

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

IN RE:

MATTERS AND DECISIONS

RENDERED ON

WEDNESDAY, OCTOBER 9, 2013

OCTOBER 9, 2013
Municipal Bldg.
Elmwood Park, New Jersey 07407
Commencing at 8:00 pm

B E F O R E:

THE PLANNING BOARD OF THE BOROUGH OF ELMWOOD
PARK.

PRESENT:

RONALD P. VICARI, Chairman
LAWRENCE CASTIGLIA, Councilman/Vice Chairman
JOHN ADAMO, Bd. Secty.
RICHARD MOLA, Mayor/Member
CLAUDIA ROSS, Member
HARRY DECKER, Member
EUGENE LEONE, Member
JOSEPH ABRAMO, Member
MELVIN KAPLAN, Member
JOHN VIVIANI, Member
GISELLE DIAZ, Bd. Engineer
JOHN CONTE, JR., ESQ., Bd. Attorney

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| DISCUSSION ITEM: | | |
| AS SEC. 34:7.2 of the Borough Code prohibits "Drive-In" Restaurants (as defined in Sec. 34:3.1) in all zones of the Borough, should the Board refer That portion of the code to the Mayor and Council for review and Potential revision. | | 5 |
| RESOLUTION: | | |
| MARTINOSKI (P13-008) | | 5 |

THE CHAIRMAN: The regular 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, Councilman Castiglia, Decker, Kaplan, Leone, Mayor Mola, Ross, Vicari, Viviani and Abramo; Mr. Chirido was absent.

KULBHUSHAN KUMAR WALIA

And RENU WALIA (B13-060) (CARRIED)

PREMISES AFFECTED: 290 Market Street, Block 1024, Lot 5.

APPLICANT: Renu Walia -convenience store and storage room.

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

Mr. Duch indicated that as a result of last week's meeting and research he's performed, he's requested an adjournment of this matter to the November 6/13, 2013 meetings and/or transfer same to the Zoning Board.

No one from the public appeared regarding this matter.

Mr. Leone made a motion to carry this to the November 6/13, 2013 meetings, seconded by Mr. Kaplan.

Roll call vote: All voted in favor.

GRE RIVER DRIVE, LLC (B13-059) (GRANTED)

PREMISES AFFECTED: 669 River Drive, Block 1019, Lot 18.02.

TENANT: General Office Administration for Paterson Charter School for Science & Technology, Inc.

RICHARD KILSTEIN, ESQ. appeared on behalf of the applicant.

Mr. Kilstein amended the application to 8 parking spots.

RIZA GURCANLI, Paterson Charter School, Paterson, New Jersey, sworn.

Mr. Gurcanli testified the space will be used for school administration offices with standard office equipment, computers, FAX machines, phones and no large

printing machines.

The space is 2,664 square feet and hours of operation are Monday through Friday, 8 am to 5 pm with a total of 7 employees.

They will receive standard office type deliveries and regular mail, FedEx, etc.

There will be no conferences or teaching at this location. Occasionally someone may stop by, but meetings, etc., are held off-site as this is a satellite support office.

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.

Mr. Kaplan made a motion to approve, seconded by Councilman Castiglia.

Roll call vote: All voted in favor.

NATIONAL REALTY (B13-055) (CARRIED)
 PREMISES AFFECTED: 95 B Broadway, Block 125, Lot 2.
 TENANT: Seong Oh - Retail fish store.

CHARLES RABOLLI, JR., ESQ., 1135 Clifton Avenue, Clifton, New Jersey, appeared on behalf of the applicant.

Mr. Rabolli indicated Mr. Cha, Esq., Mr. Oh's attorney, will serve as an interpreter for Mr. Oh, due to a language barrier.

Mr. Rabolli indicated this is a retail fish store, less than 5,000 square feet, with no drive-in/drive-through, no on-site parking, no tables and chairs and no on-site food consumption. He indicated food is ordered and taken home.

He indicated they would agree to put a sign up indicating do not eat the food in your car. The applicant indicated they have no problem doing this by Resolution.

Mr. Rabolli discussed with the Board why he feels this does not fall under the purview of a drive-through restaurant.

JOSEPH JUHONG CHA, ESQ., sworn (as interpreter), interpreted as follows:

SEONG OH, 41 North Century Road, Paramus, New Jersey, sworn.

Mr. Oh testified he does not plan to have

customers eat in the restaurant, nor are there tables or chairs. There is no counter in which to consume food.

He will not take food from the restaurant and bring it out to cars, nor does he plan on people picking up food and eating it in their cars.

Fish will be fried in fryers to be taken home, and he would agree to putting up a sign stating same. He testified there will be no drive-through and they do not have assigned parking spaces.

Mr. Oh testified he will not be selling items such as potato chips, pretzels in bags, etc., lemons, limes, sea salt, powders.

At this time, A-1 is marked into Evidence (floor plan).

At this time, the applicant reviewed the floor plan with the Board. Mr. Rabolli indicated his architect will provide the Board with revised plans as they refer to the fish store, eliminating any reference to the former nail salon.

The applicant agreed that fish waste, etc., will be stored outside in sealed containers. The applicant agreed to come in with a definitive list regarding such items as lemons, cocktail sauce, etc., and agreed same would be part of the Resolution when they return for the November 6/November 13 meetings.

Mr. Kaplan made a motion to carry this to the November 6 and November 13 meetings, seconded by Mr. Leone.

Roll call vote: All voted in favor.

Mr. Adamo made a motion to accept the Resolution in the matter of MARTINOSKI (P13-008), seconded by Mr. Vicari.

Roll call vote: All voted in favor; Members Viviani and Kaplan abstained.

Mr. Conte stated that on Friday, October 3, 2013 he sent a letter to Mr. Giblin, requesting that he review the issues regarding the Ordinance with the Mayor and Council.

There being no further matters before the Board, Mr. Adamo made a motion to adjourn, seconded by Ms. Ross, and all members voting in favor of adjournment,

the Chairman adjourned the meeting.

JOHN ADAMO, Board Secretary