

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF ELMWOOD PARK
ZONING BOARD OF ADJUSTMENT

IN RE:
MATTERS AND DECISIONS RENDERED
ON MONDAY, NOVEMBER 23, 2020

NOVEMBER 23, 2020
Municipal Building
Elmwood Park, New Jersey 07407
Commencing at 7:30 pm

B E F O R E:
THE ZONING BOARD OF ADJUSTMENT OF ELMWOOD PARK

PRESENT:
JAMES GOLEMBISKI, Chairman
FRANK BAGLIERI, Bd. Secretary
DEBORAH ALVAREZ, Member
ANGELO PANETTA, Member
KEN VANRYE, Member
MARK GLOEDE, Member
CHAKIB FAKHOURY, Member
JOSEPH BENIAMINI, Member

ALSO PRESENT: JOHN CONTE, JR., ESQ., Bd. Atty.

MINUTES PREPARED BY: SUSAN BISCHOFF, CCR, RPR
C/O BETH CALDERONE, CCR
75 Ottawa Avenue
Hasbrouck Heights, NJ 07604
(201) 982-5157
Email: Calderone2000@aol.com

I N D E X

1

2

AGENDA:

3

4 JAN & DIANA KUTARNIA, 125 Summit Avenue (GRANTED)
4 (A20-012)

5 DARIUSZ TROCHIM, 39 Donor Avenue (GRANTED)
5 (A20-013)

6

7 ANNMARIE TERMINI, 20 Dapp Court (GRANTED)
7 (A20-016)

8 JULIE MUNS, 174 Godwin Avenue (GRANTED)
8 (A20-017)

9

10

11 RESOLUTION:

12 SIMON SHERFER (A20-002)

13 DANELLY PERDOMO (A20-014)

14 CLARISSA PROCTOR (A20-015)

15

16

17

18

19

20

21

22

23

24

25

1 Chairman Golembiski called the regular meeting of the
2 Elmwood Park Zoning Board of Adjustment to order, according to
the Open Public Meetings Act @ 7:34 PM November 23, 2020.

*****.

3
4 (Whereupon the flag salute commences.)

5 MEMBERS PRESENT:

- 6 JAMES GOLEMBISKI, Chairman.
- FRANK BAGLIERI, Bd. Secretary
- 7 DEBORAH ALVAREZ, Member
- ANGELO PANETTA, Member
- 8 KEN VANRYE, Member
- MARK GLOEDE, Member
- CHAKIB FAKHOURY, Member
- 9 JOSEPH BENIAMINI, Member.

10 *****

11 MINUTES:

12 MEETING MINUTES: October, Motion offered to accept
the minutes by A. Panetta, second by C. Fakhoury.
13 Members voted in the affirmative to accept the minutes
as written.

14 ****

15 RESOLUTIONS:

16 Motion offered for APPROVAL of the Resolution in the
matter of SIMON SHERFER (A20-002) by A. Panetta, second by C.
Fakhoury.

17 ROLL CALL VOTE: Members Golembiski, VanRye, Panetta,
Alvarez, Baglieri, Beniamini, Fakhoury and Gloede voted in the
affirmative.

18 Motion offered for APPROVAL of the Resolution in the
19 matter of DANELLY PERDOMO (A20-014) by D. Alvarez, second by A.
Panetta.

20 ROLL CALL VOTE: Members Golembiski, VanRye, Panetta,
Alvarez, Baglieri, Beniamini, Fakhoury and Gloede voted in the
21 affirmative.

22 Motion offered for APPROVAL of the Resolution in the
matter of CLARISSA PROCTOR (A20-015) by A. Panetta, second by D.
23 Alvarez.

24 ROLL CALL VOTE: Members Golembiski, VanRye, Panetta,
Alvarez, Baglieri, Beniamini, Fakhoury and Gloede voted in the
affirmative.

25 -----

1 JAN & DIANA KUTARNIA (A20-012) (GRANTED)
 PREMISES AFFECTED: 125 Summit Avenue, Block 716, Lot 17
 2 PURPOSE: Variance for height.
 MATTHEW POSADA, ESQ., on behalf of the applicant.

3
 4 The applicant made modifications to the prior plans to
 scale back from a proposed two-family to single family and a
 one-car garage. They propose to remove the existing shed and
 5 replace it with the garage, extend the driveway to the garage
 and remove the concrete patio and replace it with pavers.

6 There are two existing nonconformities - lot area
 4,941 is existing, where 5,000 is required and lot depth 98.82
 7 is existing, where 100 is required. All setback, coverage and
 green area requirements are met.

8 The only variance is for the building height. The
 applicant is proposing 28.7 feet where 25 feet is permitted.
 9 The applicant testifies there is hardship due to the curb grade
 being 99.8 feet and the first floor sits at 105.8 feet, so there
 10 is a six foot loss of allowable height based on the existing
 elevation. The only way to have a conforming height on a
 11 two-story house is to do a flat roof. The applicant says it
 will not look out of character and is consistent with the
 12 neighbor's houses as it is located on a hill and the building
 heights increase. There are no negative impacts to the
 13 neighbors. The planner testified that lowering the slope will
 not change the appearance enough to do it.

14 The Chairman noted that the Borough plans to change
 the ordinance next year to allow 27 feet from the average grade
 15 instead of the curb grade, which would probably make this a
 conforming height after the change.

16 NO PUBLIC COMMENT/QUESTIONS IN FAVOR OR OPPOSITION

17 J. Beniamini made a motion to APPROVE, seconded by D.
 Alvarez.

18 ROLL CALL VOTE:
 Members Golembiski, VanRye, Panetta, Alvarez,
 19 Baglieri, Beniamini, Fakhoury and Gloede in the affirmative.

20 APPLICATION APPROVED

21 -----

22 DARIUSZ TROCHIM (A20-013) (GRANTED)
 PROPERTY AFFECTED: 39 Donor Avenue Block 207, Lot 16
 23 PURPOSE: Variance for side yard setback.

24 The applicant is proposing to change the roof of his
 garage. The existing side yard setbacks of 4.86 feet and 6.05
 25 feet will not change. The applicant does need a side yard
 setback and combined side yard setback variances. The footprint

1 of the garage is not changing. The house is a one-family and
will stay that way.

2 NO PUBLIC COMMENT/QUESTIONS IN FAVOR OR OPPOSITION

3 J. Beniamini made a motion for APPROVAL, seconded by
D. Alvarez.

4 ROLL CALL VOTE:

5 Members VanRye, Panetta, Alvarez, Baglieri, Beniamini,
Fakhoury and Gloede in the affirmative. Golembiski abstained.

6 APPLICATION APPROVED

7 -----

8 ANNMARIE TERMINI (A20-016) (GRANTED)

9 PROPERTY AFFECTED: 20 Dapp Court, Block 504, Lot 22

10 PURPOSE: Variance for fence

11 The applicant is proposing a six-foot fence where four
feet is permitted for privacy in their yard. It will not block
the line of sight and there will only be a gate in the back.

12 Willeen Casiez of 30 Dapp Court testified that she's
worried about cars being able to see children and to the street
13 when pulling out of the driveway. She doesn't understand the
need for the fence. She also testified that the applicant's
14 father-in-law parks close to the corner and cars can't past it.
The applicant responded that the fence is far away from the curb
15 and there won't be any sight issues. After assurances that only
what was testified to and shown on the plans is what can be
16 built, Ms. Casiez said she had no problem with the fence.

17 J. Beniamini made a motion for APPROVAL, seconded by
C. Fakhoury.

18 ROLL CALL VOTE:

19 Members Golembiski, VanRye, Panetta, Alvarez,
Baglieri, Beniamini, and Fakhoury in the affirmative.

20 APPLICATION APPROVED

21 -----

22 JULIE MUNS (A20-017) (GRANTED)

23 PROPERTY AFFECTED: 174 Godwin Avenue, Block 502, Lot 12

24 PURPOSE: Variance for front yard setback

25 The applicant testified she is looking to add a 10 by
14 addition to her house to make a dining area for her family.
The house is on a corner lot, so there are two front yards. The

1 front yard setback required is 25 feet, 25.15 is existing and
2 18.34 is proposed. She thought about asking for a bigger
3 addition, but was afraid of being denied, so she went with this
4 size. It is a one-family home and will remain the same.

5 NO PUBLIC QUESTIONS/COMMENTS IN FAVOR OR OPPOSITION.

6

7 M. Gloede made a motion for APPROVAL, seconded by J.
8 Beniamini.

9 ROLL CALL VOTE:

10 Members VanRye, Panetta, Alvarez, Baglieri,
11 Beniamini, and Fakhoury in the affirmative. Golembiski
12 abstained.

13 APPLICATION APPROVED

14

15 -----
16 The Chairman asked the members to look at the calendar
17 for next year's meeting dates, it will be discussed next month.
18 He also inquired if any members terms are up and it will be
19 looked into.

20

21 There being no further business, a motion was made and
22 seconded, all voted in favor of adjournment @8:40 PM

23

24

25

26

27

28

29

30

31

32

33

34