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STATE OF NEW JERSEY

COUNTY OF BERGEN

BOROUGH OF ELMWOOD PARK
ZONING BOARD OF ADJUSTMENT

IN RE: MATTERS AND DECISIONS
RENDERED AT PUBLIC MEETING
WEDNESDAY, JANUARY 25, 2023

PLACE: Municipal Building
Elmwood Park, New Jersey
Commencing at 7:30 PM

BEFORE: THE ELMWOOD PARK ZONING
BOARD OF ADJUSTMENT

PRESENT:

JAMES GOLEMBISKI, CHAIRMAN/SECRETARY
FRANK BAGLIERI, Member
JOSEPH BENIAMINI, absent
DOMINICK SCALCIONE, Member
ANGELO PANETTA, Member
MARK GLOEDE, Member
GREG LATEROVIAN, Member
CHAKIB FAKHOURY, Member

ALSO PRESENT
JOHN A. CONTE, JR., ESQ.,
ATTORNEY TO THE BOARD
JOSEPH DUNN, Board Engineer

MINUTES PREPARED BY:
BETH CALDERONE
CERTIFIED COURT REPORTER
75 Ottawa Avenue
Hasbrouck Heights, NJ 07604
(201) 982-5157
Email-Calderone2000@aol.com

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JANUARY 25, 2023

Chairman Golembiski called the
JANUARY 25, 2023 regular meeting of the ELMWOOD
PARK ZONING BOARD OF ADJUSTMENT to order, according
to the Open Public Meeting Act.

(WHEREUPON THE FLAG SALUTE)

AGENDA ITEMS
2022

MINUTES OF DECEMBER, 2022

Motion offered to approve by G.
Laterovian, second by M. Gloede
MEMBERS Panetta, Gloede, Baglieri,
Golembiski, Laterovian, vote in the affirmative to
approve the minutes as written.
Members Scalcione and Member
Fakhoury abstained.

MINUTES APPROVED

RESOLUTION:
A21-007 ONE REALTY PARTNERS, LLC
76 North Street
Block 1114, Lot 5
Application for extension of
approval from 5/26/21

Motion offered by G. Laterovian,
second by M. Gloede.
Members Gloede, Laterovian, Panetta,
Baglieri, and Chairman Golembiski vote in the
affirmative to approve the Resolution as written.
Members Fakhoury, Scalcione
abstained

APPROVED

1

A22-019

2

EMAN ALAWAMLEH

3

49 Fournier Crescent

Block 1515, Lot 11.02

4

Variance for height variance.

5

Continuation of the hearing for a vote. All members present are eligible to vote and certified they have read the transcript of proceedings.

6

7

There being no new testimony presented regarding the height, the applicant wishes to proceed to a vote. The calculation through the code, calculates the height is over due to the change in roof design, and applicant is asking for approval.

8

9

The hardship is due to the property being on a hill measured from the average curb height.

10

11

NO PUBLIC IN FAVOR OR OPPOSITION

12

DISCUSSION:

13

Conditions: Applicant will comply with the Boswell Engineering letter of December 19, 2022 related to storm water management seepage pit calculations and locations.

14

15

Applicant requested an e-mail from Boswell stating all the documents that are needed to comply.

16

Shades will be installed for privacy to obstruct view of neighbor's yard.

17

An as built survey of the roof will be provided as requested by the board.

18

A stipulation that the attic will not be for living space, and not used for an apartment or rental.

19

NO PUBLIC IN FAVOR OR OPPOSITION

20

Motion offered by F. Baglieri to approve, second by C. Fakhoury.

21

ROLL CALL:

22

F. Baglieri: Yes.

23

C. Fakhoury: Yes.

24

A. Panetta: No.

M. Gloede: No.

24

D. Scalcione: No.

25

G. Laterovian: No.

J. Golembiski: Yes.

APPLICATION DENIED

1 (All old business is now closed out
2 for the calendar year 2022)

3 IN RE: MATTERS AND DECISIONS
4 RENDERED AT PUBLIC MEETING
5 WEDNESDAY, JANUARY 25, 2023

6 BEFORE: THE ELMWOOD PARK ZONING
7 BOARD OF ADJUSTMENT

8 PRESENT:

9 JAMES GOLEMBISKI, CHAIRMAN/SECRETARY
10 FRANK BAGLIERI, Member
11 JOSEPH BENIAMINI, absent
12 ANGELO PANETTA, Member
13 MARK GLOEDE, Member
14 GREG LATEROVIAN, Member
15 CHAKIB FAKHOURY, Member
16 MIRNA CASTRO-RIJO, Member

17 ALSO PRESENT
18 JOHN A. CONTE, JR., ESQ.,
19 ATTORNEY TO THE BOARD
20 JOSEPH DUNN, Board Engineer

21 -----
22 REORGANIZATION 2023

23 J. Golembiski nominated as Chairman
24 for the Calendar year 2023.
25 Offered by A. Panetta, second by M.
Gloede.

MEMBERS VOTE IN THE AFFIRMATIVE TO
ACCEPT NOMINATION
J. Golembiski abstained.

26 -----
27 F. Baglieri nominated as Vice
28 Chairman for the Calendar year 2023.
29 Offered by A. Panetta, Second by C.
30 Fakhoury.

MEMBERS VOTE IN THE AFFIRMATIVE TO
ACCEPT NOMINATION
F. Baglieri abstained

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J. Golembiski nominated as secretary
by a Motion offered by C. Fakhoury, second by A.
Panetta

ALL MEMBERS VOTE IN THE AFFIRMATIVE
J. Golembiski abstained

APPOINTMENTS OF PROFESSIONAL:

JOHN A. CONTE, JR., ESQ, attorney to
the Board

A. Panetta offered a motion for
appointment, second by C. Fakhoury.

ALL MEMBERS VOTE IN THE AFFIRMATIVE

BOSWELL ENGINEERING

A. Panetta offered a motion for
appointment of Boswell Engineering, second by M.
Gloede.

ALL MEMBERS VOTE IN THE AFFIRMATIVE

APPOINTMENT OF BETH CALDERONE
STENOGRAPHER for the Calendar year 2023, offered by
Chairman Golembiski, second by F. Baglieri

BOARD MEMBER SWORN:
MIRNA CASTRO-RIJO

MEETING DATE/SCHEDULED offered by A.
Panetta, second by C. Fakhoury.

ALL MEMBERS VOTE IN FAVOR TO ACCEPT
CALENDAR MEETING DATES

2023 AGENDA

A23-001 Clemente Madarang
8 Fournier Crescent
Block 1505 Lot 30
Variance for lot Coverage and front
yard.

Applicant is before the board
seeking approval for a variance of front yard
setback and building coverage.

The renovation of the home proposes
a complete second floor addition, going straight
up, not exacerbating the existing footprint.

1 The footprint of the home will
 2 remain the same and it will remain as a one family.
 3 The front yard setback required is 25 feet, and the
 4 front yard setback remains as an existing
 5 preexisting condition.

6 Applicant will make the necessary
 7 adjustments to provide calculations to Boswell
 8 Engineering, and Boswell Engineering will make
 9 recommendations regarding storm water management
 10 compliance.

11 NO PUBLIC IN FAVOR OR OPPOSITION

12 Member A. Panetta offers motion to
 13 approve with condition. Second by C. Fakhoury.

14 ALL MEMBERS VOTE IN THE AFFIRMATIVE
 15 TO APPROVE THE APPLICATION BY UNANIMOUS VOTE

16 -----
 17 A23-002 PAWEL BZDRYA
 18 109 Willow Street
 19 Block 102, Lot 9
 20 Variance for Front yard setback

21 Marta Parnowska, Applicant
 22 Jacob Solomon, Architect on behalf
 23 of the applicant.

24 Member G. Laterovian recused

25 The lot is conforming by 5,000
 square feet, 50 by 100. The current front yard
 setback is nonconforming 13.6 feet 25 feet is
 required. The project proposed is to construct a
 one car garage on the property with a second floor
 level, maintaining the one side yard setback. The
 existing curb and driveway with the detached garage
 was previously removed.

A covered porch, with a three foot
 landing is proposed. Rear yard, building coverage
 and lot coverage all will be in conformance.

Applicant is requesting front yard
 variance to align with the second floor add-a-level
 to the front of the dwelling. The house will be
 sided and roofed with typical residential
 materials. The home will remain a one family home.

NO PUBLIC IN FAVOR OPPOSITION

A. Panetta offers a motion to
 approve, second by M. Gloede.

ALL MEMBERS VOTE IN THE AFFIRMATIVE
 TO APPROVE THE APPLICATION (APPROVED)

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A23-004 Nelson Veras
296 Falmouth Avenue
Block 807, Lot 4
Variance for total green area

Vincente Varela, Jr., Architect, on behalf of the applicant

Applicant is requesting to keep an existing outdoor BBQ/Kitchen in the rear yard. A stop order was issued due to encroaching on the side yard. The existing impervious coverage is required to be 25 percent maximum. The applicant is before the board for total green area.

The BBQ patio gazebo being already built causes their neighbor to have privacy concerns on the left side of the property.

The total green area is less than 26 percent, applicant needs minimum of 35 percent green area. Applicant is amending the plan to move the gazebo back by three feet on the left side.

Applicant will accept calculations from Boswell Engineering and comply with recommendations. The gazebo will be installed with gutters all around.

Applicant stipulated to cutting back three feet of the Gazebo to comply with the three foot setback regarding accessory structures.

PUBLIC PORTION IN FAVOR OR
OPPOSITION

Patricia and Walter Fiorelli residing at 298 Falmouth, next door neighbors, expressed concerns regarding the size of the gazebo being massive in size, seen from their bedroom window being within one foot of the property line.

CONDITIONS: Gazebo will be cut approximately four feet, and five feet compliant side yard property line requirement.

Motion offered for approval by F. Baglieri, second by A. Panetta

ROLL CALL:
ALL BOARD MEMBERS VOTED IN THE
AFFIRMATIVE TO APPROVE

(APPROVED)

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A23-005 Igli Zyrku
280 Miller Avenue
Block 812.01, Lot 8
Variance for front yard green area

The applicant requests a front yard green area variance to extend a walkway five or six feet to the front steps of the home. Applicant will improve the existing driveway. Applicant stated the extension of the walk will help with safety and easy access for a family member. This extension will allow parking of three vehicles in the driveway. The driveway will be pavers and the walkway will be concrete.

Applicant has sufficient green area on the side and rear. The back yard and side yard have the drainage basin systems for storm water.

Boswell Engineering will review the plans and provide the recommendations that the applicant will comply to.

NO PUBLIC IN FAVOR OR OPPOSITION

C. Fakhoury offered a motion to approve, second by A. Panetta.

ROLL CALL
ALL MEMBERS VOTE IN THE AFFIRMATIVE
TO APPROVE THE APPLICATION

(APPROVED)

A23-003 Krzysztof and Marta Sudol
161 Franklin Street
Block 1102, Lot 41

Member C. Fakhoury recused

Variance for minimum lot size, lot width, front yard, side yard, combined front green area, lot coverage and height

Richard Cedzidlo Esq, on behalf of the applicant, stated they feel there is justification for the requests before the board.

1 The variance request is for
2 conversion of a one family dwelling to a two family
3 dwelling, permitted in the zone. Applicant is
4 staying within the footprint, with an addition to
5 the top level and extending the garage to enable
6 parking for two vehicles, and two vehicles in the
7 driveway.

8 Applicant feels the build is similar
9 to the 19 contiguous two-family homes in the
10 surrounding area. The house is delapidated and in
11 need of repair. A new two family dwelling will be
12 a benefit to the community.

13 Applicant will be renovating the
14 entire home. If approve, one unit will be for his
15 own use, and one for rental.

16 Tomasz Bona, Architect emphasized
17 the surrounding properties and the context in which
18 this property is located as to densities and the
19 ratio of existing two-family structures being the
20 majority, and one family structures on the block.

21 The lot being 50 X 100 lot,
22 measuring the 25 feet current standards for the
23 width to accommodate a two family dwelling at
24 proposed height of 26 feet.

25 Currently on the property is an
existing one family home elevated above grade, the
garage will be removed and the length of the
driveway will be significantly reduced. The garage
will find its new home under the expanded addition
wing. The second floor will be within the existing
dwelling footprint. Applicant is observing the five
foot setback on the west side, no challenges with
the rear yard and will comply with the 25 foot
front yard setback

 Applicant has a slight deficiency on
the east side being three and a half feet, where
ten foot would be required.

 Lot coverage variance required is 30
percent, currently the existing structure occupies
28 percent and with the new build, the request is
for a slight increase up to 33 percent of lot
coverage.

 The basement will remain an
unfinished open floor plan, and will have direct
access from the first floor and garage. There will
be two independent meters.

 Boswell Engineer requested a grading
plan, and documentation that the utilities can
support both dwellings.

1
2 Applicant is willing to reduce the
3 height of the first floor by one foot, eliminating
4 the height variance.

5 PUBLIC PORTION IN FAVOR OR
6 OPPOSITION

7 Staniflaw Jurgowski, 290 Franklin
8 Street, stated there is adequate parking in the
9 area, stating the dwelling will be on the same
10 footprint, stating the houses in the area are
11 two-family.

12 Lori Sproviero, 40 Gall Avenue,
13 stated the dwelling is in the R-18 zone, expressing
14 concerns that many of the homes in the area are 200
15 foot in depth to accommodate a two-family. There
16 was a concern regarding parking of vehicles, and
17 that the applicant also needs the 75 foot width.

18 The applicant responded the driveway
19 will be widened to accommodate two cars
20 side-by-side, in addition to the garage parking.

21 Applicant stipulated and amended the
22 plan to in fact lower the first floor from nine
23 foot to eight foot eliminating the height variance

24 Motion offered by F. Baglieri to
25 deny the application.

THERE BEING NO SECOND

A. Panetta offered a motion to
approve the application, second by M. Gloede.

ROLL CALL:

A. Panetta: Yes.

M. Gloede: Yes.

G. Laterovian: Yes.

Chairman Golembiski: No.

M. Castro-Rijo: Yes.

F. Baglieri: No.

(APPROVED)

NO FURTHER BUSINESS BEFORE THE
ZONING BOARD OF ADJUSTMENT, THE MEETING WAS
ADJOURNED BY UNANIMOUS VOTE