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STATE OF NEW JERSEY COUNTY OF BERGEN

BOROUGH OF ELMWOOD PARK  
PLANNING BOARD

REGULAR MEETING  
WEDNESDAY, OCTOBER 9, 2024  
TAKEN PLACE: Municipal Building  
Elmwood Park, New Jersey  
Commencing at 7:30 PM

BEFORE: The Planning Board of  
Elmwood Park

PRESENT:

ANTONIO CASTELBUONO, Acting Chairman  
MAYOR ROBERT COLLETTI, Member  
COUNCILWOMAN SHERIDAN, Member  
JOSEPH BENIAMINI, Member  
ROMANO INTRIERI, Member  
MYLES GARVEY, Member  
CARL ROBERTS, Member  
ROBERT ELDER, Member  
ANDREW TISELLANO, Member  
ERIC SAIMSON, Member  
JEFFREY FREITAG, Member

ALSO PRESENT:

JOHN A. CONTE, JR., ESQ.,  
ATTORNEY TO THE BOARD

CARRIE PARETTI, SECRETARY

MINUTES PREPARED BY:  
BETH CALDERONE  
CERTIFIED COURT REPORTER  
75 Ottawa Avenue  
Hasbrouck Heights, NJ 07604  
(201) 982-5157  
Email-Calderone2000@aol.com

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OCTOBER 9, 2024

ELMWOOD PARK PLANNING BOARD  
REGULAR MEETING

Acting Chairman Castelbuono called the Regular meeting of the Elmwood Park Planning Board to order, according to the Open Public Meeting Act, October 9, 2024 @7:30 PM

\*\*\*\*\*  
FLAG SALUTE  
\*\*\*\*\*

MINUTES:

MEETING MINUTES: SEPTEMBER 11, 2024

Motion offered by R. Elder, second by J. Beniamini to approve the minutes as written. All Members voted Unanimously to accept the minutes as written

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RESOLUTION:  
P24-003  
FIVE BELOW INC.,  
100 Broadway  
Block 1407, Lot 7

Motion offered by R. Elder, second by M.Garvey to accept Resolution as written. APPROVED/ACCEPTED AS WRITTEN

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Member Jeffery Freitag Sworn in by Mayor Colletti.

1  
2 BUSINESS C.O APPLICATIONS3 B24-059  
4 PENGUIN DEN, INC.,  
5 2 Second Street  
6 Block 607, Lot 8  
7 TENANT: Kona Ice NJ 1 LLC8 DAVID SCILLIERI, on behalf of the  
9 applicant.

10 VOLODYA CHIBUKHCHYAN, Applicant

11 Applicant's business is located at 2  
12 Second Street in a preexisting commercial building  
13 surrounded by residential. Applicant is seeking a  
14 business certificate of occupancy. Mr. Chibukhchyan  
15 conducts a business called Kona Ice, which is a  
16 national franchise company selling shaved ice for  
17 different events from their freezer trucks.18 Applicant stated there is no  
19 business conducted at this location. The request of  
20 the CO is to continue parking of seven freezer  
21 trucks. There will be an office located in the  
22 building for use of the applicant. The applicant's  
23 seven freezer trucks go out to different locations,  
24 different sites, carnival sites, private parties,  
25 similar to an ice cream truck, selling shaved ice  
products, similar to the snow cone.This particular business/product is  
seasonal, running from mid early spring until the  
end of October requiring the parking of trucks  
during the winter months when not in use.Applicant stated the business is in  
existence now, but received a prior CO for parking  
of two trucks with a prior business conducted at  
that location. There are no materials required for  
this franchise. There will be a delivery of ice  
bags once a week during the season, and the ice is  
stored in two existing freezers located on the  
property in the rear. The product flavorings for  
the shaved ice is stored in the interior of the  
building.This business has been in operation  
for two and a half years, with the parking of the  
seven trucks on site. It was deemed by the building  
department that they are required to have a new  
certificate of occupancy for the business, thereby  
applicant filed an application before the planning  
board.

1                    Applicant stated there will be no  
2 outside storage, no excessive garbage. The waste  
3 water in the reservoir tank is taken to a facility  
4 in Jersey City for disposal. The interior washing  
5 of the trucks will be on site.

6                    The truck parking amount on site  
7 changed from two trucks to now having seven trucks  
8 parking on the property, in a tandem/stacked  
9 layout.

10                   A diagram was presented to the board  
11 showing the layout of the parking. Applicant  
12 stipulates to utilizing parking on site within the  
13 property line.

14                   Hours of operation 9:00 AM to 5:00  
15 PM. The trucks move out to their scheduled  
16 destination 11:00 AM and are out for the day at the  
17 different sites, returning later in the day.

18                   Applicant has a good relationship  
19 with their neighbors. There have been no  
20 complaints. The trucks will not be idling, causing  
21 any impact to the surrounding area.

22                   The Board discussed the parking  
23 layout and had a concern regarding a truck fire.  
24 The Application was not reviewed by the fire  
25 marshal regarding the layout of the tandem/stacked  
truck parking, and potential for a truck fire, and  
not having immediate access to the potential fire.

                  The board is concerned with the  
parking of tandem trucks and stated that a review  
and/or report will be required from the Borough's  
fire official.

                  After board discussion, the  
applicant agreed to carry the application to the  
November 13, 2024 meeting to address the concerns  
of the board. The applicant is willing to meet with  
the fire official to address the questions brought  
up by the board regarding the plug in power  
stations, electrical outlets permitted by code and  
will produce the report issued by the fire official  
for their review.

NO PUBLIC IN FAVOR OR OPPOSITION

MOTION to carry the application to  
November 13, 2024 offered by R. Elder, second by  
Mayor Colletti.

1 ROLL CALL BY MS. PARETTI:

2 MAYOR ROBERT COLLETTI: Yes

3 COUNCILWOMAN SHERIDAN: Yes

4 JOSEPH BENIAMINI: Yes

5 ANTONIO CASTELBUONO: Yes

6 ROMANO INTRIERI: Yes

7 MYLES GARVEY: Yes

8 ROBERT ELDER: Yes

9 ANDREW TISELLANO: Yes

10 ERIC SAIMSON: Yes

11 MOTION APPROVED

12 APPLICATION CARRIED TO NOVEMBER 13,

13 2024

14 -----  
15 BUSINESS C.O. APPLICATION

16 B24-061

17 MATT MROCZEK

18 379 Market Street

19 Block 1407, Lot 7

20 TENANT: STMR, INC.,

21 GARY ZALARICK, ESQ., on behalf of  
22 the applicant.

23 THOMAS STEARNS, Engineer

24 MATT MROCZEK, Applicant

25 The applicant requests a Business  
C.O. application for STMR, INC., to store  
construction vehicles with interior storage of  
construction materials. The business located at 379  
Market Street is in the CG zoning district, being  
an owner/occupied property.

A-1 Survey of the property dated May  
21, 2024 was submitted showing existing conditions.

The existing building is located on  
the northerly side of Market Street, west of the  
Garden State Parkway and east of Boumar Place.  
Fleischer Brook being adjacent. The property is  
near a flood zone, but not in the flood zone. Flood  
elevation in the area is 39.6, and the lowest  
elevation on the site and roadway frontage is 40.5.  
No building construction is being proposed.

1  
2 There is an existing drainage  
3 easement coming off the Parkway running along the  
4 easterly side of the property, next to Fleischer  
5 Brook.

6 The Site Plan dated August 15, 2024,  
7 and revised on September 25, 2024 as per a letter  
8 from the fire official, included the need for a  
9 Knox box and the fencing to have an opening of 20  
10 feet for access satisfying the fire official's  
11 concern.

12 Applicant will retract the variance  
13 request for a six foot high fence and will keep the  
14 existing fence existing on site, therefore not  
15 requesting a variance.

16 The application request is to store  
17 construction vehicles on site, and parking for  
18 employees permitted in the zone. Applicant will be  
19 cleaning up the site's debris, reorganizing the  
20 parking with striping, resurfacing, repaving, to  
21 accommodate the parking calculation based on the  
22 building with office, and warehouse. 12 spaces are  
23 required and applicant is proposing 17 user vehicle  
24 spaces. Construction vehicles are located in the  
25 graveled area in the rear along the northerly east  
side of the property.

The operation consists of employees  
come in and park, taking out the construction  
vehicle. The former use was a construction company  
with trucks and equipment. Applicant will not be  
exacerbating or increasing truck traffic in the  
area. It will be either less or equal as to what  
was being conducted on the property.

No use variances are existing, no  
variances are being proposed and no use variance on  
this request.

Approximately 15 employees at the  
highest shift. Vans, pickup, and forklifts will be  
the type of vehicles parked on site. Hours of  
operation, Monday through Saturday, 6:00 AM to 9:00  
PM.

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There will be a mechanic on site. Materials are delivered to job site, and will remain on the job site until construction is completed. No large vehicles/trucks return to the site. The dumpster location is indicated on the site plan. Applicant rents excavators, dump trucks, backhoes as needed for the individual job sites and those vehicles will never be parking on site.

NO PUBLIC IN FAVOR OR OPPOSITION

MOTION Offered by R. Elder, second by J. Beniamini to approve application as submitted.

ROLL CALL BY MS. PARETTI:

- MAYOR ROBERT COLLETTI: Yes
- COUNCILWOMAN SHERIDAN: Yes
- JOSEPH BENIAMINI: Yes
- ANTONIO CASTELBUONO: Yes
- ROMANO INTRIERI: Yes
- MYLES GARVEY: Yes
- ROBERT ELDER: Yes
- ANDREW TISELLANO: Abstain
- ERIC SAIMSON: Yes

MOTION APPROVED

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NO FURTHER BUSINESS THE PLANNING BOARD ADJOURNED MEETING BY UNANIMOUS VOTE