

BOROUGH OF TOTOWA

PASSAIC COUNTY, NEW JERSEY

BOARD OF
ADJUSTMENT



MUNICIPAL BUILDING
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The September 13, 2023, a regular meeting of the Borough of Totowa Board of Adjustment was held at the Municipal Building. Chairman Fierro called the meeting to order at 7:05 P.M.; followed by the Flag Salute. Attorney DeDio read the Open Public Meetings Act and the Remote Meeting Protocol.

Attorney DeDio swore in new Alternative Lynn Tedeschi for a two-year term and a roll call was taken.

A motion to accept the minutes of the August 9, 2023, meeting was made by Commissioner Carr and seconded by Commissioner Mancini. On a roll call vote all Commissioners present voted in the affirmative.

Present: Chairman Fierro, Vice Chairman Krautheim, Commissioners Mancini, Carr, Alesandrelli, Alternate Henry, Tedeschi, Engineer Cristaldi, Attorney DeDio. Absent: Commissioners Patten, Nash, and Planner Green.

1st Case: Simram LLC, 572 Union Blvd, Block 139, Lot 2-construction of mixed -use building, retail and residential requiring variances.

Attorney Corrado spoke with the Applicants Attorney, Raymond Reddin sent a letter to Board Attorney DeDio that he is in the process of getting revised plans and would like to carry this application to the September 13, 2023, meeting. A motion was made by Vice Chairman Krautheim to carry it to the September 13, 2023, meeting and was seconded by Commissioner Mancini. Attorney DeDio states no re-notice or republication will be needed.

2nd Case: 100 Shepherds Lane, Block 12, Lot 1.02

Paul Jemas, Attorney for the Applicant explains this is the fourth and final phase of this project, the prior 3 were approved by this Board.

Patrick McClellan, Engineer, business address is 11 Furler Street in Totowa is considered and expert in his field by the Board. Mr. McClellan has been a part of this project since the beginning.

The amended site plan, marked exhibit A1, dated August 30, 2023, is a set of 5 sheets. The first application was for 120 units, the second application changed from 120 to 140 units and the third application was from 140 to 173 units which have been completed. The property is 10.3 acres in size. The final phase for this application is an additional 120 units in a new 2 buildings at the north end of the site. Sheet 2 of 10 of the site dimension plan show the total 173 residential units with 385 existing parking spaces. The fourth phase on the north end of the site with new access driveway going up a hill into a center courtyard that will service the 2 new buildings. The proposed 4-story building will have 4 stories of residential units and 2 levels of parking underneath and because of the grading of the property they will be underground. On sheet 3 it shows the parking lot with the additional 342 parking spaces. The total with the proposed addition is 293 residential units with 727 parking spaces. The variances being requested are:

1. Minimum front yard setback where 50' is required and 32.2 is proposed.
2. Side yard setbacks where 20' is required and 15' is proposed.
3. Maximum building height where 35' is allowed and 47' is proposed.
4. Maximum number of stories.
5. Maximum F.A.R. relief.
6. Lot coverage where 20% is allowed and 41.9% is proposed.
7. Multiple principal structures on a single lot.

Parking spaces are consistent to previous approved applications:

1. 311 spaces 9' x 18', which requires a variance of waiver per ordinance, but it is contestant with residential site improvement standards.
2. 18 compact spaces 8' x 18'.
3. 8 handicap accessible spaces-all van accessible.
4. 5 spaces in the courtyard for visitors.

Solid waste disposal refuge area at the northwest corner of the building on the roadside of the wall. Board engineer Cristaldi's letter dated September 11, 2023, and marked B1, the applicant will comply with all of Mr. Cristaldi's concerns. Vice Chairman Krautheim asked about the drainage. Mr. McClellan explains the existing detention basin on site which was figured for this new construction will work with the new construction. A new report was sent to Mr. Cristaldi and the applicant and they are working together on how the additional drainage will discharge to the existing basin and will comply with the new regulations. The applicant still has to file for works approval for the sanitation and water extensions and will file for review. Commissioner Alesandrelli asked where the existing dumpster and refuge is for the existing building and how often they are emptied. The refuge is handled by the building management and if more pick-ups are needed, they will increase that with the company. Commissioner Carr asked about the location of building lighting. There will be a retaining wall on that side with a landscaping plan that shows landscaping on that wall which could be a screen and there will only be some building mounted lighting for security reasons.

Steven Corso, Architect, business is located at 676 Bloomfield Ave in Bloomfield, NJ and is considered an expert in his field by the Board. A color rendering marked exhibit A2, front view of the building, with a set of 5 sheets A1-5 and Floor plans and exterior views, marked A3 were all prepared by Mr. Corso. The proposed 4-story building mirrors the previous building. There will be a two-tone brick face with fiberglass shingles for the mansard roof. The mansard roof shields the roof equipment. There will be 2 access hatches to get to the roof on each building. The lower levels have parking with 2 elevators, lobby, and mechanical room for each parking lot. There will be a total of 92 two-bedroom units and 28 one-bedroom units. Twelve of the two-bedroom units will have a study and 10 of the one-bedroom units will have a study. The two lobbies are entered off the courtyard have a 2-story entrance way with 2-stories of glass which can be seen on sheet A5, rear elevation of the front building. The one-bedroom units range from 970 square feet to 1,530 square feet and the two-bedroom units range from 1,110 square feet to 1,780 square feet. Commissioner Mancini asked if there are enough parking spaces to accommodate the units. Mr. Corso replies that there are 342 new spaces for this addition and that is more than sufficient. The guests will have access to the parking spaces and the tenant of the new addition will also have access to the existing accommodations.

Joseph Staigar, traffic engineer, business is located at 17 Tremont Drive, East Hanover, NJ, and considered an expert in his field by the Board. Mr. Staigar has prepared the traffic impact study report, marked exhibit A4 and dated August 31, 2023. The study is in three parts:

1. Existing conditions.
2. What the projections are for future traffic volume.
3. What the impacts may be and come up with a plan that works safe and effectively in terms of traffic.

Traffic counts were conducted at the corner of Shepherds Lane and Union which were lighter than in 2017 and 2019. Mr. Staigar thinks it may be because more people are working from home and the flexibility of meeting times. Union Blvd has 1000 counts per hour traveling two-way southbound in the morning and northbound in the afternoon and 150 counts on Shepherds Lane. Mr. Staigar also configures the study with the 54 townhouses that are currently under construction on Shepherds Lane. With the proposed 120 new units it would generate 41 trips in the morning peak hours and 47 trips in the evening peak hour. After 9 A.M. and before 4 P.M. the count was taken of parking spaces and the lot was 2/3 full during that time period. The addition has a minimal impact on traffic. There is more than sufficient parking and has good flow entering and exiting the building. Mr. Staigar has suggested to the Applicant 222 parking spaces for visitors and should also be designated that way. This addition will operate the same way as the existing 173 units, which is working well. Deliveries and emergency vehicles can get in and out of the parking area and they tested the Borough of Totowa's ladder truck through the property, the cul-de-sacs will need to be slightly modified for that truck, but the rest of the emergency vehicles are good and garbage pick-up vehicles are also good. Vice Chairman Krauthaim states he travels down the Boulevard and does not see a lot of traffic coming down Shepherds Lane, most of the traffic is from Paterson/Union Ave, into and out of Totowa. Commissioner Mancini asked if when coming

down Shepherds Lane onto the Boulevard if that can be a right turn only. Mr. Staigar states that is a county road and they would have to decide that. Board engineer Cristaldi states when the fire access is finalized it will need to be submitted to the fire department to review and accept. There will be accommodations for emergency vehicles. Commissioner Alesandrelli would like to know if the 54 town units behind Murphy Court were figured into the traffic counts and Mr. Staigar confirms they were included. Commissioner Alesandrelli would also like to know what month the 2017 and 2019 calculations were done in to see if schools were open at that time. Mr. Staigar can confirm that in 2017 it was done in March but is not sure what month the 2019 study was done in.

Jeffrey Stiles, Planner, business address is Headquarter Plaza, Morristown, NJ, and is considered an expert in his field by the Board. Mr. Stiles has been involved since the very start of this project and has reviewed all the plans that were submitted. The existing site seems very quiet and most of the amenities are not being used. This is the fourth phase of the development and was originally proposed as built as needed. The location is in the R40 single-family low-density zone. It was zoned that way years ago because of the cemetery and senior unit. The variances needed are:

1. D4 variance for F.A.R. where 98.9 is being proposed and a maximum of 30% is permitted.
2. Height variance where 47.5' is proposed and 35' if permitted.
3. Bulk variance for maximum impervious coverage of 41.9% is proposed and 20% is permitted.
4. Minimum front yard set back where 32.2' is proposed and 50' if required.
5. C-variance for side yard where 20' is required and 15' is being proposed.

There is also a design waiver needed because of parking. The positive criteria are this is a better use of property than zoning allows for and the negative criteria to consider is should the Board grant these variances. The D-1 variance for multi-family use verses the allowable single family. The Boroughs master plan has a number of goals and objectives-redevelopment of older properties and commercial properties that are in need of redevelopment. The height variance is consistent with the previous building. Impervious surface coverage being requested is 41.9% impervious coverage where 20% is permitted. The front yard setback is 32.3' from Shepherds Lane where 50' is required. The side yard setback is 15' verses 20'. This is a better planned alternative all around with existing units of 173 with very little disturbance and very little additional parking and access ways. There will not be a substantial detriment to the community, environment or safety. Chairman Fierro asked if the new units will be purchasable. Mr. Stiles states that will depend on the market at the time of completion.

At this time the meeting was opened to the public.

There is no public to be heard and a motion was made by Commissioner Alesandrelli to close the public portion of the meeting and was seconded by Commissioner Carr.

A motion was made by Vice Chairman Krautheim to approve the application and was seconded by Commissioner Carr. The application was passed 7 - 0 at 8:20 P.M.

Resolution to Memorialize: Bariso Properties LLC, 281 Dewey Ave, Block 116, Lot 27. A motion was made by Commissioner Alesandrelli to memorialize the Application and was seconded by Commissioner Carr.

A motion to adjourn was made by Commissioner Alesandrelli and seconded by Commissioner Mancini @ 8:25 PM.

Respectfully Submitted,

Pamela Steinhilber