

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, FEBRUARY 24, 2016

FEBRUARY 24, 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:		
BANKERS FINANCIAL CORP. (A14-007)	Carried	3
JCB REALTY (A16-001)	Withdrawn	3
CUMBERLAND FARMS (A16-003)	Granted	4
U-HAUL COMPANY OF NORTHERN NJ & AMERCO REAL ESTATE COMPANY (A16-002)	Granted	5

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 January 27, 2016 meeting, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

The Chairman announced that regarding the matter of Bankers Financial Corp. (A14-007), the Board is in receipt of a letter requesting this matter be carried to the special meeting of March 16, 2016.

Mr. Baglieri made a motion to approve, seconded by Mr. Delligatti.

Roll call vote: All voted in favor.

JCB REALTY (A16-001)
 PREMISES AFFECTED: 200 Route 46 East, Block 1711, Lot 1.
 PURPOSE: Variance for building height, floor area ratio and Use Variance to allow storage facility.

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

Mr. Duch informed the Board that his client is withdrawing this matter.

Mr. Ingrasselino made a motion to approve the withdrawal of this matter, seconded by Mr. Freitag.

Roll call vote: All voted in favor.

CUMBERLAND FARMS, INC.
 (A16-003) (GRANTED)
 PREMISES AFFECTED: 609 Market Street, Block 1509, Lot 1.
 PURPOSE: Site plan application, convenience store/gas pumps.

JOSEPH MARINIELLO, JR., ESQ. appeared on behalf

of the applicant.

BRIAN J. SHORTINO, P.E., Bertin Engineering, 66 Glen Avenue, Glen Rock, New Jersey, sworn.

Mr. Shortino was qualified and testified as a licensed professional engineer. He testified he prepared the plans before the Board.

At this time, A-1 (plans) and A-2 (landscape rendering) are received and marked.

Mr. Shortino reviewed the plans for the Board and described the surrounding area. Their proposal is to renovate the existing structure and to install new underground storage tanks, new pump island and new canopy. He testified the prior operation had two uses, a gas station/repair facility. His investigation revealed the repair service portion was not permitted. They propose a convenience store with a service station, which is still not a permitted use.

Mr. Shortino reviewed the 2/11/16 Boswell letter for the Board. Mr. Shortino also reviewed the required C variances for the Board. He testified they are also seeking a variance for the canopy and signs.

They will not change the physical size of the building, but same will be modified to provide a sales area, utility room, and handicapped restroom.

The old underground storage tanks have been removed.

They are providing 6 parking spaces, including a handicapped space. They are also providing a trash/recycling enclosure area.

They are only changing the lighting regarding the canopy area.

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

Following the recess, the applicant stipulated and agreed to a condition of approval; the convenience store would not have a kitchen and/or any food preparation, it would be all traditional items that are found in a convenience store, i.e., hot coffee, beverages, etc.; no cooking or grilling at all.

ROBERT DE NISCIA, P.P., 347 Upper Mountain Avenue, Upper Montclair, New Jersey, sworn.

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

Mr. DeNiscia testified he is familiar with the plans and the application. He is aware that a use variance is required, as the existing service station is a non-conforming use.

He testified he inspected the site and reviewed the Master Plan and Zoning Ordinances.

At this time, A-3 (photo board containing 4 photographs) was marked.

Mr. DeNiscia reviewed A-3 and described same for the Board. He described the subject premises and the conditions presently existing. He confirmed that the repair bay facility will be converted/eliminated. He testified the fuel islands will be rebuilt and a convenience store created.

Mr. DeNiscia testified in his opinion, fuel sales and a convenience store is one use.

The fuel islands will now be able to accommodate 4 to 8 cars. He also reviewed the need for the canopy. He testified in his opinion, 6 parking spaces are adequate.

Mr. DeNiscia reviewed the proposed landscaping. He testified that the signs proposed will serve the site properly and adequately, and enable the driving public to locate the station.

He also reviewed the lighting and testified it would be substantially improved.

Mr. DeNiscia reviewed the positive and negative criteria for the Board.

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

CASSIE STAGG, 241 Martha Avenue, Elmwood Park, New Jersey, sworn.

Ms. Stagg testified she's resided in Elmwood Park her entire life. She questioned whether a traffic study has been done, as there are many back-ups in this area.

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

Ms. Alvarez made a motion to approve, with all the agreed-to stipulations, which motion was seconded by Mr. Freitag.

Roll call vote: All voted in favor.

U-HAUL COMPANY OF NORTHERN
 NJ & AMERCO REAL ESTATE
 COMPANY (A16-002) (GRANTED)
 PREMISES AFFECTED: 65 Bank Street, Block 1701, Lot 1;
 51-55 Bank Street, Block 1701, Lot 3; 85 Bank Street,
 Block 1701, Lot 4.
 PURPOSE: Use Variance and Site Plan approval.

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

Mr. Duch indicated they are here for the re-use of the buildings that already exist on the property. He reviewed the application package and reviewed the area in question. He stated his client is seeking a use variance, site plan approval, and any other variances or approvals the Board may deem necessary to allow a climate controlled interior self-storage in the existing building.

Mr. Duch reviewed the three existing surveys.

ANTHONY PALADINO, Redwood Drive, Toms River, New Jersey, sworn.

Mr. Paladino testified he is the president of U-Haul and has been with the company for over 25 years and is authorized to bind the company.

Mr. Paladino testified they have a full rental company in Saddle Brook where the trucks will be dispatched from. Their company serves as a storage facility for people during moves to another home, divorce, etc. It is a climate controlled building and not just a warehouse. He testified there will be no rental of vehicles at this site, and containers will be stored in their Saddle Brook facility, where they also have a repair facility.

He testified they will employ approximately 3 to 4 employees on site. The hours of operation will be Monday through Saturday, 7 am to 7 pm, and Sunday from 9 am to 5 pm. Due to security concerns expressed by neighbors, they have fixed lights and if approved they will alarm the storage units; the whole building will be alarmed, including 24 to 36 cameras throughout the entire facility.

Loading and unloading will be accomplished on Bank Street. A normal day has 2 to 3 move-ins, a busy weekend has 3 to 4.

Where it says "Customer Entrance", they are proposing a loading door. The most common trucks are 15', 17' and 22', cargo vans and pickup trucks.

Regarding Lot 3, that will average 2 to 3 tractor trailer deliveries weekly of approximately 5x7 portable storage boxes housed for customers until they are ready for delivery to their homes.

The parking lot will be used for employees and will house 2 to 3 vans, just to advertise their company.

The existing office in the far corner of the building will be used as a call center. He testified there will be no storage of animals, plants, food, perishables or anything flammable. They will comply with

any and all Fire Code requirements.

He reviewed the Engineer's letter and agreed to comply with same.

At this time, A-1 (8x10 color rendering) was marked.

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

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

At this time, A-2 (photo board containing 4 photographs) was marked.

Mr. Ochab reviewed A-2 for the Board. He testified the existing buildings cover a lot of the site, and the property is located in the General Commercial Zone, where self-storage facilities are not permitted.

Mr. Ochab testified that he merged the properties together so they have a number of pre-existing non-conforming uses. Some setbacks are non-conforming, as is the rear yard.

He reviewed the property in question and the surrounding property. He testified, in his opinion, this site would be particularly suited for this location.

He also reviewed the positive and negative criteria for 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. Ingrasselino made a motion to approve, with the stipulation noted by Mr. DeMaria, that the two formerly mentioned spaces be elongated, and reduce the parking from 28 to 26. Mr. Baglieri seconded the motion.

Roll call vote: All voted in favor.

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