

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, MARCH 23, 2016

MARCH 23, 2016
Municipal Building
Elmwood Park, New Jersey 07407
Commencing at 7:30 pm

B E F O R E:

THE ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF ELMWOOD
PARK.

PRESENT:

JAMES GOLEMBISKI, Chairman
FRANK BAGLIERI, Vice Chairman
RON VICARI, Secty.
JOSEPH BENIAMINI, Member
JEFFREY FREITAG, Member
DONALD INGRASSELINO, Member
DEBORAH ALVAREZ, Member
ANGELO PANETTA, Member
FRANK DELLIGATTI, Member
NICOLE A. OGROSSO, Bd. Engineer
MATTHEW DE MARIA, ESQ., Bd. Atty.

JOSEPH NATALE, C.S.R.
30 Cedar Island Drive
Brick, New Jersey 08723
(732) 477-6710

I N D E X

APPLICANT	DISPOSITION	PAGE
AGENDA:		
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RESOLUTIONS:		
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THE CHAIRMAN: Good evening, the regularly scheduled meeting of the Elmwood Park Zoning Board of Adjustment is called to order.

Roll call vote: Present were Members Panetta, Beniamini, Ingrasselino, Delligatti, Freitag, Alvarez, Vicari, Baglieri and Golembiski.

(Whereupon there is a flag salute.)

Mr. Baglieri made a motion to accept the minutes of the February 24, 2016 meeting, seconded by Mr. Ingrasselino.

Roll call vote: Voting yes in favor of motion were Members Baglieri, Ingrasselino, Delligatti, Freitag, Alvarez, Vicari and Golembiski.

Mr. Freitag made a motion to accept the Resolution in the matter of A16-003 (CUMBERLAND, ETC.), seconded by Mr. Ingrasselino.

Roll call vote: Voting yes in favor of motion were Members Freitag, Ingrasselino, Delligatti, Alvarez, Vicari, Baglieri and Golembiski.

Ms. Alvarez made a motion to accept the Resolution in the matter of A16-002 (U-HAUL, etc.), seconded by Mr. Delligatti.

Roll call vote: Voting yes in favor of motion were Members Alvarez, Delligatti, Ingrasselino, Freitag, Vicari, Baglieri and Golembiski.

MICHAEL SUMULIKOSKI (A16-005) (GRANTED)
 PREMISES AFFECTED: 409 East 54th Street, Block 1107, Lot 12.
 PURPOSE: Variance for lot size, lot area per dwelling, single yard, combined yard, front yard green area, total green area lot coverage and front yard setback.

MICHAEL SUMULIKOSKI, 427 East 54th Street, Elmwood Park, New Jersey, sworn.

Mr. Sumulikowski testified they are seeking to erect a two-family home. They previously were before the Board for a one-family and discovered the home was in

worse condition than anticipated, so the home was taken down. He testified they decided to construct a two-family home since they are in a two-family zone.

Mr. Sumulikowski testified the lot is an irregular size, which is causing setback issues.

He testified he can park a total of 5 vehicles on site. He testified regarding the proposed rental portion, he decided to make a one-bedroom instead of a two-bedroom, due to the parking issue.

Mr. Sumulikowski reviewed the floor plan for the Board. He testified the whole front of the house would be driveway.

After further discussion and questioning by the Board, Mr. Sumulikowski agreed the Resolution will include two designated spaces for the tenant, one covered, and the driveway will go to the end of the house and maintain as much green in front as possible.

Mr. Sumulikowski also agreed to put another door out of the garage for additional tenant access.

At this time, the Board reviewed Mr. Bolan's letter to the Board.

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. Freitag made a motion to approve with all the agreed-to amendments, updated calculations, etc., which motion was seconded by Ms. Alvarez.

Roll call vote: Voting yes in favor of motion to approve were Members Freitag, Alvarez, Ingrasselino, Delligatti, Vicari, Baglieri and Golembiski.

EARTH URVI, LLC (A16-003) (GRANTED)
 PREMISES AFFECTED: 437 Boulevard, Block 1110, Lot 1.
 PURPOSE: Variance for use, front yard, single yard, rear yard, lot coverage, green area, front yard fence height, 3 signs, parking variance, parking stall size variance and site plan.

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

Mr. Duch indicated that his client is proposing to convert a long-existing warehouse/distribution building into an Early Childhood Education Center. The proposed hours of operation would be 6:30 am to 6:30 pm, Monday through Friday. Deliveries would take place during the hours of operation. There would be periodic but infrequent open houses on Saturday and Sunday.

They anticipate 12-15 employees on their highest

shift.

Students are dropped off at various hours during the morning and picked up at staggered hours at the end of the day.

Various packages are offered for children, which result in half and full day sessions.

His client is proposing various cosmetic/esthetic changes and improvements to the premises.

At this time A-1 (revised architectural plans) and A-2 (8x10 photograph - front elevation) are received and marked.

MAYANK PATEL, 7 Castle Court, Far Hills, New Jersey, sworn.

Mr. Patel testified he is appearing on behalf of the Earth Urvi, LLC and agreed and confirmed Mr. Duch's representations.

Mr. Patel testified their enrollment would consist of infants to six year olds. He testified they operate 3 other facilities like this in New Jersey, similar in size. Their first one opened in 1998. He testified their future licensed capacity will be a maximum of 172. He testified their enrollment varies daily, but he anticipates 85 to 90 percent here. They also account for absentees, etc., which fluctuates. Staffing is dictated by the State, i.e., children to teacher ratio. He also testified deliveries come in smaller box trucks. He testified the play area in the back will consist of a rubberized matting.

KIEWWEN PAU, 151 Minna Avenue, Avenel, New Jersey, sworn.

Mr. Pau was qualified and testified as a licensed architect in the State of New Jersey. He reviewed the architectural plans before the Board. He testified there is a computerized security system when parents drop off/pick up their children. He also reviewed the play area and how same will be accessed.

Mr. Patel testified although they will have a total of 18 teachers, they will not all be there at the same time. However, there will be occasions where they will overlap.

Mr. Pau testified there will be video cameras throughout the building with accompanying monitors. There is an alarm system and the area is fenced in.

HAL SIMOFF, Shunpike Road, Madison, New Jersey, sworn.

Mr. Simoff was qualified as a licensed traffic expert in the State of New Jersey.

Mr. Simoff reviewed his traffic study before the Board. He projected 86 drop-offs in and 76 out daily, but as Mr. Patel testified, this occurs over a four hour period that should reduce the numbers to about 30 to 40 cars. He testified these numbers will vary with absentees, etc.

He described the surrounding area and suggested a recommendation for improvements to the intersection of Van Riper and Boulevard. He testified there are 24 parking spaces, having approximately 18 for staff still leaves 6 spaces for drop-off. He testified that in his opinion, this is a good location for a daycare center.

Mr. Simoff reviewed the plans before the Board.

Mr. Patel testified there will be no drop-off on the Boulevard.

MATTHEW G. CLARK, P.E. 11 Furler Street, Totowa, New Jersey, sworn.

Mr. Clark was qualified and testified as a licensed professional engineer in the State of New Jersey.

Mr. Clark reviewed the site plan before the Board. He testified in his opinion, there is more than adequate parking. He testified they will comply with Boswell's letter/report.

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

Mr. Ochab was qualified and testified as a licensed planner in the state of New Jersey.

Mr. Ochab testified he's done a study of the area, and reviewed photographs that he took and presented to the Board.

At this time, A-3 (6 photographs) was received and marked.

Mr. Ochab described the subject property and the surrounding area. He also testified childcare/daycare facilities are an inherently beneficial use according to New Jersey legislature.

Mr. Ochab reviewed the positive/negative criteria for the Board.

Mr. Patel testified dumpster pick-up is approximately 2 times per week.

After further discussion and questioning by the Board, the Board went into recess.

At this time, the Chairman opened the meeting to

the public.

FLORENCE BOBBY 167 Van Riper Avenue, Elmwood Park, New Jersey, sworn.

Ms. Bobby expressed concern about the congestion in this area presently. She described various businesses adjacent to this proposed site and the amount of traffic generated by same.

She also expressed concern about pedestrian safety, as sidewalks are only on one side of the street in front of the residential homes.

She questioned auxiliary staff such as a nurse.

She also testified as to concerns that this is a flood area.

She testified the playground area is under Route 80 going east.

She further expressed concerns about extra signage.

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

After further discussion and questioning by the Board, Mr. Vicari made a motion to grant the variances, subject to gaining two additional parking spaces for a total of 26, and with all the agreed-to stipulations. The motion was seconded by Mr. Freitag.

Roll call vote: Voting yes in favor of motion to approve were Members Vicari, Freitag, Ingrasselino, Alvarez and Golembiski; Members Delligatti and Baglieri voted no.

BANKERS FINANCIAL CORP. (CARRIED)
PREMISES: 180 Broadway, Block 302, Lot 1.
PURPOSE: Site plan and use variance for Shop-Rite Supermarket.

(See transcript enclosed)

There being no further matters before the Board, and all members voting in favor of motion to adjourn, the Chairman adjourned the meeting.

RONALD VICARI, Board Secretary