

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, FEBRUARY 25, 2015

FEBRUARY 25, 2015
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
RONALD VICARI, Bd. Secty.
JEFFREY FREITAG, Member
DEBORAH ALVAREZ, Member
DONALD INGRASSELINO, Member
FRANK DELLIGATTI, Member
PETER TEN KATE, Bd. Engineer
MATTHEW P. 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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THE CHAIRMAN: Good evening, the regularly scheduled meeting of the Elmwood Park Zoning Board of Adjustment is called to order.

This meeting is being held in compliance with the Open Public Meetings Act.

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

Mr. Baglieri made a motion to accept the minutes of the meeting of January 28, 2015, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

Mr. Ingrasselino made a motion to accept the Resolution in the matter of Singh (A14-009), seconded by Mr. Freitag.

Roll call vote: All voted in favor.

The Chairman announced the Board is in receipt of a letter from the attorney representing applicant Boshniak American Community Center (A14-005), requesting an adjournment of this matter until March 25, 2015.

Mr. Baglieri made a motion to carry the matter to March 25, 2015, without prejudice, seconded by Ms. Alvarez.

Roll call vote: All voted in favor.

JOHN TSUO (A15-001) (GRANTED)
 PREMISES AFFECTED: 303 East 54th Street, Block 804, Lot 19.
 PURPOSE: T&T Wealth Group, LLC, variance for building height and building story variance.

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

GERALD J. NOVAK, AIA, 46 Commerce Road, Cedar Grove, New Jersey, sworn.

Mr. Novak was qualified and testified as a

registered/licensed architect in the State of New Jersey.

Mr. Novak reviewed the variances being requested by the applicant. He testified this will be on a masonry foundation down three feet, with a concrete slab. He further testified there won't be an attic.

Mr. Novak testified the total building footprint is roughly 1,600 square feet, a 32.08 percentage.

The applicant stipulated and agreed the first floor will only be used for storage and not living space, and same could be incorporated in a Resolution.

Mr. Ten Kate determined they will be at 32.3%, total lot coverage 47.54%.

The applicant also agreed there will be no additional clean-outs other than what is proposed.

Mr. Ten Kate also recommended an as-built survey with a certification as to the building height.

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.

JOHN TSUO, 8 Chittenden Road, Fair Lawn, New Jersey, sworn.

Mr. Tsuo testified he will not have an apartment/living area or kitchen in the unfinished basement section, same will be used as an exercise room/storage.

Mr. Mangano also confirmed they are looking for a variance for three stories rather than two and a half, the height of 26 feet rather than 25 feet.

Mr. Freitag made a motion to approve, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

MICHAEL LA PLACE (A15-002) (GRANTED)
 PREMISES AFFECTED: 74 Leliarts Lane, Block 804, Lot 5.
 PURPOSE: Jack Daniels Motors, Inc., use variance for interior and exterior storage of new motor vehicles.

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

MICHAEL RONALD LA PLACE, 258 Ridge Road, Chester, New York, sworn.

Mr. Duch indicated this application seeks permission for Jack Daniels Motors to store brand new vehicles indoors and outdoors at the subject location

for storage only. The two buildings in front of the property will remain vacant. One building does store maintenance equipment used by Mr. LaPlace.

Mr. LaPlace testified he is the owner of the subject premises, a principal of same, and authorized to bind the entity. He testified his family has operated a chemical company at this location since 1949, and same ceased in 2005. They operated with approximately 100 trailers, 24 tractors and approximately 27 employees, with a seven-day a week/twenty-four hour a day operation. The most recent occupant was FGO Logistics, which was a multifaceted trucking related business.

MARCELLO GLORIA, 283 Norman Drive, Ramsey, New Jersey, sworn.

Mr. Gloria testified he is Director of Operations for Jack Daniels Motors. He testified he is able to bind Jack Daniels Motors regarding any conditions the Board may impose in granting the variances they are seeking. He reviewed the history of Jack Daniels Motors and testified they have been in business since 1972.

He testified this site will be used for the storage of new vehicles, i.e., Volkswagen, Kia. The largest car is approximately 72 square feet. The application is seeking to park 220 new vehicles inside/outside.

There will be 2 employees on site with hours of operation 8 am to 5:30 pm. There will be no deliveries on Saturday or Sunday, with the exception of the month of December when there will be occasional deliveries.

Additional inventory will be replenished to the site by an employee picking up four other employees, which employees will drive more cars to the site. Those five employees will not remain on site. This process will be repeated a few times daily.

At this time, the Board went into recess.

When the Board resumed, Mr. Gloria testified, actually, the replenishment of vehicles would be done via trailer at a 5-time per week maximum. The two on-site employees will share an office in the back warehouse.

THOMAS STEARNS, III, Engineer, 144 Jewel Street, Garfield, New Jersey, sworn.

The Board accepted Mr. Stearns as an expert licensed engineer in the State of New Jersey.

Mr. Stearns testified that he prepared the site plan, updated same and reviewed the surrounding area, ingress and egress into the site and where the two on-site employees would have their office.

He testified there will be 116 cars stored outdoors, and they are asking for 8'x16' parking spaces where 9'x18' is required.

He testified the PVC fence on the right side of the property will serve as a good buffer, as it is 6' in height and abuts the residential property.

He testified the existing lighting is sufficient for Jack Daniels' purposes. He further testified security cameras will be installed.

He testified the easterly side of the building facing the residential section has a fire suppression system, but the left side of the building does not. He testified the three-employee parking spaces will be 9'x20'.

At this time, Mr. Stearns reviewed Boswell's 2/19/15 letter for the Board.

The applicant agreed all electrical will be brought up to code.

At this time, the Board went into recess.

When the Board resumed, Mr. Duch indicated his client will agree to stripe all of the exterior parking space; they will eliminate the two spaces by the Siamese Connection. Regarding the interior of the building, they will stripe the aisles so there is a clear fire aisle, and not to exceed more than 104 vehicles inside.

Mr. Gloria testified that he agrees to any and all agreed conditions that have been discussed and will comply with same. He also testified security cameras will be installed.

Mr. LaPlace described his arrangement with Elmwood Park DPW regarding the gate in the rear and how access is permitted so the Town can service the water main along the railroad.

Mr. Gloria testified there will be no sales or repairs of vehicles here and eventually they will return to the Board when they need to perform repairs.

He further testified dumpster/garbage pick-up will be during business hours, only.

At this time, the Board went into recess.

When the Board resumed, Mr. LaPlace testified all debris/material will either be discarded or put in the right front building.

MIA ALPOSPERROU, Kenneth Ochab Associates, 12-16 Fair Lawn Avenue, Fair Lawn, New Jersey, sworn.

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

Ms. Alposperrou testified she visited the site and prepared the planning report that is before the

Board; she reviewed same for the Board.

At this time, A-2 is marked into Evidence (planning report).

Ms. Alposperrou described the subject premises and the surrounding area. She testified this will function like a public garage that is generally permitted in this Zone. She also reviewed the negative and positive criteria for the Board.

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

DORIS TOPHAM-DECIUCEIS, 30 Leliarts Lane, Elmwood Park, New Jersey, sworn.

Ms. Topham-Deciuceis testified when Mr. LaPlace had his business, there were only five homes in the area; now there are many more and many children in the area.

She also testified she can't get out of her driveway because of truck traffic also due to BioReference. She further expressed security concerns.

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

Mr. Gloria testified they will install the security cameras within 60 days of the Resolution.

After further discussion and questioning by the Board, the Chairman called for a vote.

Ms. Alvarez made a motion to approve, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

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

RONALD VICARI, Board Secretary