

BOROUGH OF TOTOWA P L A N N I N G B O A R D

PASSAIC COUNTY
NEW JERSEY



MINUTES – May 14, 2015

Chairman Hennion called the Planning Board meeting of Thursday, May 14, 2015 to order at 8:05 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Commissioner Campilango	Commissioner Festa	Councilman D'Angelo
Commissioner Pohlman	Mayor Coiro	Commissioner Murphy
Mike Cristaldi, PE	Richard Briigliadoro, ESQ	

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 14th day of May 2015 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 and a copy has been on file in the Construction Official's Office.

ITEM #1

Charles Bressman	Block 172 – Lots 2, 3, & 3.01	Minor Sub-division
800 Riverview Drive	(<i>carried</i>)	2 non-conforming lots
530-540 Route 46 West		

Counsel for the Applicant addressed the Planning Board in regard to the issue of whether or not the Planning Board is divested of jurisdiction to consider the application for development while the appeal is currently pending before Judge Brogan in the Superior Court of New Jersey, Law Division - Passaic County. Mr. Semeraro argued that the Board had discretion as to whether or not to hear the application notwithstanding the pending appeal before Judge Brogan.

There were no members of the public present expressing an interest in this application.

The Planning Board after considering the arguments of counsel and the advice of the Board Attorney, determined that the Board lacked jurisdiction to consider the application before it. The Planning Board concluded that once an applicant has received a decision of a board and an appeal has been filed with the Superior Court, the Board is divested of jurisdiction to take further action with respect to an application for development on the same property absent a remand.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to dismiss this matter without prejudice. This dismissal is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

Payment of all fees, costs, escrows, due or to become due. Any monies are to be paid within twenty days of said request by the Board's Secretary.

Five agreed to a roll call vote... 5-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to admit Commissioner Murphy into the remainder of the meeting.

All In Favor6-0

ITEM #2

TEP Solutions & Consulting
555 Preakness Avenue

Block 6 - Lot 20

Minor Site Plan
Certificate of Use

Mr. Rohel Ahmed appeared requesting approval for occupancy. TEP will lease approximately 1,100 square feet of space on the ground level and more particularly identified as Suite 104. The nature of the operation will be to provide information technology classes to students as well as information technology consulting services and job recruitment for students who have successfully completed the IT classes to be offered. Each class will be comprised of approximately 10-15 students. A total of fifteen parking spaces are allocated to the Applicant for onsite parking. The anticipated business hours will be 8:00am-5:00pm, Monday through Sunday. There will be two employees in total on site. With respect to signage, the Applicant will place a sign on the entrance door to the suite in order to identify the business. The Applicant has been allocated fifteen parking spaces for the proposed use. The parking will be shared in common with other tenants at the site.

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the minor site plan 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. The construction of internal partitions, exits, entrances and fire safety devices are subject to and require the approval of the fire sub-code official, the fire inspector and the building inspector.
2. The applicant will supply the Chief of Police with an emergency contact list and will also obtain the approval of the Police Chief in regards to all alarms and security devices.
3. There will be no outside storage of materials.
4. The anticipated hours of operation would be Monday through Sunday from 8:00am to 5:00pm.

Six agreed to a roll call vote... 6-0

ITEM #3

Durum Doner
325-327 Union Blvd.

Block 92 – Lot 10

Minor Site Plan
Certificate of Use

Ms. Serife Bulbul appeared requesting approval for occupancy of approximately 650 sq. ft. of to open a small gyro restaurant at this location.

Chairman Hennion read a letter of intent into the record. The anticipated hours of operation are 7:00am-11:00pm, Monday through Sunday. There will be approximately three to five employees. There are eighteen parking spaces on site which parking spaces are shared in common with the other tenants of the building.

Ms. Bulbul testified as to the nature of the business; to have a small takeout style restaurant specialized in Mediterranean cuisine, specifically gyro sandwiches and similar dishes. The Applicant is proposing to have the name of the restaurant on the awning above the entrance to her space. The awning sign will be seventeen sq. ft. of sign area. Also testifying on behalf of the Applicant was the owner of the property, Mr. Skender Meka. Mr. Meka testified that the Borough of Totowa Zoning Board of Adjustment approved the original application in regard to the construction of a mixed use building at this location. Mr. Meka further represented that at that time, the Borough of Totowa Zoning Board of Adjustment approved signage on the awnings in front of each tenant space. The building number is on the façade of the building.

A motion was offered by Commissioner Campilango and seconded by Commissioner Festa to approve the minor site plan as presented. This approval is subject to and contingent upon the following conditions and will be memorialized in a Resolution at a future date:

5. The construction of internal partitions, exits, entrances and fire safety devices are subject to and require the approval of the fire sub-code official, the fire inspector and the building inspector.
6. The applicant will supply the Chief of Police with an emergency contact list and will also obtain the approval of the Police Chief in regards to all alarms and security devices.
7. There will be no outside storage of materials.
8. The anticipated hours of operation would be 7:00am to 11:00pm, Monday through Sunday.

Six agreed to a roll call vote... 6-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve the Minutes of April 23, 2015 as prepared.

Four agreed on a roll call vote.....4-0
Commissioners Festa & Murphy abstained

VOUCHERS:

A motion was offered by Commissioner Campilango and seconded by Commissioner Paese to approve a voucher for Alamo Engineering Professional services as listed below:

- Invoice 082550 Villages @ Totowa in the amount of \$536.25
- Invoice 082932 Meeting Attendance (2/19/15 & 2/26/15) in the amount of \$380.00
- Invoice 082933 2 Center Court, Blk 166.03-Lot 10 in the amount of \$595.00
- Invoice 082934 47-51 Columbus Avenue, Blk 69-Lots 2.02 & 2.03 in the amount of \$247.50
- Invoice 082935 9 Cherba Place, Blk 97-Lot 2 in the amount of \$1,197.50

Six agreed to a roll call vote... 6-0

A motion was offered by Commissioner Paese and seconded by Commissioner Campilango to approve a voucher for Weiner Lesinak Professional services as listed below:

- Invoice 180041 TOT-10L General in the amount of \$933.32
- Invoice 180042 TOT-729L Charles Bressman in the amount of \$466.38

Six agreed to a roll call vote... 6-0

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

All in favor.....6-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Planning Board Clerk

Date Approved