

**MINUTES
REGULAR MEETING
LITTLE FERRY PLANNING/ZONING BOARD
FEBUARY 11, 2015**

MEETING START:

CALL TO ORDER-FLAG SALUTE: TIME: 7:31 P.M.

PLEDGE OF ALLEGIANCE: Brian Giblin

OPENING STATEMENT:

This is a regularly scheduled meeting of the Planning/Zoning Board of the Borough of Little Ferry, New Jersey and notice has been provided pursuant to the Open Public Meeting Act by mailing notices to the Bergen Record and Star Ledger and, by posting notice in the Municipal Building and by filing a copy of such notice with the Borough Clerk of the Borough of Little Ferry. The notice contained the date, time and place of such meeting.

ROLL CALL:

Ronald Anzalone, James Avillo, George Carrion,
Steven Gerard, William Lenihan, Marty Loesner,
Lorenzo Migale, Joseph Olivelli, Winton Ramsay,
Alan Soojian, Gino Tessaro

Brian T. Giblin, Board Attorney
Bertha Sneyer, Board Clerk

APPROVAL OF MINUTES:

CORRESPONDENCE:

Dept of Transportation- Ref: 270 Route 46; dated January 30, 2015
Job & Job - 205 Bergen Turnpike Site Plan Application Follow Up Report for review
E-mail: Frank Migliorino, Esq - Kindly inform the Board that my client Lou Tolerico,
(Auto Zone/7-11) will not be ready for the 2/11 meeting since we are relocating the
building so as not to have an entrance nor egress onto Woodland Avenue. We
respectfully wish to attend the 3/11 meeting of the Board at which time we hope to
finish our presentation relocating the Auto Zone building facing Route 46. Thank You
E-mail: Ms. Odette Colon start of tonight's meeting

APPROVAL/DENIAL OF RESOLUTIONS:

Property Owner: Levine C/O Lukoil N. Ameri LLC

2014-12-1-Z-15

Applicant: LUKOIL North America LLC

270 Route 46 and Liberty Street

Block 9, Lot 1

Zoning Application: Variances and site plan approval due to DOT takings.

Chair – make a motion to waive the reading of the resolution

Motion to Waive made by: Alan Soojian

Seconded Gino Tessaro

Roll call - George Carrion, Steven Gerard, William Lenihan,
Lorenzo Migale, Joseph Olivelli, Winton Ramsay,
Alan Soojian, Gino Tessaro

Absent Marty Loesner,

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Robert & Kikuko Klawitter

Applicant: Robert & Kikuko Klawitter

2015-01-1-Z-1

94 Christina Street

Block 75.02; Lot 4

Zoning Application: Variances - single family home requiring side yard and combined side yard setback. Addition to south side of structure to replace carport with garage and build second story above.

Mr. Dean Stamos appearing on behalf of Mr. Mark Madaio who has a conflict with tonight's meeting. Appearing on behalf of the applicant' there is application for variances to the subject property.

Applicant taking part thru a program thru FEMA and other relief with damage that was suffered to his property from Sandy and its allowing him to re-locate his utilities out of the flood zone. His property is in an AE Flood Zone. So we have submitted an application as noted. I have here the applicant, applicants architect as well as the engineer.

Mr. Robert Klawitter approaches and is sworn in my Mr. Giblin. Mr. Stamos asked Mr. Klawitter if he heard his opening. Mr. Stamos asked Mr. Klawitter to describe the damage you suffered from Sandy and the program you are taking part in. Mr. Klawitter signed up with FEMA and the PRem Program cause they said they would do it at the same time when the flood was exisiting. I went in a year and half ago to get the PREM Program. The people came over from the state. They originally wanted to put the

addition closer to my neighbor, who has a built in swimming pool and I would be right on his property line. I asked if I could put it on the other side where I have an existing car-port so it would be above the car port. Something to do with the elevation and all that stuff, so we are changing the boiler room out. Mr. Stamos so as part of the program you seeking to relocate your utilities; such as your boiler and other utilities from the ground floor to a higher elevation. Mr. Klawitter – correct. To get it out of the flood area. Mr. Stamos – original request to move to the north side. Seeking to place on south side of property, Liberty Bell apartments located on south side – parking lot.

Chair – opens to Board for any questions. General public

Mr. Stamos – calls up architect.

Mr. Giblin swears in Mr. Gary Chartoff.

Mr. Chartoff testified before the Board a couple of months ago. Board accepts as an expert witness.

Mr. Stamos asked Mr. Chartoff if he or somebody from his firm prepared the drawings.

Mr. Chartoff stated he prepared the drawings. Mr. Stamos asked Mr. Chartoff to briefly describe what is proposed.

Mr. Chartoff states that what is proposed is a two story addition. Ground floor was an existing car-port on the right side of the house. Mr. Klawitter would like to enclose that as a garage and above that build an extension to his two rooms on the first floor. On the first floor on the left side excuse me on the right side is an existing home office and bedroom. We plan to go towards the south and put their heating and cooling appliances on the upper floor. I call it the ground floor/first floor where all the living is done and the second floor the dormer. Hopefully it will not get to confusing. We explored different possibilities of putting it on the back to avoid the side yard setbacks situation but it didn't work and taking into consideration that there is a chain link fence and a very wide driveway with parking for the garden apartments to his south. So it made more sense to place here, so we are looking for relief and understanding that this variance wouldn't have any bad effects on the neighborhood as there is no neighbor to the south side compared to the north side and this seems to be the logical solution to solve the owner's problem.

Mr. Stamos asked if the extension would remain in the existing footprint. Mr. Chartoff stated it would stay within the existing footprint of the existing car port. No aspiration to this site.

Chair opens to Board for questions. ?? Asked if that was the only kitchen; Mr. Chartoff stated it is an existing summer kitchen it was there and the eating appliances are going to be abandoned in the basement and their primary kitchen will be on the first floor.

Chair asked if this was a one – family. Mr. Chartoff replied yes it is.

Chair opened to the public for any questions for this witness. Counselor

Mr. Stamos stated he has the engineer here, but it may be repetitive to the architect testimony. I will call him up briefly to explain the elevation and site plan.

Mr. Giblin swears in. – Gary Van der veer, with the firm of Azzolina and Feury Engineering. Mr. Giblin stated Mr. Van der veer has appeared before the Board before and is accepted and qualified as an expert witness.

Mr. Stamos inquires of Mr. Van der veer whether he or someone from his firm prepared the drawings submitted and fully familiar with the subject property. Mr. Van der veer stated he reviewed the plan and has been to the site to look at the existing conditions. Mr. Stamos asked Mr. Van der veer to summarize his testimony. Mr. Van der veer as was indicated an existing single-family residence with a car port on the south side. The applicant/client proposes to redevelop the property enclose the carport to a garage and build a living space above that. There will be no change in the impervious coverage of the site. All the improvements the garage and the level above that will be within the existing footprint of the car port and the asphalt driveway area, garage will be installed with 2 flood vents, that is a requirement of the rebuilding within the flood area, there are variances required for side yard set backs 3.4 feet on the south side with 8 feet required as well as a combined side yard setback of 16.8 feet proposed where 20 feet is required. With regard to the DEP issues, I indicated flood gates will be provided; elevation certificate has been prepared, base flood elevation is at elevation 9; the garage floor existing and proposed is a little under set elevation 7; therefore anything within the garage area and 2 feet above the base flood elevation will have to be elevated and that is why the additional floor is required to bring the appliances and utilities outside of that flood zone. This is a small addition which is permitted under the DEP Regulations-Permit by Rule, they do allow a building addition less than 300 sq ft. this addition is 222 sq ft. So what that means is, simply a matter of notifying the state of their intent to proceed with this construction; notify the state as to the general timeframe, who the contractor is; who the owner is and various contact information. That's basically it.

Mr. Stamos – there would be a benefit to relocating the heating and cooling appliances out of the flood area. Mr. Van der veer it definitely would be a benefit to move the appliances and utilities out of the flood area if this was ever to happen again at any point and time. Utilities would be outside of the flood area and would not be impacted by any flood waters.

Mr. Stamos –as stated by Mr. Chartoff the addition is within the same footprint including the car port. Mr. Van der veer that's correct; there is no change in the coverage of the site all of the improvements will be within the existing and impervious area asphalt and specially the car port, that is there now.

Mr. Stamos -Apartment complex and single family resident do you see any detriment. Mr. Van der veer, no I do not south side property line there is an 8 ft high chain link fence coupled with a 6 ft high stockade fence separating the subject property from the apartment complex to the south and that's 50 to 60 ft back indicated to the building and between property line and building is nothing but a driveway and parking area for the apartment complex.

Chair – any questions from the Board.

?? - Any intent in raising the electric service.

Mr. Van der veer – that would have to be elevated, I believe is part of the grant application that all utilities would have to be elevated; higher than the base flood elevation.

??? – Do they have a proposed area where they will move that to?

Mr. Van der veer that is a question probably for the architect; I am not sure where in the building the utilities will be. Looking at the plans looks like it comes in on the right hand side and will be in the middle of his living room.

??? will have to work with the engineers on that.

Chair – anyone else from this side of the board,
General public any questions for this witness.

Counselor –

Mr. Stamos rely on the testimony provided and ask the Board to act favorably upon the application.

Chair – make a motion to approve or deny.

Motion to Approve made by: Alan Soojian
Seconded Marty Loesner

Roll call - George Carrion, Steven Gerard, William Lenihan,
Marty Loesner, Lorenzo Migale, Joseph Olivelli,
Winton Ramsay, Alan Soojian, Gino Tessaro

Chair – Good Luck with your addition

UNFINISHED OR ADJOURNED HEARINGS OF APPLICANTS:

Property Owner: 200 Route 46 West Little Ferry, LLC

Applicant: AUTOZONE, NORTHEAST, LLC

C/O: CURTIS SIGLER/Owner also

2014-12-2-Z-16

200 Route 46 West and 115 Woodland Avenue

Block 13, Lot 1 Block 13, Lot 67

Zoning Application: Various bulk ordinances and use ordinance required. done
Demolish existing structure (A1 Tile) and erect an Auto Zone retail store, a Seven-Eleven convenience store as well as an electronic billboard.

Mr. Migliorino, attorney for the applicant, kindness of the board to postpone til the March 11 meeting at that time. Came here to assure the residents who are here that there will be no opening on Woodland and no opening on the rear of Grand. If there is an opening on Grand, it will be where it exists now or maybe within 5 to 10 feet of where it exists now. My indication with meeting with the people of AutoZone is, we told them they must put the building with its back facing Woodland with landscaping and things that you find **aesthetics** acceptable to you with the back facing Woodland. No entrance, no exit nothing on Woodland. That's why it's taking so long, we had to go back to them. They are having a meeting with their Board of Trustees on the 28th to review a new plan. We will be back on March 11 and invite you back to be a partner in this plan. You have my word I will not be back if this does anything but have its back face Woodland. Plans should be here within 10 days for review. No Opening on Woodland, Access to Route 46 and Grand as it is now.

Applicant to return to the March 11th meeting.

Property Owner: 205 Bergen Turnpike, LLC

Applicant: 205 Bergen Turnpike, LLC

2014-10-5-Z-14

205 Bergen Turnpike / 9 Lakeview Avenue

Block 11, Lot 1 / Block 11, Lot 75

Zoning Application: Variances; Site Plan;

Complete demolition of a one family residence and combining the existing lots into one so as to use the existing commercial building for a Laundromat with 2nd floor office.

Good evening Mr. Chairman, Board members for the record Dennis Francis, 37 Liberty Street, Little Ferry, NJ on behalf of the applicant it's a continuance from last months meeting where we stopped due to the late hour, we appreciate being back on the agenda this early this evening. I think where we left off, we had our professional planner; professional engineer pretty much towards the end of his testimony. We stopped not only to the time, but also to address Mr. Job and Job; Ken Job's letter; at that point and time. He is here this evening, I would like to call Anthony back up, we did receive a revised letter from Mr. Job dated yesterday, February 10th that has some information which will, facilitate hopefully the conclusion of this application tonight. Specifically with sewerage calculations which needed to be done and the **vacenities** so as to the term whether or not the laundromat as its fullest capacity would be able to or the sewerage around the area could accommodate such a flow of this facility. I believe the documentation and data provided showed to Mr. Job in fact that the existing sewerage retention system could handle the flow, but nevertheless. Anthony why don't you come back over to the mic; if you don't mind and give a brief.

Mr. Giblin reminded Anthony that he is still under oath. Anthony replied yes.

Mr. Francis asked Anthony if he had an opportunity to review Job & Job's letter of February 10, 2015, and we received that yesterday; is that correct. Anthony replied yes that's correct. Is that pretty much in line with Mr. Job's first letter of November 25, 2014. Yes it is. Mr. Francis in fact it is just up-dated with new data, correct? In fact, it

mentions that on December 17th your firm provided up-dated information. Correct? With revised plans pursuant to his original request.

Anthony – we forwarded plans on December 17th and followed up on January 28th with the sanitary sewage calculations and flow study.

Mr. Francis - And that was required and requested specifically by Mr. Job. Anthony that's correct. Mr. Francis and the findings of that are set forth in his letter. Anthony – that's correct. Benefit of the Board, I assume the Board has that letter; we are gonna go through that letter.

Mr. Francis – if you don't mind let's take it from the top and go thru it. As quickly as possible, I know its **illimitze** but it's required. With respect to 1-4 on the first page, is that just listing out what he is in receipt of? Anthony – that's correct. Mr. Francis – #5 drainage calculations, which you just referenced; #6 is the sanitation sewerage calculation and the water **dermige**, based on that we are on #1 page 2;

#1 for purpose of this report; Bergen Turnpike will be considered to run in a north/south direction – that's a statement.

#2- yes, we acknowledge property located in the 100 year flood zone, project will require a NJ DEP Flood Hazardous Area Permit. I will prepare to file that following this Board process. As indicated in our November 25, 2014 report, property fronts on Bergen Turnpike which is a county right of way, therefore the project will require approval from the Bergen County Department of Planning and **Economic** Development. Mr. Francis – we understand that? Anthony – Yes. As indicated in the November 25, 2014 report the disturbed area for the project will exceed 5000 sq ft therefore; project will require Bergen County Soil Conservation District Certification, we understand that and will comply.

#5 -As indicated in the November 25, 2014 report; sanitary sewerage calculations prepared by Neglia Engineering Associates show that the project will increase the sanitary sewer flow by more than 8,000 gallons per day; since we are increasing the flow by more than 8,000 gallons a day, we need a NJ DEP Treatment Works Approval Permit for the sanitary sewer. And if approved this evening; we will provide that to the Borough, for the Mayor and Council sign off.

#6 – Sheet 3 of the plans includes a zoning block with identifies an existing non-conforming (that's a statement). Statements we can just move on.

#7-is the sanitary sewer calculations and demand report, that we submitted dated January 28, 2015. Mr. Francis asked Anthony to go over that, was there a time frame in which we had to collect that data? We collected data for 30 days; the monitoring firm installed flow monitors in 2 downstream manholes that where selected by the DPW in cooperation with Ken Job. The flow was monitor for 30 days; it measured the level of flow in the existing sanitary sewer main in Bergen Turnpike; also measured elevations in the line, the data came back, we submitted the data with the graphs of the flow and the level of flow in the pipe. We preformed the calculations of the flow generated by the laundromat compared that to what's existing in the line and the conclusion is that the existing sanitary sewer has adequate capacity for the proposed flow that will be generated by the proposed laundromat and Ken's comment #7- reflects that. His report at the end of #7 “therefore it would be possible laudromat direct connection to Bergen Turnpike”.

Original concern was whether or not the existing sewer could handle the flow; and the study and calculations concluded that.

Mr. Francis – if you couldn't – you would have had to look into a re-design of the system.

Anthony - If the sewer was unable to handle, we would have had to look into sewerage holding tanks on the property, to store the flow for a period of time to be able to account for any sub-standard issues with the existing sanitary sewer.

Mr. Francis – even based on the worse case scenario, discharge at a high level – all at one time or a lot at one time, it still meet the qualifications.

Anthony – we looked at the worst case scenario, peak flow in the study vs peak flow for the laundromat and it still showed there was adequate capacity.

#8 – Ken confirms that it is consistent with the plan of Route 46 circle elimination project. Anthony – yes. (statement)

#9 – with respect to the lint pit; we submitted the lint pit detail per his request. He is just stating that in addition to his review; it needs to be reviewed by the plumbing sub-code official and that would be submitted as part of the building permit process.

#10- with respect to the storm sewer tie-in note. He requesting an additional note be added “that the contractor confirm with the Borough of Little Ferry’s Superintendent of Public Works the acceptability of the connection point”. We will comply with that, a procedure.

#11-related to the impervious coverage. He is acknowledging that yes, we are reducing impervious coverage on site and the comment on previous letter was to tie the storm drainage into the Bergen Turnpike storm drainage system. We addressed that comment - we are not re-directing any storm waters and since we are reducing the overall impervious coverage, we did not need any storm water management or detention on site because we are reducing the storm water run-off volume by increasing the amount of landscape and green space on site. So that his conclusion as well.

#12-he is just stating that the drainage calculations we submitted are acceptable

#13-same thing storm drainage is generally acceptable

#14-question as to the location of the dumpster enclosure.

Mr. Francis – would you for the benefit of the board, remind the board where you have indicated the dumpster to be on the property.

Anthony – the dumpster is located at the northwesterly corner of the parking lot, shown here, dumpster enclosure. Originally it was shown with fencing -- to address the concerns of the board planner, we revised the dumpster enclosure to be masonry block on three sides with heavy duty gates in the front and we have proposed shrubbery and plantings surrounding it. Ken’s comment was to discuss with the Board whether or not the location is acceptable where it is. Reasoning for that location is, we wanted to have as much parking as we can as close to the building and this use doesn’t generate substantial amount of trash; so we are not envisioning heavy use for that dumpster enclosure. So that was our reasoning for putting it where it is.

Mr. Francis – more particularly it is not a restaurant, where we would be throwing away food. What type of refuge do you envision this type of facility to generate?

Anthony – mostly recyclables, bottles, lot of plastic bottles

Mr. Francis – therefore, in your professional opinion, putting that dumpster in that location does not cause a significant intrusion to the surrounding neighborhood.

Anthony – correct

Mr. Francis – is there another spot on the property to which would avail itself to allow the property to be used, taking in mind the number of parking spaces that are needed to be on site.

Anthony – the current location is the preferred location.

Mr. Francis – if located anywhere else on the property; how would that affect the number of parking spaces on the property. Where could we put that and still allow for the number of parking spaces to remain the same? If we put it in another location would it affect the parking?

Anthony – If we move the location, it would change the parking; we would be losing parking closer to the building and adding where the dumpster location is. This use doesn't necessary demand the dumpster to be close to the building.

#15-acknowledging that we up-dated the plan to address the concern about replacing curb and sidewalk

#16-states lighting design is acceptable

#17-ask that we include as part of our testimony discussion of glare with respect to the lights. Proposed lights have been designed to have no adverse impact with respect to glare, the fixtures are downward facing, cut-off type fixtures, LED-backlight control which reduces glare and prevents glare impact to adjacent properties.

#18- planting details – acceptable

#19-light pole mounted fixture details – is acceptable

#20-details on plans that are acceptable

#21- acknowledges that we updated the concrete curb details to address his concerns

#22- again about the trash enclosure; acknowledging that we up-dated it to use masonry block on 3 sides with heavy duty gates for the front opening

#23-Sanitary sewer clean-out detail. He's acknowledging that it's acceptable; we need to submit to the Borough's Plumbing sub-code official. No objection to that.

#24-question about the material of the perimeter fencing that being proposed. We're proposing solid vinyl fencing, for the perimeter site fencing along the residential lots and tying that into the building. The reasoning for proposing solid vinyl – maintenance purposes – easiest fence to maintain -just needs to be power washed. Job is looking for wood fencing and we are proposing to upgrade to vinyl? Is that the difference between the to. No, we are proposing vinyl he asked whether the board would prefer wood to vinyl. Based upon your experience the vinyl is less maintenance and therefore better suited. Yes, definitely.

#25-we agree that the certification for the ADA facility needs to be provided post construction. You have designed this to be fully compliant with ADA correct, yes.
#26-states if the Board acts favorably we need notes verifying that the drawings submitted for permits is the same approved by the Board, acceptable
#27-requiring an as built survey be prepared following construction prior to certificate of occupancy, which we would comply with.

He summarizes with respect to the dumpster and fence material. Anything further we need to add before Mr. Francis turns back to the Board. We went thru the positive/negative criteria; variances requested – both the use and bulk variances last time. Correct, yes. Thank you I have nothing further.

Chair – opens to Mark Everett

Mark Everett – yes, I still have questions on this dumpster. I read Mr. Job’s letter dated yesterday and you stated on location. This location is closer to residents. Would you consider putting it back where it was before?

Anthony – the current location of the dumpster. It is literally right next to the building, where we are proposing the ADA accessible parking spaces with the accessible ramp. So that doesn’t lend itself to the best spot for parking and pedestrian circulation.

Mr. Everett – What about aesthetics? Are we drastically increasing the aesthetics of this building? Compared to what is there now and what we are proposing, would you leave a dumpster next to a beautiful building?

Anthony – No

Mr. Francis - how often, if know other wise we can call up Mr. Berger, whose the owner of the property and operator of the facility. How often would that dumpster be collected on a weekly basis? First off what size dumpster does it accommodate – size? 4-6 cubic feet.

1 or 2 small containers 4-6 cubic

How many times to be empty?

Mr. Berger – still sworn in; asked about other locations and what type of refuse this type of business generates. 90% is plastic bottles, soap containers and the size of dumpster would fit in that enclosure. Commingle recycle 4 yard dumpster.

Mr. Francis - Would you have a private hauler take out the recycle material? And how often would you envision that dumpster to be taken away?

Mr. Berger - Dumpster would be taken out at most likely once maybe twice a week, max.

Mr. Francis -You heard the planner state that it may be best to leave the dumpster in its current location. What is your position with respect to that?

Mr. Berger- Yes. Based on the expansion of the building and improvements. I think it's very important that the dumpster be removed from the current location and placed furthest away on the property to most utilize the property and all the improvements that are happening there. That's why we chose that spot and based on the enclosure and type of refuge going in there, and its only going to happen once a week that is going to be picked up, we thought that was the best place for it. Thank you.

Chair – Mark you want to respond to that

Mr. Everett –I don't know if you're aware of this, I - Read something from the Re-Examination report then follow it up with a question. This from page 19 of the 2013 re-examination report of the Master Plan - "The Borough zoning regulations should be amended to derive standards to ensure that commercial usage are compatible with adjacent residential units and do not have a negative impact on them. Such standards should address limitations on ---,activity levels and locating refuge away from residential zoned lots." So this is the source of where Mr. Job is saying, this has been an issue in the borough and this has happened in other cases. In past instances you have to look at from the borough's stand point, this is a 24 hour operation you are proposing. So when you move this dumpster to 20 to 30 ft of the garages of the residence or the homes themselves you introduce noise and light issues to a new area, so you will have less problems if you locate near to where it is now. The engineer brought up a good point about ADA ramps. I conceive the ramps need to be adjacent to the building so, best compromise would be to move it slightly to the side of the ADA ramps and parking.

Mr. Berger – I just want to say that it is crucial for the success of this business to have the customer parking as close to the front door of the property as possible. With all due respect to the neighbors, I totally get what you are saying and it makes a lot of sense. Just remember all the landscaping, trees, heights of the trees, six ft fence all that will be a barrier between and we revised the plans for the cement blocks around the dumpster area. Which I have never done before, but will be happy to do it to oblige the town and I think that should be satisfactory here.

?? -The only comment I would have Mr. Berger if you were to move it to the compromise position. Is that also adjacent to residential property?

Mr. Berger – yes, actually where it is located on the plans, is next to a garage. There are garages, backyards.

Chair – Mark any other questions or comments

Chair to the Board – questions, comments
Jimmy,

Marty – I think the placement of dumpster is fine, I don't see an issue with it and don't know why we are making it an issue. It backs up to a garage, no matter where you put it, it backs up to residential area, and you're putting a block wall and fence around it.

Chair – the issue both the Borough planner and engineer are objectionable to that in that it does not conform to the Master plan.

Marty – under the circumstances, I think they placed it in the decent location. If you look at property around it – 2 garages and backyards. I think that's the best location for the dumpster, in my opinion.

Lorenzo-

Alan -is there a photo view of the dumpster from the Lakeview side. Right next to the entrance. Take 2 parking spaces for the dumpster and your get two parking spaces on the other side. Not in the corner, towards the, down there ya, right next to the entrance of the.

Anthony - The idea was to have the landscaping in the front for better astectics. Do you want it visible from Lakeview Avenue, I didn't think that was

?? Do you want to look at a dumpster? You will block the vision of people coming in and out of the lot.

Steve – I also agree with Marty, I don't see an issue with the dumpster. I understand what you are saying Joe, but based on the property and the lay out, it's out of the way, it's not in the way. To Alan's point I don't think you really want

?? -That's the only way moving it from the residence by putting it on Lakeview

Steve – ya but I think to see a dumpster on Lakeview and whatever you need to cover is not what we want to do. Based on what was said and the testimony I bthink that is the best spot for it.

Gino – don't see a problem, the hours you are open dose not affect the placement of the dumpster, picked up at certain hours.

Mr. Francis – Mr. Berger can tell us the type of dumpster, I'm sure it can be wheeled out, picked up and wheeled back in

George – location is the lesser of two evils and I have always preferred landscaping especially with the lake and park across the street. A very busy street and eye pleasing as you turn the corner. In this situation that is the only location and best location.

Billy –

Winton –

Chair – opens to general public for questions to this witness.

No questions,

Chair turns over to Mr. Francis

Mr. Francis calls next witness – architect, Mr. Martinez from Icom Architect

Mr. Giblin swears in Mr. Martinez- 80 Park Avenue Hoboken, NJ.

Mr. Giblin asks Mr. Francis to qualify his witness. Asked if he ever was an expert witness before this Board, he stated he was about 8-9 years ago for a laundromat application, but I will be happy to go over.

Mr. Francis – Ask Mr. Martinez to briefly give educational background and licenses that you hold.

Mr. Martinez stated his is a licensed New Jersey architect as well as New York. Have testified throughout the State of New Jersey at various Boards, just like this one and

Mr. Francis – what is your educational background?

Mr. Martinez – I have a Bachelor of Science in Architecture from NY Institute of Technology,

Mr. Francis – when do you receive your license in the State of New Jersey?

Mr. Martinez – 1999

Mr. Francis – the Boards you came before years ago including this one, where you qualified as an expert witness in architecture

Mr. Martinez – yes I was

Mr. Giblin – accepts as an expert witness.

Mr. Francis – the layouts are the same as the board package

Mr. Martinez – sheet A-1 is the same as in the package, for simplicity colored in light gray proposed addition to the building.

Mr. Giblin – that will be A-13

Mr. Francis – Mr. Martinez we have marked your rendering of A-1 called proposed Earlybird Laundromat as exhibit A-13. Why don't you testify from an architectural

Mr. Martinez – what we have here in this white area is the existing building as it sits there in its full lime green glory. It is 3,711 sq ft we are proposing 1,084 sq ft addition which is this gray area here. If it is not obvious, I will go thorough the lay out of the laundromat.

Mr. Francis – what do we have on the perimeter?

Mr. Martinez - this Bergen Turnpike here at the lower end of the sheet and then we have the parking lot side, people would pull in and park along this end here, then there are some steps and then ADA accessible ramp which would bring you in to the double doors, we plan to make them sliding glass doors, so there is no pushing or opening of doors, they automatically slide open. You would walk in to the attendant area, change area where you would get your detergents, change, then proceed to whatever size washing machine you want to use that day. We have handicap accessible bathrooms, drying area along the rear here, we have folding area at the end of the washer banks as well as a folding area over here in this corner. As you can see in the rendering, this is glass all along the, at least 1/3 of the building along the Bergen Turnpike side and full glass along the parking lot side.

Mr. Francis – glass allows for a well lit building, and that’s part of your plan?

Mr. Martinez – Absolutely. Yes. It was part of the design and when we get to the rendering I will go over what the influence is in the design was.

Mr. Francis – so looking at the rendering, we are talking about the first floor, correct.

Mr. Martinez – Yes correct. There is a proposed second floor office. Just to show how you get to the second floor - Park here, come up along the side, a couple of steps walk in here and then up to the second floor management office. You can see the outline of the Laundromat first floor building and the second floor proposed office.

Mr. Francis – what you are addressing is your A-2, correct?

Mr. Martinez – correct and that is what you have in front of you and that would be 1,090 sq ft at the second floor, just open area with a bathroom for future office – owner occupied. Yes I was here and heard Mr. Berger’s testimony that this would be his management office.

A-3 – is what we call a 2D (two dimensional) elevation of the building, at this point it you would be more interested in looking at the 3D computer generated renderings which we prepared to make it a little easier to comprehend what the building would look like. It was important for Mr. Berger to bring some of the history that Little Ferry has here, I believe it dates back to the late 1800’s with some of the clay and brick yards that the town is known for. He wanted to clad the building in brick so that is part of our design and something he was very concerned that it would reflect some of the architecture in the town. Reason for the round top windows – wanted to reflect the library building and coming from that side of town he wanted it to be a centerpiece for the town – something

Little Ferry would be proud of. A building if approved tonight you would be proud to say you approved this building. In my professional opinion the building that is there is an eyesore. He could have chosen other materials that would have been less expensive, but he wouldn't have it that way and designed a building that would fit in the town.

Mr. Francis – what about entrance points, I see a big canopy; red canopy. Is that your main focal entrance point into the building?

Mr. Martinez – Yes

Mr. Francis – there is another entrance point into the building.

Mr. Martinez – from the rear

Mr. Francis- as you walk along Bergen Turnpike, signage in the front there; is that like the marquee

Mr. Martinez – that is and again with the whole theme of trying to bring the rich history of the town; he did not want a neon sign in the window, back lit sign against the building, he wanted something painted sign on the wall. That's what we are proposing a painted wall sign.

Mr. Giblin – You are referring to the renderings. Why don't we mark them.

Mr. Martinez - A-14 Birds eye view -single rendering; A-15 straight on elevation sheet - Bergen Tpk (top of sheet) View, corner view (second floor office –fits in with building); bottom - parking lot elevation view so you can see what the building would look like. (Exhibits passed around to board). Again I failed to mention along with the brick we have pre-cast concrete elements to compliment the brick as well. The building is elevated, the reason you see the base so high is because the building needs to be elevated because of the flood zone. We tried to work that into part of our design as well.

Mr. Francis- is there other signage other than Bergen Turnpike

Mr. Martinez – there is some lettering on the awning and we do understand. The reason the awning is the size it is - because our archway on the doors is 12 ft archway and in order to encompass that and the doors the awning is a ½ of a radius so it has to be that size 12 ft and half of that sticks out 6 ft. It was also important to Mr. Berger that we cover the landing so people coming in with bags would not get wet coming into the building.

Mr. Francis – ask of Mr. Martinez if there was anything further on your easel? Anything further you would like to add? Are you happy with the ascetics of this as to the surrounding neighbor and an upgrade to what is there now.

Mr. Martinez - I am very happy with and this is one of those buildings that I look forward to this Board approving and constructed and driving past it.

Mr. Francis – thank you.

Chair - opens to Board

Winton

Billy

George

Gino – is this for the ascetics; I have questions about the variances. You show a side yard variance.

Will recall the engineer --

Steve – love the building- the laundromat; don't like office, looks like something stuck on roof, doesn't go with, beautiful round windows on the laundromat ; office is like this square thing with windows that just sit there; I just don't think it goes with the way you constructed the rest of the building.

Mr. Martinez - What you see there – that's the issue with giving you that view; you probably won't see much of it as you are walking down the sidewalk. There is a 42" parabit on the building, so when on the sidewalk or various perspectives you won't see much of that building.

Steve – it you see any of it, why wouldn't you do it ascetically like the building below

Mr. Martinez – like out brick on it

Steve – ya

Mr. Martinez – it's a design feature

Steve – even the windows, look like something thrown in, in fact the one set of windows look like doors to go out on the roof

Mr. Martinez - this is called a Birds eye view. I understand, our parabit is 42"; and it is set back, you really won't see much of it from the street, you really won't. You almost have half of it; it is an 8ft high structure and with the 42" parabit you almost have half of it covered. The fact that it is set back

Steve – I will have to take your word for it, but looking at these pictures, look like you have a building that you put a hat on and it doesn't match the rest of the building.

Mr. Martinez – if we wanted round top windows on that building, we would have to make it taller, second floor taller in order to accommodate round top windows. The colors we intend to work with, its very tough – there are 2 elements here we are working with - computer generated rendering and 2 depending on the plotter reflecting that color exactly; so, there is a little bit lost in there – brick looks a little redder than it should be –

but it will be a common clay brick and the second floor will be something to complement it.

Steve – even if you did in a brick color

Mr. Martinez – we can

Steve –again I have to take your word that we are not going to see it. But if I look at the pictures of this rendering it looks like you took a beautiful building and throw a trailer or something up top of it.

Mr. Martinez – the beauty of 3D rendering is, I can put the camera at whatever elevation for more of a street level

Chair – so on you diagram A-15; what is the exterior of the second floor composed of

Mr. Martinez – Right now we would like to do it out of a hearty plank

Chair – hearty planks, is that something that can be stained, like a redwood

Mr. Martinez – we can do a reddish color, we can have it match the brick, we can do it to compliment the color of the brick

Chair – yes, that would definitely make it more palatable. And secondly, those windows couldn't you put in the left and right window an ornamental surf or curve to make it almost look like a curve top window

Mr. Martinez- on the second floor

Chair – you have those inserts for garage doors that you put in, they have all different dimensions; if you could find something, it would appear to compliment the windows you have on the first floor

Mr. Martinez- we could, but it would not be architectural correct, because that arch wants to start at the spring line of the window which is typically 6-8ft where your door ends, someone would look at and think it was wrong. But it that is the pleasure of the board we could come up with something.

Chair- definitely the redwood stain or whatever color the bricks are that would definitely be a homerun, in my opinion

Mr. Martinez- I think we have a problem with that

Chair- or something that would make it more ornamental, those windows on top. Are they egress windows by the way.

Mr. Martinez – they are, but they don't really need to be. You need an egress window in bedroom, there is no sleeping, but they are more than adequate, more than 5.7

Chair – are they casements

Mr. Martinez- Yes, they are casements so he can slide them. No they are sliders.

Chair –
Alan

Lorenzo – is that a door going out onto the roof

Mr. Martinez -Yes, this will be Mr. Berger's office and there is a very nice park across the street so he wanted to be able on a nice day and go out there. Seriously there is a very nice park across the street and he wanted to be able to take advantage of that.

Marty- Entrance for office in the rear.

Mr. Martinez – in the rear, yes

Marty – will this building have a sprinkler; fire protected

Mr. Martinez – Yes, I believe it has to be. That will be part of the construction documents. It will be fully compliant with code.

Jimmy

Mark Everett

Open to general public:

John Czarnecki, property owner next door commonly known as The Music Gallery. The question was asked last meeting about the exhaust. What was explained to me is that the dryers would be facing my parking lot all on that blank wall. I was curious to know if the exhaust would be going up through the roof or out onto my parking lot.

Mr. Martinez - That's a good question. The exhaust comes up gooseneck exhaust has to come up and does not exceed 36" from the roof. So it comes up, goosenecks and in the International Mechanical Code we are forced to locate that exhaust 10 ft from any property line. So although the washing machines are here with a 3 ft access, sorry the dryers along that property line. I believe Mr. Czarnecki's building is this one here. So, this is an existing 2 hour fire rated cement block wall between the laundromat and Mr. Czarnecki's property. And there is a 3ft access between the dryers and that rear wall. The exhaust would come straight up, ten feet away from his property before it goes thru the roof and goosenecks 3 ft.; hence another reason why we have a 42" parapet to buffer

any exhaust or pipes coming up through the roof. Gooseneck no more than 3ft high onto the roof and 10 ft away from the property line and that is per Code and we would not have a choice to put it any closer to his property if we wanted to.

Mr. Czarnecki - The dryers that would be in the parking lot area, I am just concerned that customers parking there would they be affected by any exhaust coming out onto to them.

Mr. Martinez – No, hence the 10ft requirement from any property line

Mr. Czarnecki – the only other comment I have is, along the parking lot, since we seem to share a common wall. I know one of the variances asked for by the applicant has the expansion of the building being built on the property line. And as I expressed at the last meeting, I have a concern about because of possible encroachment of gutters or leaders or whatever. So I was just concerned, I think its an extension 8” of cinderblocks in width so I didn’t really understand all that construction going on for 8”.

Mr. Martinez – I can answer that, we are building an 8” concrete block wall right on the property line. We would not encroach on Mr. Czarnecki’s property at all, and the reason for that is: we need the clearance behind the dryers, again if I remember correctly he had a situation at home where then a gutter was applied; it was a similar situation and then a gutter was applied. There is a parapit, we are not draining back there, we are draining to the parking lot as the engineer testified and there will be no encroachment at all. It’s a masonry wall going straight up with a parapit and we are not draining, there will be no gutter applied to that exterior wall, no decorative or ornamental treatment applied to that

Mr. Czarnecki – how would the water run off when we have a rain storm? How would it be disbursed?

Mr. Martinez – it’s all designed to and again the engineer to can explain a little better but it is all designed to come to the parking lot side and retained on site, I believe there are retention. There will be piping and then directed to Bergen Turnpike or Lakeview.

A parfait is a wall 42” above roof level

Mr. Czarnecki – the only concern I had about the variance building being built on the property line, is that if I went into the building department for a fence permit, I assume they would say I have to be six inches or so with the fence construction to avoid encroaching on the other people’s property and that was my only concern about that variance being built on the property line.

Gino – the only thing I don’t understand, the wall is going to be on the property line, correct. Where is the footing going?

Mr. Martinez- Yes, the footing, we will put in an eccentric footing, gets done all the time. When you build on a main street and your building on the property line, by law you

cannot encroach even under ground. So what you do is, it's a little bit more expensive but what you do is you have your cement block wall and you typically have a footing centered on that. In this situation you have the cement block wall and then you build an eccentric footing which instead of being 3' has to be 5' but its "L". So what you get is an "L" shape with no encroachment to the neighbor, town or to the right of way property line.

Gino-I am just trying to head off any problems, recently we had a neighbor put up a fence and the neighbor's property was built on the property line. How would you maintain the building if built on property line and other property owner put up a fence.

Mr. Martinez – even if we set at 8" and only maintenance needed would be to paint it, refresh the building.

Gino- you should have it so a person can get in there and maintain it that is the ideal situation. I don't understand why it is not OK where it is.

Mr. Martinez- I think what happens when you keep a set back off the property line back there. Garbage just accumulates back there. If Mr. Bergen where to keep 8" and Mr. Czarnecki was to decide to put a fence on the property line, then I think it would be trouble, because it is only going to be 8" of debris and stuff blowing in there between the building and the fence. I would hope they would have a nice relationship – neighbor relationship and in 6, 8, 10 years Mr. Berger decides to freshen up the back of the building

Mr. Czarnecki – I don't have any problem with Mr. Berger of his project as I stated at the last meeting, but we don't know, maybe in 20 years when I sell the building, we won't be neighbors any longer so I think you have to think about what may happen in the future to. I meet with Mr. Berger many times, I think what he is doing is a fine project for the neighborhood.

Gino-nice project, just don't understand for 8"

Mr. Martinez- it creates an awkward notch within the building that we prefer not to have.

--Your making a notch, not eliminating.

Chair – move that wall back, so you have 3ft between the property lines

--Existing wall. Stops at the corner of his building, keeps going. Newer wall wider than the existing.

Mr. Martinez – we go on certain assumption for measurements and won't know until we start to demo the building we don't know. But at no point will we encroach, it is against the law to encroach on anyone's property with a footing, gutter, leader, wall.

Chair – could you design that a little smaller and leave the existing wall so it remains 3 ft between the property line and the other owner of the building.

Mr. Martinez – it's actually not 3' I think it is 8"

Gino – according to the plans it shows a foot and then it shows a 1' and 7"

Mr. Martinez – the survey should show us exactly.

Called Anthony back up

Anthony – 8ft dimension is to the fence; building corner is less; 1.7' on the north side and adjacent building actually encroaches on our property line on the east side of the building. The common wall is on our side of the property line about 1.7' at the westerly corner. It does not follow the property line

Chair – no it has a little jog in it. 1' and 1'7", correct

Anthony – yes

Gino- well it is not in line not parallel to the property line; but the building is straight

Anthony - yes

Gino- there is no notch in the existing

Anthony- yes

Gino-what you're proposing is to make that notch

Anthony- he's preparing to square it off and eliminate that small gap between the existing building and the property line, correct.

Anthony- the only thing from experience, when you have a small gap like that, a small space, what is it moving 10" it's not much. When you have a small gap like that it sort of gets neglected and you get garbage and accumulation there

Chair – What's happening now to that space?

Anthony- Mr. Czarnecki takes care of his parking lot and

Chair- called Mr. Czarnecki back up- and what happens to that same between the two of you

Mr. Czarnecki- when I first purchased the property in 1990 there was a half cement brick wall which we took down, now it is just dirt which we maintain to clean up. Once this project was taken care of and we have to re-do our parking lot, because we are getting a new sidewalk and things from the Little Ferry Circle Project, we propose to go up to whatever wall is constructed there, up to the property line

Chair – how much space is there between the rear of your building and the existing building.

Mr. Czarnecki- Parking lot. Parking lot from the back of my building and the fenced in area here and then the proposed building on the property line – that piece is just flattened out - dirt, gravel that we maintain. But as the rest of the circle project gets completed we had every intention of re-doing the parking and just come up so it is a clean asphalt area. I didn't have intention of putting up a fence, only because it was a finished wall. Right now the wall is painted and crumbling a little bit. But I am sure that will be taken care off. Once the project on the circle is completed we plan on power washing our building as well. Mr. Berger had mentioned something about fencing later on, past the building.

Chair – thank you

Marty – go back to the venting for dryers. Looking at this plan and then looking at the next page. How will you vent thorough your offices?

Anthony - we manifold it, we typically do many Laundromats, It gets manifold and then up Not all of them, only those that need it and then come up thorough the roof.

Marty- this portion of the building sets right above them

Anthony – yes, these will be manifolded and up

Billy – when cars are parking –

Anthony – do not layout of his parking lot, I apologize for that

Called Mr. Berger up

Billy – My question is when you are parking your cars will be coming right up to the new building?

Mr. Berger- Actually, my steel double door is located about here and I back my car in there everyday, my regular customers would either come. They don't really come straight at that wall; they maybe come head on into my building and straight up further on into the parking lot.

Billy- how many cars can you get in your lot?

Mr. Berger- reasonable about 10 maybe 12 if it's tight.

Billy – that was my question, thank you

Gino – I think what he is worried about, having a problem like he had before. When you are that close. I just don't understand it had 3ft; 3'8" for those machines.

Anthony- these are bigger machines and then you have the stairs going on back there.

Chair- basically we are talking about almost 2', correct

8"

Chair – existing building not moving the wall out. If you didn't move that wall

Anthony – no, if we continue the wall, what we say 10".

Gino - If you left the wall where it is

Anthony – it is 1.7 next down closer to 10". It is foot and change

Chair – so if you left the wall where it is, we talking about a foot

Anthony – that wall is also crooked which creates a problem for us inside.

Chair – you're not answering my question

?? – I'm sorry

Chair – If you left the wall where it is and not extend it wouldn't that solve the whole problem between the adjacent land owner and you. You would have access to the side of that building, you wouldn't encroach at all, he wouldn't have to put a fence up. You would only lose a 1-1/2 ft inside the building. Is that terrible?

Anthony – we want to make it parallel to this one, and the problem is this wall is crooked like this. It goes from 0 right on the property line to tapering in into the laundromat like this. So we building a whole new facility, that wall probably end up, a piece of it will end up coming down anyway to rebuild it and we thought we would build it parallel so we can have our 3ft behind the laundromat. The whole layout on the equipment is perpendicular to the that rear wall, it wasn't just arbitrary,

Mr. Giblin – I just want to make sure the record is clear. You said the wall is crooked, you don't mean the wall is crooked, the wall is straight it is not parallel to the property line.

Anthony – yes

Mr. Francis – therefore if you continue that wall as it is exist now, it will continue to be and taper off

Anthony - 3 ft away from the property line, if we continue it straight

Mr. Francis – So you have a problem either straighten the wall or continue the way it is; which really screws up the layout of the project

Anthony- with the stairs and everything else, yes

Mr. Francis- so you trying to elevate a problem and you have to go back to the main point where it starts to correct it.

Chair- I understand that, I see the project, I think it's an excellent project, designed beautifully, conforms to the ascetics of the Borough of Little Ferry. If I was the adjacent property owner, I really wouldn't be very happy with that building going right up against the property line. Right now it's all on paper; there is no foundation in the ground, so an eraser or scaled ruler can always re-scale that diagram so that there is no problem with access to the side of that building. I understand that the problem is that it is angled and you have a problem in that one section, but you are an architect and should be able to figure that out.

Anthony – maybe take the mid-point, give the average. But we want to re-build parallel to the property line, rather than going off on an angle. And then there will be 8" between the building and the property line and if Mr. Czarnecki chooses to put a fence then we have an 8" gap.

Mr. Francis – what benefit does the 8" give either party in this scenario? Other than a potential problem in the future.

Mr. Giblin – are you going to take down the existing wall?

Anthony – Yes

Mr. Giblin- then why shouldn't you have to comply with the current ordinance that says 3 feet.

Anthony – that's why we are here for a variance

Mr. Giblin – yes that's why you are here, but what is the positive criteria that you shouldn't comply with the 3 feet. If you going to remove the wall, why shouldn't you have to comply with the current ordinance.

Anthony- we are still maintaining the common wall that is along the property line

Mr. Giblin – that’s fine but you don’t have to maintain it for the rest of the property line if the wall is coming down, you should be able to comply with the ordinance. I think the Board is being reasonable in suggesting an alternative but where is the positive criteria met if the wall is coming down.

Anthony - The positive criteria was the other impacts we discussed previously

Mr. Giblin – Well you are not going to see the common wall, right? No matter where the other wall goes, you are not going to see where the common wall is?. So the back part can be located anywhere. From the outside it is not going to be noticeable right

Anthony – Correct; the setback requirement is 25 ft not 3 ft

Mr. Giblin – we talking about 3ft for maintenance

Anthony- maintenance purposes

Chair – 10 minute recess

Chair 9:18 meeting back in session

Mr. Francis – thank you Mr. Chairman we had an opportunity to review more specifically the dimensions of the existing wall. As set forth in testimony the wall closer to Bergen Turnpike is a common wall and that is proposed not to be changed at all. What everyone has indicated is the notch at that point, bumping out along the property line. As the testimony stated that’s what the applicant wanted to do notch it out and continue along the property line. We determined from the property line to the end of the common wall is 1 ft off the property line. Currently it is 1 ft at that point and tapers off to 1.7ft to where it ends currently, which would be just before the shaded area. What we have spoken about to revise it, would be to continue the 1 ft where it is off the property line to continue that 1 ft all the way along the property line all the way to the farthest corner of the proposed new development so then it would not be on the property line but 1 ft consistently from the current end point of the common wall to the end point of the new construction that’s what we would like to revise the plans to show.

Mr. Giblin – Your proposal is to maintain a 1ft sideyard set back for other than the common wall that exists now.

Mr. Francis – that is correct and the wall that is beyond the common wall right now would be removed. This needs to be removed due to its condition, etc. so in development would continue to be 1ft at that point to the rear of the property. That would allow for any further neighbor construction of a fence or what not.

Chair – Mark

Mark – just to continue what we were discussing, if I am following your proposal is bothersome whether 8” , 10” or 1’; it seems to us that it should be on the property line or some distance 3 ft which would give us clear access with equipment and everything to the property. This in between of 10”, maybe you can explain why it’s good for you, but from an accessibility standpoint we want to make sure we can access under all circumstances.

Mr. Francis – when you mention WE, who is WE

Mark – the Borough, would like to access the property, the exterior of your building

Mr. Francis – for what purpose

Mark – for any purpose

Mr. Francis – no what specific purpose, why would the Borough want to enter private property other than for emergency purposes, am I missing something. If he leaves the wall can continue

Chair – take wall down, new construction. Continues as is, existing non-conforming

Mr. Francis - Question from engineering perspective can we leave the wall that’s there now. Structurally

Engineer stated he has not looked at the structure, can’t answer that

Chair – ask Mr. Berger if he would like to come up

Mr. Francis - Mr. Berger- the point is the wall that is there now from the point where it is a common wall and no longer the common wall to where the shaded area starts is either 1 or 1.7ft off the property line, could we keep that dimension and continue it to the furthest point of the new construction area

Mr. Berger – let me just ask a question, this wall which is the expansion (gray shaded area)

Mr. Giblin - the Board is having difficulty because it is difficult to justify that under the Land Use Law. An existing wall the Board can’t ask you to move it, so if you are going to leave it there we do not have anything to say about it, but where you are constructing new walls it’s the obligation of your experts to give position criteria to give you the relief you are looking for when the ordinances so you are not able to do that.

Mr. Berger- I understand that, I just want to understand what you guys are recommending to me for this wall here. This would be just a continuation of the existing wall?? Is that what you’re suggesting?

Chair – continue that wall straight across

Mr. Berger – the planner also mentioned 2 options go to the property line or come in 3ft; he did say that. So I am not sure how we got hooked on the later of those two. He did mention to the property line would be a good way to go. I just want to say this property, I done this before in other towns, is so unique 3 buildings combined into one, you can see how its been maintained, I am trying to build something great here, it has taken me over a year to get my hands on the property due to the situation – foreclosure, bankruptcy whatever it was. I am trying to maximize everything I have here. Every square foot is important, getting that clearance behind the dryers is important, has to be 3 ft according to the code, the aisle space is very important. By continuing this wall as it is right there, this whole area will have to be readjusted, customer service area, attendant area, office area which maintains the laundry cart system even to the front door. Everything shifted not allowing me to optimize the space.

Mr. Giblin- Truly that's important to you, but what's important to the Board is following the Municipal Land Use Law and those 2 sometimes conflict with one another

Mr. Berger- I understand that

Mr. Giblin – so that's the problem the Board has and is struggling with.

Mr. Francis - Point was to continue the line.

Anthony – almost 2 ft

Mr. Francis – starts at 1 and ends at 2 approximately

Mr. Berger – I am building a new building here it is not going to be level with the property line are you ok with that. It comes in on an angle, even the new construction part. It won't be sitting on the property. I thought that would be a nice thing to do astatically for the property, but if that's what you're suggesting that it wouldn't be.

Mr. Giblin – no, it wouldn't be, but there is a reason under the Land Use Law to continue an existing line of a building. Extension of existing line of a building. Astatically there might be reason your architect could put on record that it is more astatically pleasing to stay with the existing line then to make jog in or out. I'm not looking to make or break your case I am just saying that there are reasons that the Board would be able to look favorably upon the law.

Mr. Francis – proposal will now be to continue the existing wall even though the wall maybe modified because we do not know the structural component of it, but it will stay on the same jog, which our engineer believes will go from 1 ft to 2ft approximately to its furthest point.

Chair – Mr. Francis are you bringing anyone else up

Mr. Francis – I am done

Chair – any questions from the Board
General public

Chair – Sum up, wait question

Steve – not necessary related to what we been talking about, but traffic flow. Is now the time to ask that. On Lakeview Avenue, that's a really bad intersection right there; will they have the ability to make a left out of that parking lot or just ability to make a right. That's a tough corner

??The house will be gone, double lane.

Mr. Francis – proposing full movement at that point of entry.

Steve – should consider no left

Chair – other applicant Valero we allowed left/right out of driveway. Be the same situation.

Mr. Francis – we would like as many entrances and exits as possible. With all due respect that driveway is not on the corner.

Mr. Giblin- are you concerned about cars leaving the site

Mr. Francis – house there now, back out of driveway. Cars leaving driveway will be facing traffic

Chair – width of driveway

?? 24 ft

Billy – driveway safer now than it ever was

Chair – I understand your point, don't wish to be redunate but..

Mr. Francis – excellent application, upgrade to a building that needs tender loving care. My client is going to put that much more into this property the astatics of the building. The Borough of Little Ferry and the community will be very happy and proud that this will be a center point as you come in from Hackensack area into Little Ferry. Something the town in years to come will be pleased with your passage of this application this evening; I think all the expert testimony supported all the variances that were requested. The positive benefits far out weigh the negative impact on the zoning ordinances. Therefore I respectfully request the Board to vote in favor of this application this evening. Thank you

Chair – make a motion to approve or deny.

Motion to Approve made by: William Lenihan
Seconded George Carrion

Roll call - George Carrion, Steven Gerard, William Lenihan,
Marty Loesner, Lorenzo Migale, Joseph Olivelli,
Winton Ramsay, Alan Soojian, Gino Tessaro – All Ayes

Mr. Olivelli -Before I vote – I would like to say – when I first saw the project and it was a Laundromat on the corner I really wasn't really pleased or happy with it, but after I had conversations with Mr. Berger and seen the diagram and the way the pride he put into the building, I think it's an excellent application and my vote is yes

Chair – Open to public. See no one approach
Meeting closed to Closed Session

Closed Session

Nuckel, et. al. vs. Little Ferry Planning Board

Back in Open Session:

Need a motion to amend Re-examination Report to Include Modifications from Mr. Weiner to the Board with regard to Mr. Nuckels Property.

Motion made by: Marty Loesner
Second William Lenihan

Roll Call: All in favor

Pay all Bills: Marty

ADJOURNMENT: 9:45pm