for parking in the area of the shopping center for the Staples, Lidl, and Boot Barn is 131 spaces when 182 spaces are available in the area. Thus, as Mr. Kennedy testified, while technically there is a shortfall across the entire site, the available parking space in the area adjacent to the Boot Barn is sufficient.

A motion was offered by Commissioner Festa, seconded by Commissioner Niland to open the public portion of the meeting.

Nine agreed to a roll call vote… 9-0

NO PUBLIC TO BE HEARD

A motion was offered by Commissioner Festa, seconded by Commissioner Niland to close the public portion of the meeting.

Nine agreed to a roll call vote… 9-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the preliminary and final site plan approval with ancillary bulk "c" variance relief as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

1. Applicant shall comply with any terms and conditions set forth in either the Borough Board Engineer, Michael Cristaldi's report, from Alaimo Engineering or testimony regarding this application.
2. The Applicant is responsible for obtaining any and all approvals of the plan application from the County of Passaic.
3. The granting of this application is subject to and conditioned upon the review and approval of the Borough Fire Inspector, Fire Sub Code Official and Building Inspector with respect to any internal partitions, exits, entrances and fire safety devices.
4. The granting of this application is subject to and conditioned upon Applicant supplying the Borough of Totowa Police Chief or his designee with an emergency contact list. The Police Chief or his designee shall also review and approve the installation of all alarms and security devices.
5. The granting of the application is subject to and conditioned upon Applicant providing payment in full of all taxes, fees, escrows, assessments and other amounts due and owing to the Borough and/or any other agency. Any monies are to be paid by Applicant within twenty days of said request by the Board Secretary.
6. The Applicant is responsible for maintaining a safe parking lot area.
7. Subject to all other applicable rules, regulations, ordinances and statutes of the Borough of Totowa Planning Board, County of Passaic, State of New Jersey, or any other agency having jurisdiction hereunder.
8. With respect to the pylon sign, while it did not require relief, the installation of any pylon signage shall not exceed the pylon space formerly occupied by Marshalls and such space shall be apportioned by and between the Applicant and Lidl, and if no such apportionment agreement can be reached, the Applicant cannot use other areas of the pylon sign without seeking corresponding relief from the Planning Board.

Nine agreed to a roll call vote… 9-0

ITEM #3

Three Crown Development, LLC Block 9 – Lots 3 3rd 1YR Extension Request
Final Major Site Plan

Chairman Hanrahan read a letter from the attorney requesting the Board grant the third one-year extension of the Board's approval affording the Application protection(s) in connection with this Project. This is the Applicant's second such request.

Applicant received approval from the Board on June 24, 2021, and memorialized on August 12, 2021, for final major site plan approval with ancillary "c" variance relief and design waiver relief, pursuant to the provisions of the Board's Resolution. The initial two-year period of protection expired on August 12, 2023. The Applicant received two subsequent one-year extensions (at the Planning Board meetings on August 10, 2023 and August 8, 2024), bringing the current expiration date to August 12, 2025.

In considering the extension request, the Board engaged in a balancing test weighing both factors for and against the extension, including the complexity of the Project. After considering all such factors, the Board determined an extension would be appropriate.

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the request for the third one-year extension which will begin on August 12, 2025 and end August 12, 2026.

Nine agreed to a roll call vote… 9-0

ITEM #5
Review of Borough Ordinance 14-2025

Borough Attorney, Paul Danner, provided an overview of his review and explained that the Ordinance was to correct an administrative issue when the wrong attachment was affixed to a prior amendment. He also stated that the proposed Ordinance is consistent with the Borough's Master Plan. There were no comments from the Board Members, therefore a motion was made by Commissioner Festa and seconded by Commissioner Niland to recommend approval to the Mayor and Council.

Nine agreed to a roll call vote… 9-0

MINUTES:
A motion was offered by Commissioner Murphy and seconded by Commissioner Niland to approve the Planning Board regular Meeting Minutes of August 14, 2025 as presented.

Seven agreed to a roll call vote… 7-0
Commissioner Zarek & Chairman Hanrahan abstained

RESOLUTIONS:
A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the resolution for Adult Housing District Overlay Zone – Ordinance 11-2025 as prepared.

Five agreed to a roll call vote… 5-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the resolution for BC International Group Inc - Block 170.03 – Lot 6 as prepared.

Six agreed to a roll call vote… 6-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the resolution for Seclen Services LLC - Block 92 – Lot 1 as prepared.

Six agreed to a roll call vote… 6-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the resolution for Hotform Fitness - Block 106 – Lot 1 as prepared.

Six agreed to a roll call vote… 6-0

A motion was offered by Commissioner Festa and seconded by Commissioner Niland to approve the resolution for AAA Northeast - Block 174 – Lots 1, 3.02, 4.002, 5 & 6 as prepared.

Six agreed to a roll call vote… 6-0

There being no other business, a motion was offered by Commissioner Murphy and seconded by Commissioner Niland to adjourn the meeting.

All in favor………9-0

Respectfully submitted,

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Anthony Murphy, Secretary

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Patricia Paulson
Board Clerk

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Date Approved