

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

IN RE:

MATTERS AND DECISIONS

RENDERED ON

WEDNESDAY, JUNE 12, 2013

JUNE 12, 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
EUGENE LEONE, Member
MELVIN KAPLAN, Member
ANTHONY CHIRDO, Member
JOHN VIVIANI, Member
JOSEPH ABRAMO, Member
GISELLE DIAZ, Bd. Engineer
MICHAEL AUSTIN, ESQ., Acting Bd. Attorney

JOSEPH NATALE, C.S.R.
30 Cedar Island Drive
Brick, New Jersey 08723
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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, Kaplan, Leone, Mayor Mola, Ross, Vicari, Viviani, Chirido and Abramo; Mr. Decker was absent.

(The record notes the appearance of Michael Austin, Esq. sitting in for John Conte, Jr., Esq.)

Mr. Leone made a motion to accept the minutes of May 1, 2013, seconded by Mr. Adamo.

Roll call vote: Eligible to vote and voting yes in favor of motion were Members Leone, Adamo, Vicari, Councilman Castiglia, Mayor Mola, Ross and Kaplan.

Councilman Castiglia made a motion to accept the minutes of May 8, 2013, seconded by Mr. Leone.

Roll call vote: Eligible to vote and voting yes in favor of motion were Members Councilman Castiglia, Leone, Adamo, Mayor Mola, Ross, Kaplan and Viviani.

JOHN TSUO (P13-001) (GRANTED)
PREMISES AFFECTED: 307 East 54th Street, Block 804, Lot 18.02.
PURPOSE: Application for site plan.

LOUIS MANGANO, ESQ., appeared on behalf of the applicant.

JOHN TSUO, 307 East 54th Street, Elmwood Park, New Jersey, sworn.

MAURICE A. BROWN, P.E., 391 Littleton Avenue, Newark, New Jersey, sworn.

Mr. Brown was qualified and testified as a licensed professional engineer.

Mr. Brown testified there are no new variances, but there are existing non-conforming conditions.

Mr. Brown reviewed same via site plans he prepared. He testified they are providing 12 parking spaces, reduced from 15, as they now have relocated the

loading area to the front of the building. The paved area in the rear can be used if necessary.

Mr. Brown testified the macadam must remain in order to accommodate turning radii of vehicles in and out of the facility. He testified this facility will be used to store floral supplies such as floral baskets, silk flowers, party favors, etc., with the hours of operation Monday through Saturday, 8 am to 6 pm; the highest shift consists of 10 employees.

Mr. Mangano indicated Mr. Brown is authorized to speak on behalf of Mr. Tsuo.

Mr. Brown further testified 2 trucks/vehicles per hour will enter/leave the site, with quite infrequent 45 foot trailer deliveries. Deliveries would be during regular business hours.

Mr. Brown reviewed the lighting and testified it will be on timers coming on at dusk for approximately 3 to 4 hours. Same will be shielded to prevent spill-over.

Mr. Brown reviewed proposed new fencing and testified the area will be completely enclosed.

Mr. Brown reviewed Boswell's reports with the Board and agreed no C of O will be issued until all containers are removed from the premises.

At this time, A-1 is marked into Evidence (packet of photographs).

Mr. Tsuo testified via A-1 and described the past and current conditions.

After further discussion and questioning by the Board, the Chairman opened the meeting to the public.

MARGARITA CABADA DIAZ, 304 East 54th Street, Elmwood Park, New Jersey, sworn.

LOUIS DIAZ, 304 East 54th Street, Elmwood Park, New Jersey, sworn.

Mr. Diaz expressed concern that Mr. Tsuo will bring business from Midland Avenue to this location and crowd streets. He complained that Mr. Tsuo still has not removed the trailer. He expressed concern about the amount of cars parked at Midland Avenue and now going to be parked here.

Mr. Mangano indicated this is strictly warehousing with no retail.

Mrs. Diaz expressed a concern for retail traffic that will come in and out of the premises. She expressed a concern regarding traffic congestion on their street

and lack of parking. She also expressed concern for the amount of children that traverse the area.

Hearing no one further, the Chairman closed the public portion.

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

Roll call vote: All voted in favor.

BIO REFERENCE
LABORATORIES, INC.
(P13-002) (GRANTED)
PREMISES AFFECTED: 41 Slater Drive, Block 902, Lots 3&4.
PURPOSE: Application for parking/site plan.

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

RONALD J. RAYOT, BioReference Laboratories, Inc.,
481 Edward H. Ross Drive, Elmwood Park, New Jersey,
sworn.

THOMAS G. STEARNS, P.E., L.S., Jewel Street,
Garfield, New Jersey, sworn.

WARREN W. ERDMANN, BioReference Laboratories,
Inc., 481 Edward H. Ross Drive, Elmwood Park, New
Jersey, sworn.

EUGENE DIAZ, principal of landlord, sworn.

Mr. Duch indicated the rear warehouse portion space has become available, and they intend to occupy same in three phases.

He stated seeking approval of a site plan for proposed changes, modifications to the existing site plan. They previously were approved for 200 parking spaces they didn't really need, but tonight they are seeking 600 parking spaces for a little over 800, as they take over the rear portion.

Mr. Duch indicated due to the nature of BioReference's business, they are unable to predict exactly the square footage and what and how same will be utilized.

Mr. Duch stated his client knows that with each phase they must appear before the Board. He added that BioReference operates 24/7 and has never had any problems with residents.

Mr. Rayot testified he is the Vice President/Director of Logistics for BioReference and has

been with them for 25 years. He testified they are seeking to grow into this new space with a combination of warehousing, laboratory and administrative. He testified they primarily use 2 vehicles bringing in blood samples, a 2 or 4-door Ford Focus and a Toyota. They also use shuttle vans as well as a box truck. The site will be exclusively used for BioReference's purposes.

Mr. Rayot reviewed and detailed their emergency plan for such instances as Sandy, etc. Mr. Rayot reviewed their shift changes and how potential traffic problems will be alleviated.

The Chairman announced they will accept Mr. Stearns' qualifications as he is known to the Board.

Mr. Stearns discussed with the Board the turning radii and how same can accommodate fire apparatus. He testified the force along Slater Drive will be removed. Mr. Stearns testified via Boswell's letters and said his client will conform to same.

Mr. Diaz testified he is one of the partners of Prism Capital Partners and is empowered to speak on their behalf. He testified they will repave and restripe the parking lot. Mr. Rayot testified the fence will be removed as mentioned above.

Mr. Diaz agreed and stipulated that prior to the completion of phase 2, the parking lot would be completed.

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.

Mayor Mola made a motion to approve, seconded by Councilman Castiglia.

Roll call vote: All voted in favor.

ELRAC, LLC (P13-003) (GRANTED)
 PREMISES AFFECTED: 100 Route 46 East, Lot 1701, Lot 10.
 PURPOSE: Application for pre-owned automobile sales.

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

JOHN RUEL, Enterprise, 1550 Route 23 North, Wayne, New Jersey, sworn.

JONATHAN MULLEN, Enterprise, 1550 Route 23 North, Wayne, New Jersey, sworn.

THOMAS STEARNS, P.E., L.S., Jewel Street,
Garfield, New Jersey, sworn.

Mr. Duch indicated his client seeks approval to
permit automobile sales at this location.

Mr. Mullen testified he is the Group Car Sales
Manager for ELRAC, and testified via a handout; he
explained that they are a division of Enterprise and
started selling cars in 1962. He testified they are
different than a typical car dealership in that they
don't have larger advertising paraphernalia, no
haggling. All cars, except for washing, are serviced
off-site. There will be no oil changes.

Mr. Ruel testified he is the Group Project
Manager and has been with the company for 15 years.

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

Mr. Ruel testified as to what the previous use
looked like and did, and compared same to what they will
perform at this location.

Mr. Ruel testified that they have amended their
plan to reflect 8 cars out front instead of 12, and
added landscaping to make same more attractive. Mr. Ruel
testified as to the changes in the entrance/exit
signage, etc. He testified they revised the parking
spaces which went from 75 to 67.

The Board accepted Mr. Stearns' qualifications.
Mr. Stearns testified via the site plan and reviewed
same.

CONSTANCE GANGEMI-SLAMPIAK, Architect, 68 Shore
Drive, Larchmont, New York, sworn.

Ms. Slampiak was qualified and testified as a
licensed architect.

She testified per floor plans that she prepared.
She testified as to the washing of cars and how waste
water will be handled prior to entering the sewer. She
also reviewed the proposed signage for the Board.

KENNETH OCHAB, Planner, 1216 Fair Lawn Avenue,
Fair Lawn, New Jersey, sworn.

Mr. Ochab was qualified and testified as a
licensed planner. Mr. Ochab testified via a report he
prepared. He testified this is a CG Zone and a
conditional use with conditions. He also testified this
use is ideal and less intense than the previous tenant.

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

Councilman Castiglia made a motion to approve, with all the agreed-to stipulations, which motion was seconded by Mr. Leone.

Roll call vote: All voted in favor.

Mr. Kaplan made a motion to accept the Resolution in the matter of D&K PROPERTIES (B13-023), seconded by Mr. Adamo.

Roll call vote: All voted in favor.

DISCUSSION ITEM:

Mayor Mola noted a discussion he had regarding a suggestion that when the Building Inspector reviews and application under 10,000 square feet, and same meets Code, that they advise whether they are an LLC.

Mr. Kaplan made a motion that when said applications appear, i.e. whether an LLC, corporation, private citizen, that same be noted. The motion was seconded by Mr. Leone.

Roll call vote: All voted in favor.

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

JOHN ADAMO, Board Secretary