

STATE OF NEW JERSEY  
COUNTY OF BERGEN  
BOROUGH OF ELMWOOD PARK  
PLANNING BOARD

IN RE:

MATTERS AND DECISIONS

RENDERED ON

WEDNESDAY, JUNE 10, 2015

JUNE 10, 2015  
Municipal Bldg.  
Elmwood Park, New Jersey 07407  
Commencing at 8:10 pm

B E F O R E:

THE PLANNING BOARD OF THE BOROUGH OF ELMWOOD  
PARK.

PRESENT:

RONALD P. VICARI, Chairman  
HARRY DECKER, Vice Chairman  
JOHN ADAMO, Bd. Secty.  
RICHARD MOLA, Mayor/Member  
FRANK CARAMAGNA, Member  
EUGENE LEONE, Member  
JOSEPH ABRAMO, Member  
MEL KAPLAN, Member  
CLAUDIA ROSS, Member  
ANTHONY CHIRDO, Alt. 1  
GISELLE DIAZ, Bd. Engineer  
JOHN CONTE, JR., ESQ., Bd. Attorney

JOSEPH NATALE, C.S.R.  
30 Cedar Island Drive  
Brick, New Jersey 08723  
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## INDEX

APPLICANT	DISPOSITION	PAGE
BUSINESS C.O. APPLICATION:		
PARKWAY AUTO BODY II, LLC (B15-025)		4
AGENDA:		
RJ TRAWINSKI DEVELOPMENT CORP. (P15-003)	GRANTED	3
RESOLUTION:		
BIO REFERENCE LABORATORIES (P15-002)		6
DISCUSSION ITEM:		
REVIEW AND RECOMMENDATIONS OF BOROUGH ORDINANCE 15-13 LOCAL COMMERCIAL ZONE WITH A NEW NEIGHBORHOOD COMMERCIAL ZONE		6

THE CHAIRMAN: The regular public meeting of the Elmwood Park Planning Board is called to order.

This meeting is being held in compliance with the Open Public Meetings Act.

Whereupon roll call is taken.

Roll call: Present were Members Adamo, Caramagna, Decker, Kaplan, Leone, Mayor Mola, Ross, Vicari, Chirido and Abramo; Mr. Viviani was absent.

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Mr. Leone made a motion to accept the minutes of May 6, 2015, seconded by Mr. Decker.

Roll call vote: Voting yes in favor of motion were Members Leone, Decker, Vicari, Adamo, Mayor Mola, Ross, Chirido, Abramo, Kaplan and Carmagna.

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Mr. Leone made a motion to accept the minutes of May 13, 2015, seconded by Mr. Decker.

Roll call vote: Voting yes in favor of motion were Members Leone, Decker, Vicari, Adamo, Mayor Mola, Caramagna, Abramo, Kaplan, Ross and Chirido.

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RJ TRAWINSKI DEVELOPMENT

CORP. (P15-003)

(GRANTED)

PREMISES AFFECTED: 159 17th Avenue, Block 312, Lot 11.

PURPOSE: Application for a minor subdivision.

EDWARD J. TRAWINSKI, ESQ., appeared on behalf of the applicant.

Mr. Trawinski indicated that they will not raise an issue of conflict due to the fact his brother/applicant is running for the office of Mayor.

Mr. Trawinski indicated this is an application for a minor subdivision. He stated there is an existing ranch dwelling on the property and his client proposes to subdivide the property into two slightly oversized lots, one will remain with the existing single-family residential dwelling

The garage size will be reduced, eliminating a variance, so there are no variances/waivers or exceptions sought.

The other lot will have constructed a fully conforming single-family residential dwelling.

They fully agree with Boswell's letter.

RICHARD J. TRAWINSKI, sworn.

Mr. Richard Trawinski testified he fully agrees with all the representations placed on the record by Mr. Edward Trawinski.

After further discussion and questioning by the Board, the Chairman opened the meeting to the public. Hearing no one, the Chairman closed the public portion.

The Chairman reminded the Board they are only hearing this as a minor subdivision and the vote will only be pertinent to the minor subdivision, not everything on the plan.

Mr. Adamo made a motion to approve, seconded by Mr. Leone.

Roll call vote: All voted in favor.

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PARKWAY AUTO BODY II, LLC

(B15-025)

(GRANTED)

PREMISES AFFECTED: 211 Market Street, Block 1016, Lot 7.

PURPOSE: Applicant seeks approval for continued operation of an auto body shop and including the addition of a spray booth.

THOMAS DUCH, ESQ. Appeared on behalf of the applicant.

Mr. Duch indicated his client is seeking a Certificate of Continued Occupancy to operate an auto body repair shop/auto mechanic shop, as has existed at this location for many years.

Mr. Duch presented and read a part of a Resolution he obtained from the Perelli family. A question arose regarding the license to perform auto body work, and Mr. Duch explained the previous holder of the license has surrendered same to the State and his client must make the application to get the license.

ROBERT MARCOUX, 25 Alpine Court, Hewitt, New Jersey, sworn.

Mr. Marcoux testified the Board has to approve the body shop and then you await State approval. He testified he surrendered his license approximately a month ago, as he and Mr. Barone have split as partners.

KFIR KEVIN BARONE, 239 Oak Park Drive, Douglaston, New York, sworn.

Mr. Barone testified he has taken the necessary steps to obtain the license and upon approval by the

Board, it has to be signed by the Municipal Building Inspector, followed by some additional administrative paperwork.

In the interim, you are not allowed to perform auto body repair. He testified he has two other locations that he can perform same. Presently he is limited to taking cars apart and putting them back together.

At this time, A-1 is received and marked into Evidence (application package with attachments).

Mr. Barone explained the exhaust system regarding any fumes that may emanate from the spray booth.

LINDA MEYER, 6 Shadow Lane, Oakland, New Jersey, sworn.

ROY G. MEYER, JR., 6 Shadow Lane, Oakland, New Jersey, sworn.

Ms. Meyer testified her father used to own the property, he has passed away and she is the Executrix of his Estate. She testified that for as long as she can remember, the parking was always the way it is presently, straight into the building.

Mr. Barone testified he would agree to be bound by the parking plan they submitted, which shows no vehicles will be parked on the Borough right-of-way.

At this time, A-2 and A-3 are received and marked into Evidence (8x10 photographs).

Mr. Duch reviewed, with Mr. Barone, Mr. Boland's letter, he agreed to comply with same, and that same will be included in the Resolution.

The Chairman requested two parking spaces, i.e., insurance adjusters, customers, be designated.

Mr. Meyer explained the status of the monitoring wells and testified the tanks have been removed, there is an ongoing monitoring process continuing, and they are in compliance with State regulations.

At this time, Mr. Duch reviewed with his client the Engineer's report and agreed to comply with same.

After further discussion and questioning by the Board, the Chairman opened the meeting to the public. Hearing no one, the Chairman closed the public portion.

Ms. Ross made a motion to approve, with all the agreed-to stipulations, seconded by Mr. Leone.

Roll call vote: Voting yes in favor of motion to approve were Members Ross, Leone, Adamo, Caramagna, Decker, Kaplan, Mayor Mola, Vicari, Chirido and Abramo.

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## BIO REFERENCE LABORATORIES

(P15-002)

PREMISES AFFECTED: 41 Slater Drive, Block 902, Lots 3 and 4.

PURPOSE: Applicant seeks approval of a Settlement Agreement in the matter of 41 Slater Driver Partners, LLC vs. 35 Market Street, LP, Green Acre Woodlands, Inc. and Soundview Paper Company, LLC, Docket #BER-C-74-14, ("the Litigation") affecting the property and for final Certificate of Occupancy for previous approved phases and for a Continued Certificate of Occupancy.

At this time, Mr. Conte read into the record the Resolution in the above matter.

Mr. Caramagna made a motion to accept the Resolution as read and amended, seconded by Mr. Decker.

Roll call vote: Voting yes in favor of motion were Members Caramagna, Decker, Adamo, Kaplan, Mayor Mola, Leone, Ross, Vicari, Chirido and Abramo.

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## DISCUSSION ITEM:

REVIEW AND RECOMMENDATIONS OF  
BOROUGH ORDINANCE 15-13 LOCAL  
COMMERCIAL ZONE WITH A NEW  
NEIGHBORHOOD COMMERCIAL ZONE

MICHAEL F. KAUKER, PP, AICP, appeared.

Mr. Kauker indicated to the Board he has been appointed by the Borough Council to assist the Board in finalizing their views and recommendations to the Borough Council, and is here to answer any questions the Board may have with regard to the Ordinance.

He stated this comes on the heels of a study by the Borough Council in 2013, and a result of that study was the limited depth of the current CL District, which is a hundred feet and varies in some areas, but averages one hundred feet.

As a result, it was discussed whether it would be a benefit to the CL Zone now to be entitled NC/Neighborhood Commercial Zone.

If an approach were taken whereby there would be an allowance built into certain Ordinance modifications, that would enable the expansion of the depth of that zone by no more than fifty feet.

The Planning Board would still maintain the same degree of review and scrutiny they now have.

The second prong, the northerly and southerly edge of the expanded area (fifty feet), would only be allowed to be used for parking.

The Chairman suggested a requirement be placed that all entrance/exits from the sidewalk must be at grade level. It was also discussed that driveway access shall be prohibited within the Residential Zone from the Commercial Zone or only on Market Street.

Also noted that anything listed that is not expressly permitted is prohibited.

The Chairman also added a recommendation that anything in the new Zone must meet the parking standards.

Mr. Conte indicated he would send a letter outlining the Planning Board's recommendations, that anything not expressly permitted in the Ordinance is prohibited, and all members are in agreement.

Also, any new construction must meet Borough parking requirements of the CL Zone with no exceptions.

Ms. Ross made a motion to authorize Mr. Conte to send a letter to the Borough Clerk outlining the discussed recommendations, which motion was seconded by Mr. Leone.

Roll call vote: Voting yes in favor of motion were Members Ross, Leone, Adamo, Decker, Kaplan, Mayor Mola, Vicari, Chirido and Abramo.

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There being no further matters before the Board, Mr. Kaplan made a motion to adjourn, seconded by Mr. Leone, and all members voting in favor, the Chairman adjourned the meeting.

JOHN ADAMO, Board Secretary