

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

PASSAIC COUNTY
NEW JERSEY



MINUTES – MARCH 28, 2019

Chairman Hennion called the Planning Board meeting of Thursday, March 28, 2019 to order at 8:00 p.m. in the Municipal Building of the Borough of Totowa.

PRESENT:

Councilman D'Angelo	Commissioner Sabatino	Commissioner Campilango	Commissioner Zarek
Commissioner Murphy	Commissioner Ferraro	Chairman Hennion	Mayor Coiro
Vice Chairman Coiro	Mike Cristaldi, PE	Richard Briigliodoro, ESQ	

The clerk read the statement of the meeting as follows: The meeting of the Planning Board to be held on the 28th day of March 2019 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

Price Buster	Block 173 - Lot 33	Minor Site Plan
418 Route 46		Certificate of Use

Mr. Raymond Reddin, Esq. and Applicant Domenic Gerardi appeared requesting approval to relocate his current operation to this new location. The hours of operation will be 11:00 a.m. to 9:00 p.m. Monday through Saturday and 11:00 a.m. to 6:00 p.m. on Sunday. There will be approximately 2 to 3 employees.

Mr. Gerardi also testified that he has been allocated approximately 10 to 15 parking spaces. The nature of the business is a furniture and mattress retail store. In regards to signage, Mr. Gerardi stated that he intends to replace the sign on the building as well as to replace the sign on the pre-existing pylon sign. The Applicant represents that the signs will be no larger than the previously existing signs. The Applicant also stipulated that the Applicant will not place Price Buster "pop-up" signs or any other advertising signs along Route 46 as has been done in the past. Furthermore, the Applicant is not proposing any window signage.

A motion was offered by Commissioner Campilango and seconded by Commissioner Ferraro 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 equipment or materials.
4. The applicant will comply with the Totowa Sign Ordinance.
5. The applicant stipulated that he will not place Price Buster "pop-up" signs or any other advertising signs along Route 46 as has been done in the past.

Nine agreed to a roll call vote... 9-0

ITEM #2

Corbion
700 Union Blvd

Block 180 - Lot 5

Certificate of Use &
Amended Site Plan – Driveway

Mr. Glenn S. Pantel, Esq. of the Law Firm Drinker Biddle & Reath LLP appeared requesting the approval for an amended preliminary and final major site plan approval and minor site plan and certificate of use approval. Submitted in support of the application were the following documents:

1. A set of site plans consisting of 29 sheets titled “Amended Preliminary and Final Site Plan for CPT NJ 700 Union LLC” prepared by Dynamic Engineering dated January 9, 2017 with revisions through January 28, 2019.

The Board also considered the following report in connection with this matter:

1. Review report dated March 22, 2019 from Michael Cristaldi, PE, PP, Planning Board Engineer.

The following Exhibit was introduced into evidence during the course of the hearing process:

1. Exhibit A-1 a colored site plan prepared by Dynamic Engineering with revisions through January 28, 2019.

Christopher Richter, P.E., Project Manager, and Dan Sehnal, P.E. from Dynamic Engineering testified to the previously approved warehouse distribution facility in order to modify the westernmost site access driveway to avoid a conflict with an existing utility pole as well as to install a driveway near the southern corner of the property to provide direct access between the subject property and an adjacent warehouse and production facility located on property. The Applicant also proposes other site improvements including, but not limited to, driveway, parking, utility, drainage, lighting and landscaping improvements.

The anticipated tenant on the property is Caravan Ingredients, Inc. d/b/a/ Corbion. Corbion is a leading global producer of bakery products. Corbion intends to lease the entire leasable space at 700 Union Boulevard to create a new distribution center to support Corbion’s production operations at its adjacent location at 100 Adams Drive in Totowa. It was further represented that Corbion is the owner of property at 100 Adams Drive, but will be a tenant at 700 Union Boulevard.

Mr. Richter explained that the new distribution center will store and distribute various food ingredients including flour, grains, salt, sugars, enzymes, minerals and other materials used in the production of bakery products. All items will be palletized, stored and shipped in full unit load capacity, i.e., no repacking.

Corbion’s distribution center operations at 700 Union Boulevard will consist of transporting approximately 10-12 trailers per day of raw materials between the 700 Union Boulevard distribution facility and the 100 Adams Drive production facility via the driveway to be constructed between the 700 Union Boulevard property and the 100 Adams Drive property. The operations at 700 Union Boulevard will also include a number of outbound shipments to customers. Inbound receipts will be scheduled as needed to support production at the 100 Adams Drive production facility.

Mr. Richter testified that there will be three shifts of employees at the 700 Union Boulevard distribution facility. The first shift will have approximately 46 employees, the second shift will have approximately 24 employees and the third shift will have approximately one or a few employees.

Mr. Richter testified that in order to create the access driveway onto the 100 Adams Drive property, the total number of proposed loading spaces was reduced from 52 to 49. The Applicant represented that the reduced number of loading spaces is still adequate to meet Corbion’s needs. In addition, the new driveway access requires the Applicant to shift some light fixtures towards the loading spaces and adjust the associated curbing at the rear of the site.

The next witness to testify on behalf of the Applicant was Daniel Sehnal, P.E., a licensed professional engineer in the State of New Jersey and employed by Dynamic Engineering. Mr. Sehnal testified that access to the Corbion property at 100 Adams Drive would be via a 40-foot wide access way. In addition, in order to create the access drive, Corbion would reduce the total number of proposed loading spaces from 52 to 49. Mr. Sehnal testified that the 40-foot wide access driveway exceeded the 36-foot maximum permitted and that a design exception was required. He represented to the Board that the 40-foot width provides adequate clearance between the properties for safe and efficient traffic circulation. He further explained that a design exception could be granted as the additional width was needed for adequate clearance for trailer access due to the existing layout of the adjacent property, limiting the location where the interconnection driveway could be located.

The pavement for the new cross-driveway creates a de minimis increase of approximately 1,200 square feet in impervious coverage from the previously approved plan. Furthermore, the limits of disturbance will increase by approximately 2,617 square feet from the previously approved plan.

Mr. Sehnal testified that the western access driveway along Union Boulevard has been slightly shifted to accommodate an existing utility pole which Public Service Electric & Gas (PSE&G) is unable to relocate.

The Applicant and the Board engaged in a discussion regarding the access between 700 Union Boulevard and 100 Adams Drive in the event that Corbion is no longer a tenant at 700 Union Boulevard. The Board requested and the Applicant agreed and stipulated that in the event that Corbion is no longer a tenant at 700 Union Boulevard, then access between 700 Union Boulevard and 100 Adams Drive will be discontinued.

The Applicant represented that it would encourage truck traffic to access the site at 700 Union Boulevard via King Road. The Applicant also stipulated that it would continue to undertake efforts to adequately maintain the detention basin on site.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to open the public portion of the meeting.

All In Favor 9-0

Sheiril Sakas, 651 Riverview Drive and Marissa Bruno a resident of 776 Union Boulevard, Totowa, New Jersey. Ms. Sakas had questions and comments regarding storm water infiltration into her backyard which she alleged emanates from 700 Union Boulevard. Ms. Sakas also had questions and comments regarding the amount of truck traffic in the vicinity of her home.

Ms. Bruno had questions about whether or not blasting would be required to construct the new driveway. She also had questions and comments regarding the amount of truck traffic and storm water management.

Mr. Richter in response to the questions and comments raised by the members of the public stated that the detention basin was properly constructed and the Applicant received approval from the New Jersey Department of Environmental Protection (NJDEP) relative to the detention basin on site. Mr. Richter denied that storm water from 700 Union Boulevard is being sent onto the neighbor's property. Mr. Richter testified that there are wetlands adjacent to the neighbor's property. Furthermore, Mr. Richter testified that Corbion has a warehouse in Wayne, New Jersey, which will be closed down and Corbion will consolidate its business operation at the 700 Union Boulevard, Totowa location. As a result, he represented that there will be no significant increase, if any, in and out of truck routes due to the consolidation of Corbion's business operations.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to close the public portion of the meeting.

All In Favor 9-0

After a discussion, a motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the preliminary and final site plan and grant relief as presented. This approval is subject to and contingent upon the following conditions and is memorialized in the Resolution presented:

- 1) Approval is conditioned upon, Hudson/Essex/Passaic Soil Conservation District approval, if required.
- 2) Approval is conditioned upon, Passaic County Planning Board approval, if required.
- 3) Approval is conditioned upon, the NJ Department of Environmental Protection approval, if required.
- 4) The Applicant will encourage trucks to use the King Road entrance.
- 5) The Applicant maintain the detention basin on site.
- 6) The Applicant will discontinue the use of the driveway between 700 Union Boulevard and 100 Adams Drive in the event Corbion, or its successor or affiliate, is no longer a tenant at 700 Union Boulevard.
- 7) The Applicant agrees to open and maintain an escrow account with the Borough of Totowa and to keep the account current with sufficient funds for inspection and review fees.
- 8) The Applicant will comply with all terms and conditions set forth in the Board Engineer's review report dated March 22, 2019.
- 9) All terms and conditions of the Planning Board's previous Resolution remains in full force and effect except as satisfied or amended and not in conflict with this approval.

Nine agreed to a roll call vote... 9-0

ITEM #3

Dunkin Donuts
580 Route 46 E

Block 172 - Lot 5

Amended Site Plan
Signage

Mr. Anthony Fiorello, Esq. appeared requesting approval for an amended site plan for signage. He represented that the franchise is changing their name from Dunkin Donuts to Dunkin. The applicant is requesting approval to change 3 signs.

Mr. McCarthy, District Manager testified as to the nature of the business. The operation will remain as it presently exists – 24hours, 7 days per week. There are 16 employees. Mr. McCarthy indicated that the front door will be changed to a double door.

Planning Board members had questions regarding the number of signs that will be changed. The site plan provided was the original construction site plan and did not display clearly the nature of this application.

Mr. Fiorello suggested that this matter be carried to provide the opportunity for an engineer to prepare a site plan showing the changes that are requested.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to carry this matter to our Planning Board meeting of May 9, 2019.

All in Favor 9-0

ITEM #4

Chateau Express
55 Shepherds Lane

Block 11- Lot 7.01
carried

Amended Site Plan
Increase Occupancy
*Variances – Insufficient Parking, Buffers,
Landscaping, & any others required*

Mr. Robert Podvey, ESQ. returned for the continuation of the application of an amended site plan for Increased Occupancy.

The following Exhibits were introduced into evidence at the time of the hearing:

A-1 - Coronet Memorialized Resolution-September 13, 2018

A-2 - Site Plan dated January 3, 2019 prepared by Matrix New World Engineering

- A-3 - Shropshire Associates, LLC Report on Traffic and Parking Assessment dated January 30, 2019
- A-4 - Internal Expansion Area
- A-5 - Google Map
- A-6 - Architectural Plans prepared by Beneli Group
- A-7 - Truck Turning Plan prepared by Matrix New World Engineering
- A-8 - Memorialized Planning Board Resolution dated April 4, 2016
- A-9 - Proposed Landscape Plan
- B-1 - Letter of Denial dated January 31, 2019

Mr. Podvey, informed the Board that work has actually begun on the parking lot improvements that were previously approved as part of a prior application by the existing tenant Coronet Lighting.

Dylan Ryan, P.E. once again testified on behalf of the Applicant. Mr. Ryan testified that the Applicant has provided a truck turning template to the Board Engineer. The Applicant provided a truck turning template for trucks 55 feet in length. Mr. Ryan demonstrated on the plan how trucks would access the site. During the course of Mr. Ryan's testimony, it was discovered that the turning template did not take into consideration the trailer and the cab, which would mean that the vehicle would be 70 feet in length and not 55 feet in length. The Board and the Applicant reviewed access to the loading dock area and Mr. Ryan admitted that there would be conflicts with trucks entering the site and trucks attempting to leave the site. He stated the Applicant would try to schedule trucks so there would be no conflict. The Board and the Applicant further discussed the width of the driveway, which at one point has a width of 30 feet, and Mr. Ryan stated that two trucks could safely pass each other. However, it was clearly identified on the plans that there is a pinch point where the width of the driveway is only 20 feet wide and that could result in a conflict with trucks attempting to enter the loading dock area with trucks attempting to leave the loading dock area. Board member Peter Campilango stated that he has gone to the site and made observations of the parking situation. Mr. Campilango stated that he has observed cars being parked in tandem in parts of the site and that there are cars parked in every conceivable spot and piece of land on the site. Thus, he raised concerns about the sufficiency of on-site parking with respect to adding a new tenant.

The Board also received a letter from Monsignor Gino Sylva, Rector of the Cathedral of St. John the Baptist, dated March 15, 2019, which was read into the record. The letter stated that the license to park 25 vehicles on Church property was revoked. As a result, the Applicant no longer has the use of this off-site parking area.

The owner of the property Vichai Charalaivan testified that he is the owner of the property and that Coronet's trailers, which are similarly about 70 feet are able to safely go in and out of the site.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to open the public portion of the meeting.

All In Favor 9-0

John Kuiken, 77 Shepherds Lane. Mr. Kuiken stated his observations of the site and the current operation of Coronet Lighting. He stated that independent truckers arrive at the site at all different hours of the day and night. He stated that he has made numerous observations of the parking lot and that the parking lot is always filled and the parking spaces on the Quick Check lot are also filled. Thus, he stated that there is insufficient on-site parking for the current tenant let alone a new tenant being added to the site. He also stated that it appears that Coronet is increasing its operation and they are hiring more employees with more cars coming to the site. He offered his opinion that there is not enough on-site parking.

Mr. Kuiken discussed flooding in the parking lot of the site during times of heavy rain. Mr. Kuiken also stated flooding on the site is also a major concern.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to close the public portion of the meeting.

All In Favor 9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to deny the amended site plan as presented. This denial is based on the following and will be memorialized in a Resolution at a future date:

1. The Applicant has not been able to satisfactorily address the issue of traffic circulation and conflicts on-site with trucks attempting to enter the loading dock area while trucks are attempting to vacate the loading dock area.
2. There is a pinch point where the width of the access way is reduced to merely 20 feet.
3. The Applicant's proofs were inadequate in regard to the turning template provided. The Board specifically notes that the turning template addressed trucks with a length of 55 feet which did not take into consideration the cab area. Thus, the turning template should have been provided for a trailer along with a cab at a length of 70 feet.
4. The owner of the property has failed to properly exercise control over the intensity of the use of the property and the parking requirements for Coronet Lighting the current tenant.
5. In addition to insufficient on-site parking for the proposed tenants, the on-site traffic circulation is inefficient for the proposed addition of additional vans and tractor trailers accessing the site. There are public safety risks associated with the approval of this application due to the failure of either the Applicant and/or the property owner to provide safe and efficient vehicular circulation, parking and loading areas on-site.

All In Favor 9-0

ITEM #5

Three Crown Development
1 Ottilio & 101 Forest

Block 11- Lot 7.01

Preliminary Major Site Plan
81 Unit Multi-Family Development
w/lot merger variances & related relief

Ms. Priscilla Triolo, attorney for the applicant appeared requesting preliminary major site plan approval and related relief for an 81 unit multi-family development within the R-AH Affordable Housing Zone. Variances for the condition of the property regarding a driveway that does not meet width requirements, signage, landscaping, buffers and others will be discussed.

Chairman Hennion excused himself due to a conflict.

The following exhibits were identified and entered:

- A1- Site Plan prepared by the Engineer showing location of the buildings
- A2 – Building drawings – 1st Floor Plan Sheet
- A3 – Building drawings – 2nd & 3rd Floor Plan Sheets
- A4 – Black & White Rendering of Buildings
- A5 – Color Rendering of Buildings
- A6 – Color Rendering of Rear of Building
- A7 – Sample building materials
- A8 – Sample stone for building facade

Thomas Brennan, Architect was the first professional to testify. Mr. Brennan testified that all buildings have the same dimensions and will have elevators as well as parking which is provided under the buildings.

Mr. Brennan explained the garage area for each building will be sprinklered and have 27 assigned parking spaces, each being 18 ft wide. There will be two handicapped spaces. The garage area will also have storage cages for the occupants.

Mr. Brennan testified that all buildings will comprise of two and three bedroom units with an open floor plan in each. The square footage will range from 1,254 sq. ft to 1,394 sq. ft. The 18 Affordable Housing units will be spread out throughout the three buildings. There will be 14 two-bedroom and 4 three-bedroom affordable units. He stated that the 3rd building's second floor will have a slightly different floor plan to accommodate 2 three bedroom affordable units. Each unit will have its own Magic Pack all in one heating/AC unit. Meters will be located on each building, but not all in one location. Mr. Brennan testified that all the units meet the ADA requirements.

Mr. Brennan then went on to discuss the materials that will be used for the exterior of the buildings. Samples were presented showing the quality of product to be used. Mr. Brennan testified that stone and vinyl will be used on the front, sides, and rear of the buildings. There will be a timberline roof, white trim, white windows, and bronze railings.

Totowa Boro Planner, Darlene Green discussed some items that need clarification. She indicated that the Building Program on the plans need verification, the rear façade mentions stucco, and the mailboxes location – free standing vs in each building.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to open the public portion of the meeting.

All in Favor9-0

Vice Chairman Coiro asked that comments/questions be limited to the Architect's testimony. Additional professionals will still need to appear and present testimony.

Mr. Philip Campanaro of 303 Lenox Ave, Paterson had concerns regarding huge water problems, entrance to complex, garbage, and asked if there would be a fence around the property for privacy.

Kathryn Ottilio – 1 Avalon Way, Boonton – appeared on behalf of her father Victor Ottilio and read a letter. There are no objections to the project but wanted to point out that there is a history of excessive water run off onto Berkshire Ave in Paterson, which he has been blamed for in the past.

Elissa Labagnara of 111 Chatham Ave., Paterson has concerns of water problems.

Andrew Chytrak – 5 Bullens Ave., Wayne has concerns of the anticipated traffic, the number of affordable housing units proposed and what the costs would be to purchase. He also had concerns regarding the water run off and the wooded area of lot 3.

Totowa Boro Planner, Darlene Green indicated that there is a complex guideline and formula for the costs of the units and she would try to provide an estimate.

Mr. Bill Lydycker – 61 Sterling Terrace, Totowa, had concerns regarding bus traffic, the impact this project will have on Police, Fire and Ambulance response time, taxes, and the possibility of the need for an additional school to accommodate children.

Neil Di Dio, 62 Sterling Terrace, Totowa, expressed his concern of declining house prices and that the project should be scaled down.

James Ott – 300 Arlington Ave., Paterson, also expressed concerns regarding the number of units.

April Harris Holmes– 10 Lenox Ave, Paterson, has concerns regarding the ingress and egress to the property as well as sewage connection to Paterson’s system.

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to close the public portion of the meeting.

All in Favor9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to carry this matter to the Planning Board meeting of April 11, 2019 at or about 8pm.

All in Favor9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the Planning Board Minutes of March 14, 2019 as prepared.

Nine agreed on a roll call vote.....9-0

RESOLUTIONS:

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for The Bethwood – Blk. 131 – Lot 1 as presented.

Nine agreed on a roll call vote.....9-0

A motion was offered by Commissioner Campilango and seconded by Commissioner Murphy to approve the resolution for Totowa Pizza & Restaurant – Blk. 113 – Lot 7 as presented.

Nine agreed on a roll call vote.....9-0

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

All in favor.....9-0

Respectfully submitted,

Pete Campilango, Secretary

Patricia Paulson
Board Clerk

Date Approved