

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, DECEMBER 17, 2014

DECEMBER 17, 2014
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
RONALD VICARI, Bd. Secty.
JEFFREY FREITAG, Member
DEBORAH ALVAREZ, Member
FRANK BAGLIERI, Member
ANGELO PANETTA, Member
JOSEPH BENIAMINI, Member
DONALD INGRASSELINO, Member
PETER TEN KATE, P.E., Bd. Engineer
MATTHEW P. DE MARIA, ESQ., Bd. Atty.

JOSEPH NATALE, C.S.R.
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(732) 477-6710

I N D E X

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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 Beniamini, Ingrasselino, Panetta, Freitag, Alvarez, Vicari, Baglieri and Golembiski.

(Whereupon there is a flag salute.)

Mr. Panetta made a motion to accept the minutes of the meeting of November 19, 2014, which motion was seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor; Mr. Panetta abstained.

FRANK & MARTHA PAISI

(A14-006)

(WITHDRAWN)

PREMISES AFFECTED: 231-233 Market Street, Block 1015, Lot 6.

PURPOSE: Variance for parking, front yard setback, side yard setback and site plan approval.

The Chairman announced A14-006 has been withdrawn and acknowledged a letter sent to the Board requesting same.

Mr. Panetta made a motion to approve same, seconded by Mr. Freitag,

Roll call vote: All voted in favor.

JASBIR SINGH (A14-009)

(CARRIED)

PREMISES AFFECTED: 17A West Street, Block 720, Lot 24.01.

PURPOSE: Variance for deck height and lot coverage. Insufficient notification.

JASBIR SINGH, 17 West Street, Elmwood Park, New Jersey, sworn.

Mr. Singh acknowledged insufficient and/or proper notification and requested to carry this matter to the January meeting, and further requested the notice to be

carried to the January 28, 2015 meeting.

Mr. Ingrasselino made a motion to carry this matter until the January 28, 2015 meeting, and by Mr. Freitag.

Roll call vote: All voted in favor.

BOSHNIAK AMERICAN COMMUNITY
CENTER (A14-005) (CARRIED)
PREMISES AFFECTED: 1 Locust Street, Block 1018, Lot 1.
PURPOSE: Variance to expand an existing non-conforming use. Carried to February 25, 2015.

The Chairman announced the Board being in receipt of a letter asking for an adjournment of this application to the February 25, 2015 regular meeting. The Chairman acknowledged no one present regarding this matter.

The Board also announced the applicant agreed to waive any time constraints imposed on the Board.

Ms. Alvarez made a motion to accept the request, seconded by Mr. Freitag.

Roll call vote: All voted in favor.

MONIKA ONISZCZUK (A14-008) (GRANTED)
PREMISES AFFECTED: 161 Orchard Street, Block 709, Lot 20.
PURPOSE: Variance for single side yard and combined side yard.

MONIKA ONISZCZUK, 56 Summit Avenue, Elmwood Park, New Jersey, sworn.

Ms. Oniszczuk testified they have previously purchased this house and they would like to add an addition since it's a small house.

TOMASZ BONA, Architect, 26 4th Street, Wood Ridge, New Jersey, sworn.

Mr. Bona testified the side dimensions will not change, they are going straight up within the building footprint.

They are removing the one-story screen porch in the back and eliminating a substantial amount of paved area in the rear to decrease the impervious coverage and actually reducing the building footprint.

There will be no change to the front yard, but they are reconstructing the front steps to put them into

compliance with code, and to also have a landing with a canopy for protection from the elements. The landing will be 4 feet, and the canopy will extend one foot beyond the edge of the landing.

He testified this is a two-family house with a small apartment in the front and the second apartment is accessible through the back. The owner will maintain the front apartment and newly constructed second floor, and they will move the entrance from the side to the rear.

He testified the driveway is approximately 65 feet.

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

JAMES SIRULLO, 159 Orchard Street, Elmwood Park, New Jersey, sworn.

Mr. Sirullo expressed concerns that people build two-families and then don't live there, as to the right of his home where there is another two-family and the owner does not reside there, and they have experienced problems with parking, etc. He also expressed concerns about the length of the new steps and how that would impact parking.

The applicant agreed the Resolution would state that the apartment could not exceed 400 square feet and/or one bedroom. The applicant also agreed to remove the fence that runs across the driveway.

VICTOR SPINELLI, 154 Orchard Street, Elmwood Park, New Jersey, sworn.

Mr. Spinelli testified he grew up in his present address. He testified the owner previous to the present owners made it a two-family, probably in the 1990s. He testified just one person resided there as a one-family with one car. He also expressed parking concerns. He also expressed concerns about how many people will actually reside on the premises.

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

After further discussion and questioning by the Board, Mr. Baglieri 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.

BANKERS FINANCIAL CORP.

(A14-007)

(CARRIED)

PREMISES AFFECTED: 180 Broadway, Block 302, Lot 1.

PURPOSE: Use Variance for food store approximately 64,500 square feet and separate bank pad with drive-thru.

MITCHELL W. ABRAHAMS, ESQ., appeared on behalf of the applicant.

NANCY A. LOTTINVILLE, ESQ., appeared on behalf of the objector.

Mr. Abrahams indicated he represents the applicant seeking permission to demolish the existing K-Mart building and build a smaller structure of approximately 64,000 square feet to be occupied by Shop-Rite.

Ms. Lottinville indicated she is appearing on behalf of the objectors, A&P/Pathmark.

At this time, a colloquy ensued regarding completeness. Ms. Lottinville concluded that in her opinion there is insufficient information to declare this application complete.

At this time, the Board went into recess.

After coming back to order, and after further discussion by the Board, Mr. DeMaria expressed his feeling there were possible jurisdictional issues and suggested this matter be put off until the January meeting.

After further discussion by the Board, this matter was postponed for a special meeting on January 21, 2015 with no further notice required or additional mailing.

Mr. Baglieri made a motion to carry this matter to January 21, 2015 for a special meeting, seconded by Mr. Freitag.

Mr. Abrahams waived any time constraints on the Board.

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