

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

IN RE:

MATTERS AND DECISIONS RENDERED

ON WEDNESDAY, APRIL 24, 2013

APRIL 24, 2013
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:

G. BYRON MORGAN, II, Chairman
JAMES GOLEMBISKI, Vice Chairman
RONALD VICARI, Bd. Secty.
DEBORAH ALVAREZ, Member
JOSEPH BENIAMINI, Member
JEFFREY J. FREITAG, Member
FRANK BAGLIERI, 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:		
BANK 46 LLC (A13-002)	Carried	3
ROUTE 46 EAST REALTY, LLC (A13-008)	Carried	5
SCARPULLA (A13-009)	Granted	3
RIVERSIDE COMMUNITY CHURCH (A13-010)	Granted	4
TUOHY (A13-011)	Granted	6
RESOLUTIONS:		
ANDREA LARTI (A13-007)		3

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, Freitag, Baglieri, Alvarez, Vicari, Golembiski and Morgan; Mr. Panetta was absent.

(Whereupon there is a flag salute.)

Mr. Golembiski made a motion to accept the minutes of the meeting of March 27, 2013, noting a correction on page 4 regarding Route 46 Realty, LLC was carried, not granted; the motion was seconded by Mr. Freitag.

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

Mr. Baglieri made a motion to accept the Resolution of approval regarding LARTI (A13-007), seconded by Ms. Alvarez.

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

Thomas Duch, Esq. appeared on behalf of the applicant, A13-002 (BANK 46, LLC), and requested an adjournment and waived the running of any time limitations.

Mr. Golembiski made a motion to accept the request without prejudice, seconded by Ms. Alvarez.

Roll call vote: All voted in favor.

SANTO & RODAMANTHI
 SCARPULLA (A13-009) (GRANTED)
 PREMISES AFFECTED: 37 15th Avenue, Block 308, Lot 11.
 PURPOSE: Variance for side yard, combined side yard and lot coverage.

RODAMANTHI SCARPULLA, 37 15th Avenue, Elmwood Park, New Jersey, sworn.

SANTO LUIGI SCARPULLA, 37 15th Avenue, Elmwood Park, New Jersey, sworn.

Mr. Scarpulla testified he and his wife, and two girls, reside at the subject premises and the home is too small. They have an existing patio and they would like to push out the back of the house to accommodate a room for the girls and a dining room. The house has an unfinished basement.

Mrs. Scarpulla testified it will remain a one-family.

After further discussion and questioning by the Board, the Chairman opened the meeting to the public. Hearing no one from the public, the Chairman closed the public portion.

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

Roll call vote: All voted in favor.

RIVERSIDE COMMUNITY CHURCH (A13-010) (GRANTED)
PREMISES AFFECTED: 100 Gilbert Avenue, Block 413, Lot 8.
PURPOSE: Variance to erect a sign.

JOHN KIM, 38 Hilliard Avenue, Edgewater, New Jersey, sworn.

Mr. Kim testified they would like to install a sign to identify their location and update the look of the building.

He testified the sign company recommended this size sign because of the long name. He testified the presently existing sign also indicates Elmwood Park and he would like to leave that sign. He testified that the new sign will have two gooseneck lights. He would like to illuminate the sign from dusk until approximately 10 pm, 7 days per week and would stipulate to same. He further stipulated no lighting would spill over onto the street, nor pass the sidewalk.

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, seconded by Mr. Golembiski.

Roll call vote: All voted in favor.

ROUTE 46 EAST REALTY, LLC (A13-008) (CARRIED)
PREMISES AFFECTED: 88 Route 46 East, Block 1701, Lot 2.
PURPOSE: Use Variance. Permit a second principal
permitted use; operation of auto repair shop.

VICTOR BROCCOLI, ESQ., appeared on behalf of the applicant.

Mr. Broccoli indicated there is currently existing an 8-pump gas station with 3 repair bays in a CG District and the building has been in existence since the early 1990s. His client is seeking permission to operate a minor repair business which would be a separate entity from the gas station.

KEENAN HUGHES, 33 Newark Street, Hoboken, New Jersey, sworn.

Mr. Hughes was qualified and testified as a licensed planner in the State of New Jersey. He testified he visited the property and is familiar with same.

(At this time A-1 is marked into Evidence, aerial photograph.)

Mr. Hughes testified via A-1 and described same to the Board. He reviewed the site in question and the surrounding properties. He described at least 14 parking spaces to be striped later. He testified the auto repair portion has been vacant for approximately 2 years.

(At this time, A-2 is marked into Evidence, 3 photographs.)

Mr. Hughes reviewed the positive/negative criteria for the Board. Mr. Hughes testified that minor auto repair will not include body work, but rather, inspections, brake repair, oil changes, etc. The applicant stipulated they will submit a proper parking plan that will be subject to approval.

(At this time, A-3 is marked into Evidence, 8x10 photograph.)

RAPHAEL POLANCO, 9 Randolph Avenue, Clifton, New Jersey, sworn.

Mr. Polanco testified he has 23 years experience as a mechanic. He testified he would occupy the subject premises to perform minor mechanical work such as oil changes, brakes, alternators. He stipulated there would not be engine rebuilding performed at the premises, nor any type of fabrication.

He further agreed there will not be any welding, etc. at this location. He testified he will have 4-6

employees with hours of operation 7 am to 7 pm, Monday through Saturday.

Mr. Polanco testified he will not have a tow truck. He testified at any given time 5-6 cars would be stored on site. He testified on the highest shift there will be 4 employees present, and he stipulated to same. He testified the parking spaces will be lined.

TEJA KHELA, 4668 Amboy Road, Staten Island, New York, sworn.

Mr. Khela testified he is the manager of Route 46 East Realty, and he would comply with any parking requirements, striping, etc., and would agree to any and all requirements imposed by the Board. He testified there is one employee at the gas station on any shift, 24 hours, 7 days a week.

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.

The applicant agreed to carry this matter to the 5/22/13 meeting, so they can present a parking plan to Boswell.

Mr. Golembiski made a motion to carry same, seconded by Mr. Baglieri.

Roll call vote: All voted in favor.

JOHN TUOHY (A13-011) (GRANTED)
 PREMISES AFFECTED: 50 Main Avenue, Block 1104, Lot 2.
 PURPOSE: Variance for two principal uses on a single lot, use variance and parking.

NICHOLAS P. NASARENKO, ESQ., appeared on behalf of the applicant.

JOHN J. TUOHY, 73 Evans Place, Saddle Brook, New Jersey, sworn.

Mr. Nasarenko indicated his client is seeking to store landscaping equipment and supplies and maintain an office at the subject premises. His client maintains a separate location for his main equipment, as same is being used. This location would be used to store winter equipment during the summer and vice versa. Three parking spots are available, but employees only visit the facility to pick something up, and are not there on a constant basis.

His hours of operation are Monday through Saturday, 7 am to 5 pm. He testified he would store polymeric sand used with pavers and extra materials left over, snowplows. There will not be storage of any type of fertilizers or hazardous materials. He will store 2 skid steers and 1 excavator. Nothing combustible will be on site, and he would stipulate to same.

Mr. Tuohy testified he is currently employed as a firefighter by the City of Passaic and is familiar with flammables and such, and the Board accepted his qualifications as being knowledgeable in this field. Mr. Tuohy stipulated there will be no storage of vehicles on site.

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

ALEXANDER MELNYCHUK, 45 Main Avenue, Elmwood Park, New Jersey, sworn.

Mr. Melnychuk wanted clarification that there would not be commercial vehicle parking and employees would not be parking on the street. He testified he is in favor of this.

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

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

Roll call vote: All voted in favor.

There being no further matters before the Board, and all members having voted in favor of adjournment, the meeting was adjourned by the Chairman.

RONALD VICARI, Board Secretary