

**MINUTES
REGULAR MEETING
LITTLE FERRY PLANNING/ZONING BOARD
August 12, 2015
Corrected, October 14, spelling**

MEETING START:

CALL TO ORDER-FLAG SALUTE: TIME: 7:32 P.M.

PLEDGE OF ALLEGIANCE: Led by 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,
Steven Gerard*, William Lenihan, Marty Loesner,
Lorenzo Migale, Joseph Olivelli, Winton Ramsay,
Alan Soojian, Gino Tessaro

*Record show Mr. Gerard was late arrived 7:34pm; apologized for his lateness.

ABSENT: George Carrion

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

APPROVAL OF MINUTES:

June 10, 2015
July 08, 2015 Meeting Cancelled

Motion to waive the reading and accept the minutes as listed above

Motion: Alan Soojian **Second:** Marty Loesner

Approve: All in favor

CORRESPONDENCE:

Job & Job – 7/08/15 Site Plan AutoZone/7-Eleven “Reverse Subdivision”
(Lot Consolidation)
7/13/15 Site Plan 205 Bergen Turnpike / 9 Lakeview Ave

Report - Permit and Application Process.....by Remington Vernick & Arango Engineers

The New Jersey Planner – May/June 2015 Vol 76 No3

Job & Job – 8/07/15 205 Bergen Turnpike / 9 Lakeview Ave
Performance Bond

Resolutions: Laon Fashion Corp

: Resolution amending Master Plan, Chapter V titled “Redevelopment Planning”

UNFINISHED OR ADJOURNED HEARINGS OF APPLICANTS:

Property Owner: **BARES, RAYMOND C/O LIBERTY BELL**

Applicant : Raymond Bares
End of Franklin and Ann Street
Block 32 Lot(s) 12.02 & 15
Final Major Subdivision Approval

2013-5-2-P-3

Dennis Francis, Esq - representing Raymond Bares – application for major sub-division/final approval. Finalize the application; so plans can be properly endorsed by all the required officials; and filed with the Bergen County Clerk’s Office to record sub-division. I have David A. Hals of Schwanewede/Hals Engineering here this evening in case there are any technical issues. Mr. Job questions were answered in a letter dated June 26, 2015 by Mr. David Hals. Nothing further, or witnesses, pretty much procedural.

No changes to original submission.

Open to Board/General Public
Closed

Motion to Approve was made by: Winton Ramsay **and**
Second: Gino Tessaro

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

Abstain: -0-

Absent: George Carrion

Motion Passed
HEARING OF NEW CASES/APPLICANTS:

Property Owner: PAJ REALTY

Applicant – (VALERO)

2015-06-01-Z-7

179 Route 46

Block 19; Lot 48

Zoning Application: Final site plan approval and use variance to expand and relocate the nonconforming convenience store to approx 1,995 sq ft and add 2 fueling pumps to the nonconforming gasoline station.

Thomas O'Connor, attorney with the law firm of Waters, McPherson, McNeill, Esq. representing the applicant, PAJ Realty LLC, owner of Valero gas station Route 46E. Application for amended site plan and use variance, bulk variance for improvements to the gas station property. Application is to replace the existing snack shack, small convenience store at the rear of property to a new convenience store with a different location and larger in size. Applicant is also proposing to add two fuel dispensers to the center aisle. Applicant was before the board in December addressing Route 46 road widening – those had to do with the closing of 2 pumps at the route 46 end of the station, pulling back the canopy and sign and lowering it. Applicant continues to honor the previous decisions. Plan is to add 2 new pumps in the center aisle where the kiosk is and move the kiosk over and return the station back to 10 pumps. Site Plan with variances involved, so public notice was posted, affidavit and proof of mailing submitted to Board Secretary. By way of presentation we will have 3 witnesses the first will be Dan Dougherty who is the Project Engineer, describe what is proposed on the site plan; Justin Taylor, Traffic Engineer – he will briefly describe - traffic impact, the only real impact on the traffic will be because of the proposed relocation of the convenience store a driveway on Frederick Street will be closed; Peter Steck, Professional Planner who will address the specifics of the variance criteria for the Board. Also present is the tenant and operator of the Valero Station to answer any question the experts cannot answer, with respect to the operations that are proposed.

Expert witness Dan Dougherty, Dynamic Engineering, Lake Como, NJ – sworn in and accepted as an expert witness. Ariel exhibit dated August 12, 2015 color version sheet 2 in board package (A-1). A-2 Site plan rendering (sheet 4); August 12, 2015; Difference between this and what Board Approved is to add a larger convenience store larger than what is currently on the site. A-2 same as existing conditions post DOT improvements. Existing snack store being demolished; new convenience store a little less than 2,000 sq ft and close Frederick Street driveway. Variances associated with this application; 50 feet front yard from Route 46, Frederick St, and Grand St and combine that with a 35 ft rear yard setback leaves us with a 15-20 ft wide strip in middle of the property which is that building envelope. With regard to the canopy –cut-back previous board approval. Kiosk being replaced with one ½ the size of original. Setbacks remain the same. Landscape buffers required; in this case building honors setbacks, but we have some paver elements; encroach 6ft from the property line; handicap stall (area needed to back out). Parking stalls, on west side of site; proposed convenience store meets parking requirements of the

town; we have a total of 13 parking stalls; a good count of 8 along the front of the store, convenience element; employee parking stalls (5). Signage – previous signs were approved by the Board for the free-standing signs. Grand and Us 46 free standing sign as approved by the Board; free standing at Frederick Street – reduced in area and height. Building mounted signs – Snack 105 sq ft – 2 signs for the convenience store – west facade and sign on 46 frontal wall in order to identify the building and convenience store. Building – elevation mounted new building less than 2,000 sq ft. HVAC mounted on the roof. Elevate mechanical room. DEP Flood hazard permit. Foundation plantings around 3 sides, evergreen, shrubs.

Addressed Mr. Job's comments 3-9 approval from other agencies. Continued to address items in letters.

#10-31 Codes that are required/acceptable. Sidewalk and curb be replaced. All comments and recommendation agreed to be completed.

Comments questioned from Board:

Alan - can you eliminate Kiosk from selling items;

Mr. Dougherty - Kiosk cut in half, no selling of merchandise.

Alan - no emergency exit –

Mr. Dougherty - Ada accessible sidewalk and egress from building – will be code complaint.

Lorenzo - is the sign on the building absolutely necessary; since you have the large sign.

Steve – original application stated no food preparation; package goods only.

Sworn in Mr. Melhem, a partner in the operations of the Valero Station. At this time everything to remain the same. = no cooking on premises.

Steve - Hours –

Mr. Melhem – hours of operation sometimes to 10:30 – 11pm store closed and 12 everything closed. Would like to open 24 hours.

Brian – 24 hours operation prohibited by Borough Ordinance; Would have to request permission from Mayor and Council

Joe – questions, but not for operator; what is the present setback of existing building – Route 46 and neighbor

Mr. Dougherty - page 4 of submission - 58.5 ft Route 46; and building 17.1 /ac 15 to neighbor. Proposing 20 and 23-1/2.

How many variances are you requesting - total variances kiosk new variance; 3 yard and sign for building. Planning to install a gas generator. No auxiliary generator.

Further discussion about signage, to enable identification of the building, hours to remain the same.

Location of trash enclosure; next to building on Frederick Street. Parking assignments. No further dealers or unauthorized parking on site.

Open to the General Public –Jean Marzuchowski, 70 Federerick - need for a bigger building, if selling the same items.

Mr. Melhem – no office, no big bathroom in existing building.

Mrs. Marzuchowksi – sidewalk not cleaned of snow or debris.

Mr. Melhem – stated he cleans property

Hours of operation - are limited by borough ordinance.

Mrs. Marzuchowksi – questioned parking as it exist; and view of property; garbage location.

She was advised that the existing parking would not exist and landscaping was being planted. Garbage storage would be moved to other side of property.

Traffic of trucks to enter and exit the property. – delivery trucks pull up to middle and back-up, able to use exits.

Ronald Anazlone – 39 Brandt Street – 3 things if the Board decides to approve –

- 1) no idling signs - State Law;
- 2) 15 minute parking and
- 3) You have a nice landscape plan. Hopefully Operator do a better job with keeping landscape up. DOT planting grass and the owner is responsible to maintain. Become part of the community.

Maintaining property shows a pride in your business.

Jean Bonomo - 71 Fredericks - would like to show pictures of what property looks like. Would like a new fence. Pictures taken recently.

Neighbor showing high growth against fence and an old fence.

Engineer to plant new evergreen trees and replace fence.

Brian – what type of fence will you be installing? Applicant stated install a PVC privacy fence .

Applicant will agree to install white PVC fence according to Borough height, with new plantings. Mulch bed with junipers.

Joe - property must be maintained. Asked of operator that he will maintain this property on a regular basis.

Meeting closed to the public and

Next witness – Justin Taylor, was sworn in and accepted as an expert witness. His responsibility was to study the traffic impact. Conduct studies. No detrimental impact with the association of this project. New sidewalk.

Questions from the Board –

Mr. Lennihan – concerned about traffic and the children travelling to/from school – Stop Signs

Mr. Taylor sees no real concerns with this project/ stop signs as well as striping and good visibility.

Marty - less traffic now with the closure of Frederick driveway.

General Public – no one approached

Peter Steck, Maplewood, NJ – sworn and accepted as expert witness. Handed out distributed, needs correction. 2-page, August 12th Identified as A-3. Mr. Steck describes his hand-out. Error in sign locations; Site oriented to eastbound Route 46 traffic.

Variances – A-3 with red markings – inserting 2 fuel dispensers; shrieking size of Kiosk (33.3ft) no retail sales (cigarettes—office use only for management of gas sales – shelter for attendants); building pushed to east side of the property; 13 parking spaces; no truck parking; new fencing and landscaping. 50 ft sq sign facing route 46 and one above front door showing that they are conveniences being sold as well as gas. Because there us a d-variance required I have to show special reasons – existing non-conformity use that has been recognized by previous variance – 4 purposes of land use: g (sufficient space); h (free flow of traffic); I (promote visible environment) and m(efficient use of land). There is also extreme hardship –

Joe – previous witness - 680 – 1/3 of proposal

Open to Board
Public –

Summation- improvement part, make the site work better, and continued maintenance of site.

Resident - question height of new building –
- 3 ft higher

Motion to Approve with stipulations was made by: Alan Soojian
and Second: Marty Loesner

Approve: Steven Gerard, William Lenihan, Marty Loesner, Lorenzo Migale,
Joseph Olivelli, Winton Ramsay, Alan Soojian, Gino Tessaro

Abstain: -0-

Absent: George Carrion

Motion Passed

APPROVAL/DENIAL OF RESOLUTIONS:

Property Owner: LIP LIFE REALTY INC NJ

Applicant – Laon Fashion Corporation

2015-02-20-Z-3

15 Liberty St

Block 76; Lot 10.01

Zoning Application- Use building as a warehouse for its clothing import business; parking spaces; Section 35-111.9 parking areas, loading and unloading areas shall be screened; Section 35-111.12

Motion to Approve the Denial of the Resolution made by: Joseph Olivelli
and Second: Gino Tessaro

Approve: Joseph Olivelli, Gino Tessaro

Abstain: -0-

Absent:

Motion Passed

New Business: Resolution – not an application, but on a motion brought about by Mr Nuckels - he claimed the area around his property - state some of the properties are run down but Village I and II are well maintained. Amend the Re-Examination Report of the Master Plan.

“ **NOW THEREFORE, BE IT RESOLVED** that Chapter V titled “Redevelopment Planning” is hereby amended as follows:

1. the words “redevelopment area” are deleted from paragraph 1 of the Chapter;
2. Paragraph 2 of Chapter V is amended to read, under the first bullet point, the following:

Bergen Turnpike/Valley Road. Some of these properties (other than the apartment complexes known as North Village I and North Village II), including a shopping center, motel and various other commercial properties are ill maintained, suffer

from storm water management problems, have poor vehicular circulation and are unsightly.

Motion to Approve was made by: Alan Soojian **and**

Second: Marty Loesner

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

Abstain: -0-

Absent: George Carrion

Motion Passed

Mr. Anzalone had stated that at the Borough Meeting; discussion was held – relating to 24 hours, letter sent to new 7-Eleven that they will not be allowed 24 hour operation. Mc.Donalds, Dunkin Donuts, etc has a drive-in which falls into a different category

Mr. Lenihan stated that you cannot see into the store on Main Street “Mother Pilgrim” Can’t see in.

Pay all Bills:

Remington Vernick & Arango

179 Route 46 Invoice #0230Z004-01.....\$770.00
Loan Fashion Warehouse #0230Z003-3..... 55.00

Job & Job:

AutoZone/7-Eleven Voucher #31-0561 435.75
205 Bergen Turnpike and 9 Lakeview Avenue #31-0563..... 855.88
Palermo’s Bakery Voucher #31-500..... 693.00
Job & Job – 8/07/15 **Voucher #31-0561** 630.37

Giblin and Gannaio, LLC

2015/2nd Qtr Retainer \$1,125.00

ADJOURNMENT: 9:24pm

Motion: Marty Loesner

Second: Alan Soojian

Approve: All Ayes

Abstain:

Absent: George Carrion

