

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, JUNE 25, 2014

JUNE 25, 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.
FRANK BAGLIERI, Member
JOSEPH BENIAMINI, Member
DEBORAH ALVAREZ, Member
JEFFREY FREITAG, Member
ANGELO PANETTA, Member
DONALD INGRASSELINO, Member
PETER TEN KATE, Bd. Engineer
MATTHEW P. DE MARIA, ESQ., Bd. Atty.

JOSEPH NATALE, C.S.R.
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Brick, New Jersey 08723
(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, Panetta, Ingrasselino, 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 May 21, 2014, seconded by Mr. Ingrasselino.

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

CHRISTOPHER BARSZCZ (A14-002) (GRANTED)
 PREMISES AFFECTED: 293 East 54th Street, Block 804, Lot 21.
 PURPOSE: Variance for deck height.

CHRISTOPHER BARSZCZ, 293 East 54th Street, Elmwood Park, New Jersey, sworn.

Mr. Barszcz testified he would like to remove the existing deck, which only serves as an entrance to the second floor, and replace same with an approximate 8' x 14' deck, but coming off the second floor, and is seeking a height variance. This would be constructed over an existing patio with pavers. It is a height of 10' to the second floor, the same height as the existing deck. This will remain open. The stairway will be where the existing stairway is, but will extend out further to the edge where the pavers end.

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

Roll call vote: All voted in favor.

RIVERFRONT RESIDENTIAL, LLC
(A14-003) (CARRIED)
PREMISES AFFECTED: 301 Riverfront Boulevard, Block 1201,
Lot 4.01.
PURPOSE: Use variance for Child Care Center, The Goddard
School.

ROBERT A. KASUBA, ESQ., appeared on behalf of the
applicant.

Mr. Kasuba informed the Board there are two
issues before the Board. The first issue regards an
interpretation as to whether this is a permitted use.
If the Board determines it is not a permitted use, they
are prepared to proceed with a use variance application.

PETER G. STECK, 80 Maplewood Avenue, Maplewood,
New Jersey, sworn.

Mr. Steck was qualified and testified as an
expert professional planner. He testified as to why, in
his professional opinion, this is a permitted use.

At this time A-1 (three-page hand-out prepared by
Mr. Steck) was marked into Evidence.

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

BARBARA KELLY, 400 Riverfront Residential,
Elmwood Park, New Jersey, sworn.

Ms. Kelly had questions regarding the exact
location of the playground for the childcare center and
if and how same will be fenced in.

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

After further discussion by the Board, Mr. Vicari
made a motion that this be considered a non-permitted
use, which motion was seconded by Mr. Panetta.

Roll call vote: Voting yes in favor of motion
were Members Vicari, Panetta, Beniamini, Ingrasselino,
Freitag, Golembiski; Voting no were Members Alvarez and
Baglieri.

At this time a short recess is taken.

Mr. Kasuba indicated they are here for a use
variance/amendment to the site plan approval previously

issued by the Planning Board, i.e., The Goddard School.

NAOM RAMATI, previously sworn.

Mr. Ramati provided an overview of Goddard School, and testified there are 420 throughout the Country in 35 States, with approximately 60 in New Jersey.

He testified the children are from age 6 weeks to 6 years old. Their teachers are accredited and go through training programs. Their schools are licensed by the State of New Jersey. He testified as to the ratio, indoors and outdoors, of teachers per student.

The school is open between 7 am and 6 pm weekdays and closed on weekends. The programs begin at 9 am and end at 4 pm. There are 9 classrooms proposed, with 132 occupants. The average occupancy is 82%. Full staffing will have 22 people. The drop-off is 7 am to 9 am, and pick-up is 4 pm to 6 pm, lasting approximately 10 minutes. He described the play area as 2 areas with a 6' foot fence and a secured area. The areas are monitored by closed circuit video.

At this time, A-2 (drawing No. C4) is marked into Evidence, and Mr. Ramati reviewed A-2 with the Board.

GIULIANO I. GIUDICI, P.E., P.P., C.M.E., Yu & Associates, 200 Riverfront Boulevard, Elmwood Park, New Jersey, sworn.

Mr. Giudici was qualified and testified as a civil engineer.

At this time, A-3 (site Plan), A-4 (proposed site plan), and A-5 (site plan drawing) were marked into Evidence.

Mr. Giudici reviewed A-3, A-4 and A-5 for the Board. He testified the change they are seeking is at the south end of the building, where 5 spaces were provided. Those spaces are in an easement, but Phase I will have the requisite compliment of parking. The modification is just reconfiguring the parking. He further described the circulation in and out of the parking area. He described a big change in regards to the playground area, which is now divided into two parts, depending on age groups. He described where a safety guard rail will be at the playground facility.

After further discussion and questioning by the

Board, the Chairman opened the meeting to the public as to this witness. Hearing no one, the Chairman closed the public portion.

JOSEPH STEIGER, 245 Main Street, Chester, New Jersey, sworn.

Mr. Steiger was qualified and testified as a licensed professional traffic engineer. He testified he prepared a traffic impact study regarding the subject premises.

Mr. Steiger testified they have taken traffic counts during the am peak/pm peak hours of River Drive, Slater Drive and the surrounding areas. His study revealed the peak hour occurs 7:30 am to 8:30 am, and then 5 pm to 6 pm. He testified the intersection of River/Slater operates at a good level of service.

He also projected future traffic growth regarding the existing approval of office space, and combined same with the residential and daycare; there would be a failing level in the pm peak hour and a degradation in the am peak hour. He further testified that his recommendation would be that if this project is constructed with the office, an application would be made to the County to modify the signal timing to bring traffic conditions to approximately what they are today.

The Chairman noted that there is no mention in the traffic study of the approved BioReference site and the impact same will have on Slater Drive, i.e., 600 parking spaces they will be utilizing, plus 200 currently in use.

Mr. Steiger testified he is unfamiliar with BioReference, and stated that it would have a substantial impact.

At this time, the Board went into recess.

After the recess, Mr. Kasuba offered Mr. Steiger for questions by the Board and/or the public, and suggested carrying this matter to the July 23, 2014 meeting.

After further discussion and questioning by the Board, the Chairman opened the meeting to the public for questions regarding Mr. Steiger's testimony. Hearing no one, the Chairman closed the public portion.

Mr. Kasuba stated all witnesses would be present on July 23, 2014. He also waived any time constraints

that may be imposed on the Board.

Mr. Baglieri made a motion to carry this matter to the July 23, 2014 meeting, seconded by Mr. Ingrasselino.

Roll call vote: All voted in favor.

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

RONALD VICARI, Board Secretary