

**TOWNSHIP OF ROCHELLE PARK ZONING BOARD OF
ADJUSTMENT**

**151 West Passaic Street
Minutes of the February 2, 2012 meeting**

Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:30 PM.

The following members were present: Chairman William Coleman, Vice-chairman Jason Quinn, Nancy Croot, Patrick Sheehan, Sergio Gonzalez, Scott Den Bleyker, James Rendine, Diane Davidson and Board Attorney Anthony Gallina.

Board attorney Anthony Gallina swore in members Patrick Sheehan and Sergio Gonzalez.

Moved by P. Sheehan seconded by N. Croot that the Rochelle Park Board of Adjustment pay the following bill:

| | |
|---------------------------------------|----------|
| Banisch Associates for review of site | \$674.50 |
| plans for Allied Developers | |

Motion passed with all members voting in the affirmative.

Moved by N. Croot seconded by J. Quinn that the minutes of the January 19, 2012 meeting be approved as presented.

Motion passed with all members voting in the affirmative.

Meeting adjourned at 7:34 P.M. on motion by P. Sheehan seconded by J. Quinn. All present were in favor.

Attest February 2, 2012

Katherine Baccala
Secretary

Hearing #682
Ultimate Force (Harley Davidson)
124 Essex Street

Application for use variance and site plan approval and, in the alternative, an appeal from decision of Zoning Officer.

Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:35 PM.

The following members were present: Chairman William Coleman, Vice-chairman Jason Quinn, Nancy Croot, Patrick Sheehan, Sergio Gonzalez, Scott Den Bleyker, James Rendine, Diane Davidson and Board Attorney Anthony Gallina.

Attorney Joseph Torre, 530 Sylvan Avenue, Suite 101, Englewood Cliffs, NJ 07632, appeared for applicant. Mr. Gallina reprised the events that led up to this hearing. The issues presented by the building code official were either an appeal from his decision or an application for a use variance and site plan approval. The applicant wishes to proceed with the D-1 use variance first. It is considered enclosed outdoor storage.

Marked in evidence: A-1 notice of appeal of Mr. Bolan's decision, dated 8/2/11. A-2 Mr. Bolan's letter of denial, dated 7/19/11. A-3 Costa Engineering Corp. site plan revised 11/7/11. A-4 rendition. A-5 publication in *Bergen Record* dated 11/7/11. A-6 affidavit of service dated 11/5/11 including return receipts. Application complete. Application was originally filed before the joint Planning and Zoning Board. Initial date was 1/26/12. It was announced at that meeting that this application was being transferred to the re-formed Zoning Board to be heard 2/2/12.

Mr. Torre called Mr. Robert Costa, Costa Engineering Corp., 325 South River Street, Hackensack, NJ was qualified as an expert in engineering. Prepared A-3 and it was a continuation of his work on that site. Mr. Costa testified that the entire addition that was approved was not built. State took away all property where there was storage on site. The structures on site are temporary. Under our ordinance are temporary and accessory, but do constitute a use variance. Will move structures out of setback so they will not require bulk variances and won't need Bulk variance for coverage. They do need permission to use them as storage.

A-3 sketch to left shows existing condition today, smaller area to right shows where they are moving the sheds and the re-striping of the area, picking up 5 additional parking spaces. Will place bollards in front of sheds. Zoning data in center shows coordinates of the accessory structures as they will be moved in accordance to ordinance. No bulk variances would be required. No change in grade. Regarding positives - it's an existing, on going business that needs storage due to the nature of their business. Hopefully, when the economy gets better, they will be back for a permanent solution for storage. Does not think there are any negative criteria.

Regarding parking – the rendition shows plants by the parking spaces, which would not be practical. The bollards would be installed. The metal containers will be colored to match the building on site. Only utility will be electrical for a light and alarm system.

Discussion followed with board regarding size of parking spaces, employee access, no flammable or hazardous materials stored, 4 containers open inside and bolted together, roof to be added, to be used as storage for motorcycles and parts, structure to be moved (not a new one), losing space for storage as these can only hold about 40 motorcycles (lost 120), will sit on existing pavers, property to rear is commercial property with no structures on it.

Opened meeting to public. No questions.

Owner, Philip DiGennaro, 124 Essex Street, Rochelle Park, was sworn in. He was asked to address Board's questions. The storage units are essential to his business. New motorcycles are dumped in parking lot when delivered. They can roll right in to storage sheds. It is difficult to transfer in elevator to upper floor, as they don't run. Used for storage of inventory. He considers them temporary but not looking for a due date to remove. The floor is metal on top of the pavers. Agreed to storage of motorcycles and parts only. They have not used them since the official, Mr. Bolan, cited them. Much discussion took place regarding the structure.

Opened meeting to public. No questions.

Motion was made by W. Coleman, seconded by N. Croot, to approve a D-1 use variance with site plan approval subject to the following stipulations:

1. Mr. Bolan must approve the present structural integrity of the four units, including the roof and venting.
2. No flammable or combustible materials to be stored.
3. No business to be conducted from these proposed storage structures. They are strictly for housing motorcycles and parts.
4. No electricity or plumbing to be used except for lighting and alarm system presently existing. No air compressors, tools or machinery are to be stored in the structure.

All members were in favor.

Meeting adjourned at 9:00 P.M. on motion by P. Sheehan seconded by J. Quinn. All present were in favor.

Attest February 2, 2012

Katherine Baccala
Secretary

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**Hearing #681
Bergen Landscaping
131 Rochelle Avenue**

Application for site plan approval and related variances to be determined.

Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 9:07 PM.

The following members were present: Chairman William Coleman, Vice-chairman Jason Quinn, Nancy Croot, Patrick Sheehan, Sergio Gonzalez, Scott Den Bleyker, James Rendine, Diane Davidson and Board Attorney Anthony Gallina.

Donald Onorato, 5 Atlantic Avenue, Hackensack, appeared for applicant. Mr. Gallina summarized that Bergen Landscaping applied for site plan approval with no variances required. Mr. McGroarty reviewed the plans. His review said that there were two principal uses on the same site. This would require a D-1 use variance. Based on this report, the application was sent to the Zoning Board. In the interim, the plans were revised. Mr. McGroarty sent a letter dated 2/12/12 saying that the revised plans deleted retail aspect of use. Application is now for a single use and is a site plan application. If we agree, it will be sent back to the Planning Board. This is also subject to Mr. Bolan's review of the revised plans. No D variance is required.

P. Sheehan made a motion seconded by N. Croot to transfer this application to the Planning Board, subject to Mr. Bolan's review.

All members were in favor.

Meeting adjourned at 9:16 P.M. on motion by S. Gonzalez seconded by J. Rendine. All present were in favor.

Attest February 2, 2012

Katherine Baccala