

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

**151 West Passaic Street  
Minutes of the May 1, 2014 meeting**

**Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:32 PM.**

**The following members were present: Chairman William Coleman, Nancy Croot, Patrick Sheehan, Scott Den Bleyker, Sergio Gonzalez, Diane Davidson, Katherine Baccala, Nicholas LiBassi, Jason Quinn and Board Attorney Anthony Gallina.**

Moved by P. Sheehan seconded by J. Quinn that the minutes of the April 3, 2014 regular meeting be approved as presented.

Motion passed with all members present voting in the affirmative.

Moved by S. Gonzalez seconded by P. Sheehan that the Rochelle Park Board of Adjustment pays the following bill:

Anthony Gallina for April meeting	\$175.00
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Motion passed with all members present voting in the affirmative.

Old business: Mr. Coleman reported that the billboards are in the process of being set up. Mrs. Baccala reported that she asked that the building inspector check for dead shrubs behind the Mobil Station. Mr. Quinn asked if anyone knew why the Gulf station has been boarded up. No one has heard anything.

New business: to be heard tonight.

Meeting adjourned at 7:36 P.M. on motion by P. Sheehan seconded by D. Davidson. All present were in favor.

Attest May 1, 2014

Katherine Baccala

**Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:38 PM.**

**The following members were present: Chairman William Coleman, Nancy Croot, Patrick Sheehan, Scott Den Bleyker, Sergio Gonzalez, Diane Davidson, Katherine Baccala, Nicholas LiBassi, Jason Quinn and Board Attorney Anthony Gallina.**

**1. Hearing #700**

**Kimberly Ax-Hernandez**

**340 Rochelle Avenue**

Seeking to convert a one family home to a two family home. Continued hearing.

Mr. Hernandez submitted papers to the Board. A-11 marked in evidence is revised floor plan consisting of two pages undated, A-12 is undated survey consisting of two pages.

Mr. Hernandez said he tried to change plans as suggested by Board members but was unable to do so. Asked if he could get a variance for a two family that would revert to one family if he sells it. That is not possible as it goes with the property. He asked again for a two family variance but was told that this would not happen. Then he discussed plans to make changes inside. He was told that these would require going for permits to the building department.

Moved by K. Baccala seconded by S. DenBleyker that the Rochelle Park Board of Adjustment deny this application for a two family variance.

	Yes	No	Absent/Abstain
William Coleman, Chairman	X		
Jason Quinn, Vice Chairman			Abstain
Patrick Sheehan, Member	X		
Nancy Croot, Member	X		
Scott Den Bleyker, Member	X		
Sergio Gonzalez, Member	X		
Diane Davidson, Member	X		
Katherine Baccala, Alt. #1	X		
Nicholas LiBassi, Alt. #2	X		Abstain

Meeting adjourned at 7:55 P.M. on motion by P. Sheehan seconded by J. Quinn. All present were in favor.

Attest May 1, 2014

Katherine Baccala

**Chairman William Coleman called the regular meeting of the Zoning Board of Adjustment to order at 7:56 PM.**

**The following members were present: Chairman William Coleman, Nancy Croot, Patrick Sheehan, Scott Den Bleyker, Sergio Gonzalez, Diane Davidson, Katherine Baccala, Nicholas LiBassi, Jason Quinn and Board Attorney Anthony Gallina.**

**2. Hearing #699**

**All Points Auto & Towing  
37 & 43 West Passaic Street**

Applicant is seeking permission to operate a 24 hour towing and storage use. This is a continued hearing.

Mr. Giblin appeared for applicant. No one has received planner's report. A-9 in evidence survey by Paul J. Troast dated 4/25/12 for 37 West Passaic Street, A-10 another survey for 43 West Passaic Street dated 4/25/12 from Troast, A-13 revised site plat of 37 & 43 West Passaic from Paul J. Troast 4/23/14. Mr. Locicero stated that he delivered these documents to Mr. Job and PDF file e-mailed them to the planner.

A letter was received from Mr. Job dated 4/29/14. Mr. Giblin addressed items from letter: #1 the plats were reviewed, #2 verified that the site is being used as single economic unit, #3 what was submitted is sufficient as long as the Board does not require any site improvements (their request is that the Board not require site improvements other than what they are proposing), #4 submit plans to BC Dept. of Planning & Economic Development (they will), #5 no ground disturbance and talks about site improvements (they would like approval for the site as it is now), #7 no sanitary sewer flow increase, #8 no impervious coverage improvements (asking for waiver), #9 discusses placement of vehicles and noise, #10 rear gravel (they feel gravel is fine as no customers are allowed there and that's where towed vehicles will be stored), #11 agree to reconstruct pavement areas where needed, #12 requesting waiver from the requirement that the rear be paved, #13 don't propose to stripe, #14 agree to repair fence with slats, #15 body parts stored for insurance adjusters (will show area on plan where they will be kept), #16 no additional site lighting, #17 site improvements as requested.

Marked in evidence B-1 report of Job & Job dated 2/21/14, B-2 Job letter dated 4/29/14.

Mr. Coleman asked how we classify this business. Mr. Michael Kauker, 356 Franklin Avenue, Wyckoff was sworn in. He is a licensed professional planner and was accepted as an expert. He said the application is for use. They are proposing an added dimension to a prior non-conforming use. Feels it's an additional D-1 non-conforming use. Feels it's suited to this application. The two

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different uses - the rear will be formalized on the site plan. A-14 aerial photo of subject property. He discussed parking spaces. He feels parking on site in past has been adequate. Feels there is under-utilized space for parking for the applicant's needs. They are asking for waiver of number of parking spaces. Feels there is a distance of approximately 85' to the nearest home. No disabled vehicles in far rear. They will be deposited adjacent to back parking. The smaller of the two buildings has two spots if needed for indoor storage or to our DPW yard. Cars are very rarely stored indoors.

Mr. Quinn asked a lot of questions of Mr. Locicero regarding the storage, parking, etc.

Mr. Kauker discussed positive criteria - suitable to accommodate added use. D-1 feels there's a need for public service for the police dept. and general welfare. Negative criteria - only one residence directly behind and limited activity and distance.

B-3 planner's report dated 3/6/14. Mr. Gallina asked for distinction between D-1 and D-2 variance. What they are proposing is not a physical expansion. Page 3 paragraph 6 in the planner's report; Mr. Gallina asked Mr. Kauker if he agrees that it would be two principal uses on one site. Yes. Discussed calculation from closest residence to rear of this property – 85'. 48 parking spaces (storage) proposed outside on site, they are not marked.

Mr. Locicero discussed fluids leaking. Anything leaking upon arrival requires a drip pan be put underneath.

S. Gonzalez made a motion seconded by S. DenBleyker to waive the site plan requirements of the ordinance for this application:

	Yes	No	Absent/Abstain
William Coleman, Chairman	X		
Jason Quinn, Vice Chairman		X	
Patrick Sheehan, Member	X		
Nancy Croot, Member	X		
Scott Den Bleyker, Member	X		
Sergio Gonzalez, Member	X		
Diane Davidson, Member		X	
Katherine Baccala, Alt. #1	X		
Nicholas LiBassi, Alt. #2	X		

Applicant had no objection to J. Quinn and N. LiBassi voting as they were not at the previous meeting. They have read the minutes.

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Meeting adjourned at 9:35 P.M. on motion by P. Sheehan seconded by S. Gonzalez. All present were in favor.

Attest May 1, 2014

Katherine Baccala