



TOWNSHIP OF ROCHELLE PARK PLANNING BOARD
 151 WEST PASSAIC STREET
 ROCHELLE PARK, NJ 07662

July 26, 2012

Minutes

- **CALL TO ORDER: 8:05 p.m.**
- **ROLL CALL:**

Present:	M. Collins, M. Den Bleyker, Chairman Kaniewski, M. Kazimir, D. Kingma, C. Muller, L. Ristovski, Committeeman Valenzuela, Chief Emeritus Zavinsky
Absent:	G. Sorrentino

- **Pledge of Allegiance**
- **APPROVAL OF THE JUNE 2012 MEETING MINUTES**
 - **With amended applicant Adebola Dele-Michael MD to hours 6a.m. to 7:30 p.m.**

Motion: R. Zavinsky
Second: C. Muller

Yes	No	Abstain	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, D. Kingma, C. Muller, L. Ristovski, F. Valenzuela R. Zavinsky		M. Kazimir	G. Sorrentino

Announced: Maywood Realty Associates has been adjourned until August 23, 2012

CASE# - ZB2011_9_1
 JSMC, LLC
 50 Essex Street
 Rochelle Park, NJ 07662
 Block 3, Lot 41

Motion: M. Den Bleyker
Second: C. Muller

Yes	No	Abstain	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, D. Kingma, C. Muller, L. Ristovski, F. Valenzuela R. Zavinsky		M. Kazimir	G. Sorrentino

PB Case PB2012_6_2
 Adebola Dele-Michael MD
 50 Essex Street
 Rochelle Park, NJ 07662
 Zone I/B Block 3 lot 41

Motion: M. Collins
Second: R. Zavinsky

Yes	No	Abstain	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, D. Kingma, C. Muller, L. Ristovski, F. Valenzuela R. Zavinsky		M. Kazimir	G. Sorrentino



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BUILDING AND LAND USE APPLICATIONS:

- **SAC Realty - Bristol Manor**
Zoning- D variance for Aquatic Facility
96 Parkway
Rochelle Park, NJ 07662
Block 19.02 Lot 1 Block 18.01 lot

Applicant: Mendy Gold, Managing Member of the Applicant

Attorney: Stephen P. Sinisi, Esq.

The Applicant applied to the to the Planning Board/Zoning Board of Adjustment of the Township of Rochelle Park seeking to remove a prior site plan condition to permit non-resident patients to utilize aquatic therapy facilities on the premises of the Chateau at Rochelle Park. The Board previously determined that the removing the condition was not possible because the property would have two principal uses on the same property. Therefore, the Applicant appeared before the Board requesting a D-Variance to allow two principal uses on the lots listed above.

Mr. Sinisi asked the Board to consider the negative vs. positive criteria of how the use of the facility would enhance the community.

First to testify was Sean Moronski, P.P. of the firm of Burgis Associates, Inc. was sworn and testified that the facility would benefit community by:

- 1) Encourage the development of new recreation facilities in appropriate locations serving the different residential neighborhoods of the community
- 2) The facility provides variety of commercial uses to serve the shopping, professional and personal service needs for residents and visitors alike
- 3) The facility provides sufficient space in an appropriate location.

Mr. Moronski further testified that the aquatic facility meets the two prong test for an accessory use. Specifically, it meets the test of "commonality" in that it is a use that one would commonly expect with the principal use. The aquatic facility is one type of physical therapy services offered by the nursing home. Aquatic therapy rehabilitation services are not uncommon. Offering aquatic therapy to out-patients is "interconnected" with the nursing home as a primary use.

The witness also testified that the use of the aquatic facility for out-patient use will not adversely impact existing parking or traffic from the site.

The next witness, Joseph Staigar, P.E., P.P., of Joseph Staigar Engineering, testified as the Applicants traffic expert. He indicated that in his opinion that there would be an increase in parking demand but there is valet service to mitigate the parking overflow. He also indicated that any parking infractions could be enforced by local police.

The witness further testified that twenty percent of the patients who use the *Chataeu* will use the "transport" service. Fifteen percent of the patients will be dropped off and sixty-five percent of the patients will drive themselves for their medical service. Those who drive will be instructed to use the valet service.

The meeting was then opened to the public for questioning of the witnesses.

Robert Calabrese, who resides at 86 Parkway, questioned Mr. Staigar regarding when and how his traffic study was done and asked if he talked to any of the neighbors. Mr. Staigar referred to the reports in evidence from April 2011 and indicated he did not talk to the neighbors.



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James Daubner, who resides at 14 Grove Avenue, Rochelle Park, questioned Mr. Staigar as to how many spaces were on the lot and asked about the timing of

Helene Reiner, who resides at 91 Parkway, Rochelle Park, introduced pictures into evidence showing the current conditions on Parkway.

After deliberating and reviewing all testimony in this case the Board unanimously voted to deny the applicants request for a D-Variance by 7 votes.

Motion to Deny D- Variance: M. Kazimir

Second: M. Den Bleyker

Yes to Deny D- Variance	No	Recused	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, M. Kazimir, C. Muller, L. Ristovski, R. Zavinsky		F. Valenzuela D. Kingma	G. Sorrentino

- RP 340 Associates
 340 W. Passaic Street
 Rochelle Park, NJ 07662
 Zone B –B Block 102 lot 7.02

Applicant: AVINOAM EFRAIMO

The applicant, Mr. Efrainmo appeared before the Board seeking approval to operate a financial services, insurance and investment firm at the subject premises.

The Applicant testified that he operates out of a main office in Staten Island, NY and this would be a satellite office. He intends to have two employees at this location and the hours of operation of the firm will be from 9:00 a.m. to 6:00 p.m., Monday through Friday. The applicant has one dedicated parking space but parking at the site is not an issue. Mr. Efrainmo stated that he sees clients at their location. He also testified the only changes to the site would be new carpeting and paint.

The Board approved Mr. Efrainmo’s application with 8 votes.

Motion: M. Den Bleyker

Second: F. Valenzuela

Yes to Approve	No	Abstain	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, M. Kazimir, D. Kingma, C. Muller, F. Valenzuela R. Zavinsky			G. Sorrentino L. Ristovski

- Lucky Dog Tavern
 55 Route 17 South
 Rochelle Park, NJ 07662
 Zone A Block 16 lot 17

Applicant Representative: David Parker a principal of the Applicant
 Attorney for Applicant: Richard J. Conte, Esq

The Applicant The Lucky Dog Tavern, Inc. and represented by Mr. David Parker applied to the Board to operate a restaurant and bar at the above address.



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Mr. Parker testified that his company has purchased the property, its liquor license and business from the prior owner Bistro 55. At the time of the meeting the Applicant was operating its business under a temporary certificate of occupancy. The liquor license transfer was approved.

Mr. Parker further testified that the Applicant will maintain the business as it is with the name and sign and future plans to renovate and change the name will happen sometime after August.

The Applicant described the restaurant as an upscale family dining and drinking establishment which will host private parties as well. He said the business sells 65% food and 35% alcohol. He also stated that there will be no entertainment.

The restaurant has 178, with 93 parking spaces, (two being handicapped). He will employ approximately 20 people and the hours of operation will be 11:30 a.m. to 12:00 a.m. Monday through Thursday and 11:30 a.m. to 1:00 a.m. on Friday and 4:00 p.m. to 1:00 a.m. on Saturday and 11:00 a.m. to 11:00 p.m. on Sunday.

The Mr. Parker intends to landscape around the perimeter of the parking lot, and he will seal and re-stripe the lot.

Members of the public were asked to speak and Luisa Mora, whose father resides at 134 Becker Avenue, was sworn and testified on behalf of her father who owns property behind the restaurant. Ms. Mora testified that the current fence provides no privacy for the homeowner. The witness provided evidence Exhibits marked as LM-1 through LM-16, which show the fence in disrepair. The applicant agrees to install an eight foot privacy fence along its lot line.

The Board unanimously approved the tenant's application with 8 approvals.

Motion: M. Den Bleyker

Second: M. Collins

Yes to Approve	No	Abstain	Absent
M. Collins, M. Den Bleyker, E. Kaniewski, M. Kazimir, D. Kingma, C. Muller, F. Valenzuela R. Zavinsky			G. Sorrentino L. Ristovski

- LITIGATION:
- OTHER BUSINESS:
- PUBLIC:
- ADJOURNMENT:

Motion: M. Den Bleyker

Second: M. Collins

Time: 12:15 a.m.