

R E S O L U T I O N
PLANNING BOARD
BOROUGH OF TOTOWA

WHEREAS, TOTOWA PLAZA ASSOCIATES as applicant for premises situate in the Borough of Totowa, and known as Block 173 - Lot 37, 38, & 39 on the tax map of the Borough of Totowa, has made application to the Planning Board of the Borough of Totowa for a preliminary and final site plan application to modify the entrance to the property and reconfigure the parking area with attendant variances; and

WHEREAS, the Planning Board of the Borough of Totowa having considered the application and accompanying papers and documents filed in support of same and having heard the testimony of witnesses; and

WHEREAS, the Planning Board of the Borough of Totowa after due deliberation having considered the application with due regard to all applicable Borough ordinances and all applicable State and Federal laws, statutes, regulations, constitutional requirements, and other relevant rules and regulations; and

WHEREAS, the Planning Board of the Borough of Totowa having found that the approval of this proposal as set forth above is in accordance with sound planning and zoning

ordinances of the Borough of Totowa and furthers the health, safety, and general welfare of the residents of the Borough of Totowa.

NOW, THEREFORE, BE IT RESOLVED this 27th day of January, 2000 that the Planning Board of the Borough of Totowa has approved this application for a preliminary and final site plan application to modify the entrance to the property and reconfigure the parking area in accordance with the following Motion and/or Resolution which was voted upon by the Planning Board of the Borough of Totowa on December 9, 1999, by a roll call vote of 7 to 0 in favor of approving this application.

The Board approved a motion to grant a preliminary and final site plan approval to the applicant to modify the entrance/exit areas to the site and to reconfigure and rearrange the off-street parking spaces in accordance with the site plan entitled "Totowa Plaza Associates" prepared by The Ives Group, AIA, dated July 7, 1999. The applicant represented that the site alterations and modifications were deemed necessary based upon the condemnation or purchase of a portion of the applicant's property for the construction of the Route 46-Section 12H Project by the New Jersey Department of Transportation. There are 103 existing parking spaces on site. After the parking area is reconfigured there will be 159 parking spaces on site, or a net increase of 56 parking spaces.

The Board granted the following variances/waivers to the applicant. A variance for lot size of 2.14 acres when 3 acres is required by ordinance. A variance for front yard setback of 48 feet when 50 feet is required by ordinance. A design waiver for 9 foot wide by 18 foot long

parking spaces when 10 foot by 18 foot is required by ordinance. The aforesaid variances/design waiver was granted by the Board based upon a Flexible C Analysis. The Board granted the said variances/waiver based a finding that the modifications to the site are necessary because of the State condemnation action. There is no other adjacent property available to purchase. In addition the new parking design adds an additional 56 parking spaces to the site. The Board found no detriments in granting the variances/waiver and found that it did not create a detriment to surrounding property owners or the zone plan of the Borough of Totowa. No objectors appeared at the public hearing.

This approval is granted subject to and contingent upon the following conditions:

1. This approval was granted subject to and contingent upon all representations of applicant being true and accurate. If the representations of applicant are not true, this approval is subject to revocation. The applicant represented to the Board that all the proposed parking would be used solely for the existing building known as Totowa Plaza. Based upon operation of law the lots 37 and 38 have been deemed merged.
2. The subject approval is granted contingent upon the Planning Board Engineer's review and approval of the entire project, including but not limited to drainage, a final lighting plan, elevation plans, architectural plans and landscape design. Applicant shall comply with all conditions and recommendations made by the Planning Board Engineer prior to and during construction. All conditions in the Engineer's report dated September 9, 1999, must be complied with.
3. This approval is subject to the review and approval of the Passaic County Planning Board and any other local, county, or state agency which has jurisdiction, including but not limited to soil erosion permits, tank removal permits, and DEP approvals if necessary.

MOTION INTRODUCED BY: Commissioner Paese

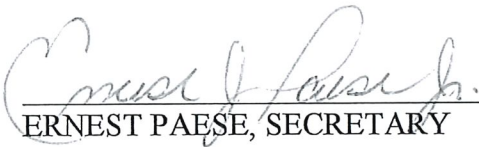
SECONDED BY: Commissioner Coiro

PLANNING BOARD BOROUGH OF TOTOWA



ROBERT B. COYLE, CHAIRMAN

Attest:



ERNEST PAESE, SECRETARY