

Chair entered a Motion to waive the reading and approval of the resolution.
Motion to Approve by Alan Soojian and
Seconded by Steven Gerard.

Vote to approve Resolution for Motion to approved passed
George Carrion, Steven Gerard, William Lenihan,
Lorenzo Migale, Joseph Olivelli, Winton Ramsay,
Alan Soojian, Gino Tessaro

Absent: Marty Loesner

NOMINATION OF CHAIRMAN: Joseph Olivelli
By Steven Gerard; Second by William Lenihan
no other nominations Motion to close

NOMINATION OF VICE-CHAIRMAN: Steven Gerard
By Alan Soojian Second by: William Lenihan
no other nominations Motion to close

NOMINATION OF SECRETARY: Alan Soojian
By Steven Gerard; second Gino Tessaro
no other nominations Motion to close

APPOINTMENT OF ATTORNEY: Brian Giblin, Esq.

APPOINTMENT OF ENGINEER: Job and Job Engineer

APPOINTMENT OF LANDSCAPE ENGINEER: Scott A. Le;vey,
d/b/a Scott Alan Design

APPOINTMENT OF ARCHTECT: Nicholas Salerno Architect

APPOINTMENT OF PLANNER: Remington Vernick & Arango Engineers, Inc.

APPOINTMENT OF TRAFFIC ENGINEER: Remington Vernick & Arango
Engineers, Inc.

NOMINATION OF CLERK: Bertha Sneyer

SELECTION OF NEWSPAPERS: The Record & Star Ledger.

SELECTION OF PUBLIC/WORKSHOP & INSPECTION DATES: See attached
Combined Board Meeting Dates for 2015

Combined vote for Chairman, Vice Chairman, Secretary, Attorney, Clerk and
Professional. Motion made by, - Steven Gerard ; Second Lorenzo Migale. Roll call – all
eyes

CORRESPONDENCE:

Reference – 205 Bergen Turnpike and 9 Lakeview Avenue (2014-10-5-Z-14)

Date: December 8, 2014. From: Dennis J. Francis, Esq. to Brian Giblin, Esq.
December 16, 2014. From: Kenneth J. Job, P.E. to Brian Giblin, Esq.
December 17, 2014. From: Anthony Kurus, P.E. to Kenneth J. Job, P.E
January 6, 2015. From: Kenneth J. Job, P.E - AutoZone/7-Eleven
January 7, 2015. From: Kenneth J. Job, P.E – Luk Oil .
January 7, 2015. County of Bergen to Curtis Sigler - AutoZone/7-Eleven
January 12, 2015 From Dynamic Engineering – Ref: 270 Rte 46

HEARING OF NEW CASES/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.

On behalf of applicant, Frank Migliorino, Esq. office on Liberty Street. The project you have before you is 2 structures 3 if you count the billboard – electronic billboard and AutoZone, a Fortune 500 Company who decided to invest in Little Ferry and 7-Eleven, you know who and what they are.

Mr. Migliorino commented on the property in its present state.

Expert witness Thomas F. Pugsley, Jr. called by Mr. Migliorino and sworn in by Mr. Giblin. Mr. Pugsley states his qualifications; licensed engineer in the State of NJ, practicing engineering for approximately 20 years; principal at North Star Design have a Bachelor of Science Degree from Lehigh University civil engineering, have provided testimony at numerous municipalities throughout the state. Accepted as an expert witness.

Mr. Pugsley was asked what is currently on the site and what he purposes to do with it. At this time he runs through the existing conditions, which are part of the plan submitted. Alta AC SM land tile survey for the Property. For purposes of this presentation refer to North as top of the Page. The site is located on two properties, Block 13, Lots 1 and Lots 67. Lot 1 is an L shape, it's the larger portion of the developments of a backwards L. The property is a corner lot, it is located at the intersection of Route 46, Grand St &

Woodland Avenue. The property is covered by three zones. There is the B8 zone, the RA and the RB. The existing site as indicated has two lots. I'll go through the first lot which is lot 1 then I will hit lot 67. Lot 1 contains a one story masonry building that is located in the vicinity of Route 46 and has additional associated asphalt areas designated for parking closer to Grand Street extending from 46 back to Woodland Avenue. On top of the existing one story building are two billboards used for advertising purposes. The existing development has a lot of relief based on the review of the current zoning ordinance. There is non compliance with a lot area, lot coverage, lot depth, front yard set back to Route 46, rear yard set back, minimum landscape areas. Significant amount of non compliance based on the current development. There are 19 existing defined parking spaces as previously indicated as you continue in a northerly direction toward Woodland Avenue. This area is paved and based on old aerial photos you can see there were previously were parking spaces there but at this time they just are not delineated. Access to the site is off of both route 46 and Grand Street. There is an ingress and an egress off Route 46. The western most drive way is the ingress and then it has clockwise circulation and then you can exit back out to the easterly curb cut on to route 46. There's also a full access curb cut on Grand street.

Steve asks: "which will not be there on the new project right?"

Pugsley Replies: "correct."

The grading on the site everything grades in an easterly direction. And the entire site is below the DEP Flood Hazard Elevation. There is minimal landscaping on site, there's a couple planters located along the frontages and there is some existing vegetation that wraps around the outer perimeter of the asphalt area. The lighting for the site consists of flood lights that shine onto the property and those flood lights are attaches to the utility poles that are located in the right of way. And signage there's just two wall mounted signs on the south façade and the east façade.

As far as the second lot, which is Lot 67, that is a two story residential home and there is a detached garage. It also has the typical site features you would see with a residential home, a driveway and sidewalks and things of that nature. So that pretty much describes the existing conditions.

Mr. Migliorino - "Those of us who pass it everyday, know what it is, know what it looks like, and knows what an abomination it has become over the years. Especially since the owner died about a year ago, the place has been in utter disrepair. And not that should give us an excuse to build anything there; we should be bringing something there that should be processed. "

Mr. Pugsley - As regarding the proposed conditions this is basically a site plan sheet which is part of the design documents with the landscaping super imposed on top of it. This I image we want to enter it in as an exhibit.

Mr. Giblin -Why don't we do A-1 for that. Will you mark it in.

Mr. Pugsley - So A-1 is an exhibit prepared by my office. Exhibit is dated 1/12/15; again it is the site plan with the landscaping rendered on top of it. From the proposed improvements we are currently proposing a 7,382 sq foot Auto Zone Retail Store and well as a 3,062 sq foot 7-11 convenience store.

Mr. Migliorino -“When you retail store there will be car repairs or anything taking place like that?”

Mr. Pugsley -Correct, it is purely just a retail. There is no lube or anything of that nature. In addition to replace the existing billboards that are on top of the existing building we’re proposing a digital electronic bill board that will be located just west of the 7-11 building. The hours for Auto Zone are Monday through Saturday 8 – 10 and Sunday 9 – 8 o’clock. 7-11 is proposed to be 24/7. Upon review of the zoning ordinance in order to determine the use for this site, I was looking in the ordinance for shopping center; I noticed that there was a classification for shopping center, based on my discussion with the zoning officer it appears that this does not qualify as a shopping center because it only has two, locate two retail structures opposed to three. So I have identified this as being a non conforming use. As well as it will be non-conforming in the two residential zones. As I previously indicated this property has three zones attached to it. For the first 100 feet coming off of route 46 that’s where the BH zone boundary line is, which is what this thick black line represents. Then on the north of the BH zone boundary line near the intersection of Woodland Ave and Grand Street that’s where the RA zone is. Lot 67 which is the second lot to our parcel is located in the RB zone. So there are three zones that cover the development area.

Mr. Migliorino -“Mr. Pugsley, just to be brought back to the other structure. How will this building or this concept emulate any threat of your inner drainage in this area. Currently the roof drainage now and all of the asphalt. Tell us a little bit about what’s happening now and what will happen.”

Mr. Pugsley -Sure currently right now the existing building has roof drains that discharge at grade and part of the proposed improvements we are going to be putting in a collection system because were curbing around the property so were going to put in a collection system that would pick up some of the on site surface run off as well as the collective roof drains from the two structures which will then discharge to Route 46. That’s where everything is going under existing conditions. The proposed grading design has been put together so that it maintains the drainage patterns from the existing conditions.

Mr. Migliorino -“ It will have less impervious then before.”

Mr. Pugsley -As a result of the proposed improvements we are slightly reducing the impervious coverage therefore we are generating a reduction in the storm water runoff.

Mr. Migliorino - “Can you tell me a little bit about the lighting and how it will not have any negative effects. Maybe you can tell us a little about that?”

Mr. Pugsley - In order to provide adequate lighting going through here we're using a combination of area lights and wall packs. All the area lights that are put around the perimeter they all have house side shields on them and the lighting in the say north of the 7-11 area we actually lowered those a couple of feet so that we could maintain not having any foot candles extending over the property line. So in addition in that area we have a screen wall, a screen wall as well as a significant row of plantings in order to help create that buffer to ensure the lighting does not pass beyond the property line.

Mr. Migliorino - "Mr. Chairman my I introduce my planner and we can have them up here and address questions.

Chair - Let's go with questions for this witness first.

Mr. Migliorino - You may.

Chair - I have a question. What was the elevation of the lighting? You said you reduced the elevation of lighting.

Mr. Pugsley - The area light in the front is 18 feet. And I lowered them two feet in the back to 16 feet in order to prevent spillage crossing the property line.

Chair - Let's start on this end. Winston. Do you have questions? Billy - No; George

Mr. Carrion - Just with the drain if you're saying that you're planning it for the way it exists now with the Route 46 construction is that going to change any? Are you preparing for that any communication for that?

Mr. Pugsley - When you do a grading design you need to maintain your drainage patterns. So we're doing that we've identified the existing drainage patterns and then our proposed design mimicked that. We do have an application going to the DOT. So whatever were doing here will be worked into what the DOT is doing along Route 46.

Chair - So the timing is right now.

Mr. Pugsley - Correct

Chair - Its not like in two years, it's in the process.

Mr. Pugsley - Correct. So we've spoken with them and we understand that the improvements that are going to be happening along our frontage are still a little bit out, so it gives us the opportunity to. We have an application in to them so we can coordinate that.

Chair - Any major differences that need to be talked about

Mr. Pugsley - No I'm not anticipating anything

Gino - That's going to be landscaped along Woodland Avenue?

Mr. Pugsley - Right now we just have that as grass area, we can add additional as it's desired.

Gino - We've been having a lot of problems, I get a lot of complaints into town the way it's neglected over the years; even when the tile company was there.

Mr. Pugsley/ Mr. Migliorino - We guarantee we will certainly put the landscaping whatever it is that provides them with as much comfort we will do that.

Gino - We always go a lot of complaints there as it is now.

Mr. Pugsley - We can extend the landscaping.

Mr. Migliorino - Mr. Pugsley was aware of that and he's planning to put that on the plans just a little late notice. But we are going to do this absolutely.

Chair - Anything else, Gino, anything else. Steve?

Steve - George actually asked the question I was going to ask about the DOT and Route 46. There are other properties on that side that I know they are taking part of the property. Do you anticipate, you may have answered it already, but any impact to you, with what 46 and if they do will that modify the location of the buildings or anything else?

Mr. Pugsley - We are unaware of any right away taking, as I said at this point the application has been submitted, and they have not brought that to our attention at this point. So if there is a right away taking then we'll have to revisit that and see how that would be.

Mr. Migliorino - We've already told Mr. Gerard; it's going to be two feet and it's going to angulate. It's going to come in from the circle. It could be less than two feet maybe end up at 12 inches.

Steve - Cause I know we have had other applicants on that side on 46 and it affected their properties so if you're starting from scratch you should be aware of what they're going to do.

Mr. Migliorino - So basically we're going to consult with them and whatever it is they need to alleviate that corner we're going to do it.

Steve - And I apologize if you've already said this but on Grand Street behind the Auto Zone what is that going to be? Trees? What is all of that?

Mr. Pugsley - Right here we just have that as grass going along Grand St frontage.

Mr. Migliorino - That's an issue we've also spoke to at a meeting we had a meeting not to long ago and were going to put landscaping along that to. We realize that facing this building now all you are seeing is the side of the building. Were going to give it landscaping there and trees there. And it's going to be not only done by Auto Zone but the owner of the property. There will be more then enough landscaping along this backside of Grand Street. That's what you'll see. It will almost be park like.

Steve -That's my concern cause like you said seeing the rear of a building, right the other building was not on the street this is practically on the street itself.

Mr. Migliorino - My instructions on this property to everyone was esthetics, esthetics, esthetics. We need something we can be proud of. It's always been since day one.

Steve - That's all I can ask, thank you.

Alan -You were talking about drainage and you were going to curb around the parking lot. Is there going to be retention under the parking lot?

Mr. Pugsley -No we have a conveyance system that wraps around. We don't require retention based on the size of the project. And were actually reducing the impervious coverage based on the DEP criteria.

Alan -So the waters going to run off onto 46?

Mr. Pugsley -As is does under existing conditions.

Mr. Migliorino - It would be much better then it was.

Mr. Pugsley -Correct, so it's going to take some of it below ground and then discharge directly into.

??? -Are you tying into the drainage that they're putting in there on 46?

Mr. Pugsley - On 46 yes. It wraps around the front of the building and then comes out and connects into the piping that is located near the intersection.

Mr. Migliorino - The buildings would no longer be a ?? Landscaping will alleviate any problem that may have existed even up until now. We're fixing what's broken actually.
?? -Right now there's nothing there

Mr. Migliorino - Just a lot of asphalt. Broken asphalt.

Lorenzo - No questions right now

Chair - Any body from the general public have any questions

Chair – I’m sorry Mark. Just one second bud.

Mark “I got one question on traffic. Did you look at any other traffic options other than the rear driveway?”

Mr. Pugsley -As far as going from Woodland out to 46, we did look at some other options as far as rotating the building, but for the truck circulation and to minimize conflicts between the passenger vehicles as well as pedestrians walking in the vicinity of the two uses. This was the optimal design for it.

Mr. Migliorino - “When you say truck traffic, how much truck traffic do you expect?”

Mr. Pugsley -The AutoZone will have one delivery, a tractor trailer delivery a week. And the 7-11 will have one maybe two, they said mostly one a week. Then they do have some smaller box trucks that come from the various vendors, the cokes, the Pepsi’s, the Frito Lays and things like that. They’re small box trucks that would be able to practically come in and utilize one of the parking spaces. So they’re small delivery vehicles. So this was the optimal design for the delivery services to both uses.

Mark - Ordinance ??

Mr. Pugsley -So as indicated were already proposing plantings and a screen fence along the western property line along the edge of property lot 67 and they will continue the landscaping of the plantings along Woodland to the drive way and then skip the driveway and then pick it up on the other side. And then well probably continue over to around the vicinity of the trash enclosure. We don’t want to get too close to the intersection because we don’t want to block the sight lines for Grand Street. And then well add additional landscaping along the landscaped around along Grand Street in order to break up the side of the building so be varying landscaping which we can work out with your office or the engineer.

Chair - We do have a landscaping engineer on the board. So you can submit those plans to Mr. Levy. Well can get the address from the Clerk, Ok.

Billy - On all this landscaping, we found it in the past, when we approve of these projects, they have the employees maintaining the landscape. That don’t work. You need professionals. And if I can inject that into this resolution?

Mr. Migliorino - No problem with that Mr. Lenihan at all.

Billy -That’s all.

Chair - Ok anyone from the general public have a question? Now let me just be perfectly clear on how this works. Ok this way you’re not confused or anything. First of all don’t be nervous ok. You have to ask a question with regards to this gentlemen’s expertise ok.

You don't have to comment, you say I love the project, I hate the project. Now's not the time, at the end of the whole application then you can voice which ever opinions you would like. So you had your hand up sir. Come right up to the micro phone. Come right up to the micro phone.

Good night council members. My name is Juan Majia, I live on Woodland Ave. my question is. I need to know if we can figure out the only way to keep customer cars and delivery trucks come just from 46 or Grand. Because my only requirement as a Woodland resident is keep Woodland as a residential area. I don't want a tractor trailer to come out from here to Woodland

Chair -You have to ask a question.

Mr. Giblin -Ask the question of the engineer right behind you.

Mr. Majia -Yea I don't want a tractor trailer come around in the front of my house with my eight years daughter playing around there you know what I mean. So I believe you have to relocated the building and you know keep the Woodland as a residential area.

Mr. Migliorino -.A tractor trailer will never be exiting

Mr. Majia -But it's a possibility that's what he's saying

Mr. Migliorino - It would never be exiting it would be

Mr. Majia - My requirement as a resident is it keep it fenced and keep us private. That's my only requirement thank you.

Chair -Any body else from the general public? Sir

I have a question. Glenn Majin, 108 Woodland Avenue. I actually am the boyfriend of Odette Colon. I have a question regarding the entrance way, this driveway that you're building. I agree with Mr. Majia. This is a residential street and it should be kept a residential street. And some how, maybe the Auto Zone needs to be twisted around so everything faces Route 46. Like most of the, or all of the other businesses in this area all face 46. Until you go down to the Bergen Turnpike, is the only business property that faces woodland avenue. And it's a little spot. So I think this needs to turn around. This is residential properties they don't have traffic like this and you're going to cause traffic. You also say it's optimal for Auto Zone to have this, but its not optimal for the residents on Woodland Avenue to have it. So it needs to be changed. There's no way you can have traffic going in and out.

Mr. Pugsley - Well that's why I was saying its optimal for the operations of the site in order for it to work safely for the vehicles on site as well as the pedestrians who are on site as well.

Mr. Majin - Exactly but you're forgetting about the residents who live here. And if you lived here you would feel the same way.

Mr. Pugsley - Well as I mentioned before in rotating the building, due to the geometric shape of the lot, rotating the building doesn't allow for the operation of the site to work in order from a parking perspective, circulation perspective.

Mr. Majin - Well then if that's the case, then maybe Auto Zone is not a good business to be here. I am all for building up this area. I understand it's a blighted spot, its but, putting Auto Zone there at the risk of one truck you say, on tractor trailer coming through there a week. That one tractor trailer can hit his daughter whose eight years old. And all it takes is one time. And then you don't mention anything about the 7-11 which you mentioned box trucks coming through one a day two a day. Well now were talking about more then a dozen trucks in a week that could possibly use Woodland Avenue. 'Cause you're not confirming that it's one truck, and you're not saying, your saying they could come that way and go in. so you're putting residents at risk. You live in this town; you have three properties in this town like you said. I'm sure if you live in a house, you wouldn't want that to be in front of my house.

Mr. Pugsley - You're probably right about saying I wouldn't want to have this in front of my house and It being problematic. I don't know five or six trucks. I can't say much of anything.

Mr. Migliorino - What we plan to do, were going to put speed bumps in there. No one is going to be going quickly. And believe it or not the problems on Woodland don't have anything to do with what were going to be doing. People travel 50 60 miles an hour, down that road. I know that road I travel it everyday.

Mr. Majin - And we're not saying don't put anything there. Were not saying we want it vacant, all were saying is this is a danger to the residents on Woodland Avenue. That's what we're saying. All it takes is one mistake. And you can never forgive yourself.

Mr. Giblin - Sir this is for questions for the engineer. This is not a debate between you and the attorney. Questions for the engineer please?

Mr. Majin - Yea my question is. How many trucks can you tell me in a week, and I'm talking about box trucks and tractor trailers that are going to use the Woodland Avenue to enter and exit the Auto Zone and 7-11 property.

Mr. Pugsley - As previously indicated the auto zone has one delivery maximum a week and more then likely that vehicle would travel along Woodland. The 7-11 should have one larger vehicle that would come in through there.

Mr. Majin - Larger meaning

Mr. Pugsley - Meaning tractor trailer

Mr. Majin - Tractor Trailer and that's a week also?

Mr. Pugsley - Yes but then the other ones, which are box trucks I would anticipate would be coming in from Route 46 because they are smaller vehicles; and they would be able to come in.

Mr. Majin - One other thing and this is a question for you. Bergen turnpike is about another block down which is a major thoroughfare for trucks. So how do you know that these trucks are not going to come down Bergen turnpike make a right onto Woodland Avenue and then come straight into, make a right onto Lakeview, make a left onto Grand and then make a right onto Woodland into the property; because that's a major, major thoroughfare. And then from what I understand also, let me ask you this.

Mr. Giblin - Let him answer the first question first. Let him answer the question you just asked. How do you know that's not going to happen?

Mr. Pugsley - Well as far as traffic distribution, I am not the engineer who should speak to that. We have a traffic engineer who can talk to and they've looked at the different directions. So I can't say exactly how the traffic flow is anticipated.

??? - Is he at this meeting? The traffic engineer?

??? - Yes, yes he is.

Mr. Majin - And a question when the engineer speaks, he's going to say what traffic is like, but I what I want to know from Auto Zone and 7-11 how their trucks are going to deliver, what are their routes going to be? Because that is ultimately who decides where there trucks are going to come from. And my next question is after that. You said there was, I was told there is going to be a divider on 46.

Mr. Pugsley - Yes.

Mr. Majin - Does that mean, how does that work as far as, is it a cement divider or is it a double yellow line that people are going to turn into there anyway.

Mr. Pugsley - It's a going to be a physical barrier. If anything it's going to be like the Jersey barrier, a smaller Jersey barrier so you can't drive across it.

Mr. Majin - And will they be allowed to make a left onto Grand.

Mr. Pugsley - That's traffic. I don't know.

Mr. Migliorino - Go down to the circle and come around.

Mr. Majin - I just have major problems with the driveway.

Mr. Pugsley - I understand that. Thank you.

Chair - Anyone else from the General Public. Yes mam come right up. Mam just state your name and you're address first.

My name is Janette Mejia I live in 116 Woodland right in front of all this that is happening.

Chair - Can you spell your last name please.

Mejia. Ok my question is. I have 6 kids in my house. They all go to what's called the Boys Club.

Chair -You're asking him.

Mr. Giblin -You're asking the engineer right there.

Mrs. Mejia - Okay. The boy's club right I don't know if you're aware of that. But a lot of kids come from this side of town all the way walking to our side of town. Woodland as it is no matter, you see you haven't been able to even answer what they have question, because you don't know if the trucks are going to use Woodland or not. To my safe, to what I know. They're going to use Woodland and it's not going to be a residential anymore. Period!. But then again ok you have kids coming for football, kids coming for softball; you have kids coming from there and now you have not one business, but two. You have Auto Zone and you're going to have a 7-11. You're going to be having customer's cars coming in and out. You're going to be having trucks coming in and out. And you're going to have your kids walking around there which is no longer residential, because this is changing everything. Because of course you're going to see trucks going through there. That's you don't know where the truck is going to take; if it's going to take 46, if it's going to take Woodland, if it's going to take Grand.

Mr. Giblin - Miss Mejia this is for questions for the engineer

Mrs. Mejia - Exactly so that was the first question they asked where the trucks are going to go, they couldn't answer. My question really is. How safe is it going to be now for our kids when they go to the boys club? Put it that way.

Mr. Migliorino - As safe as it ever was.

Mrs. Mejia - Really

Mr. Migliorino -Yea listen, AT Tiles

Mr. Giblin - Mr. Migliorino really you can't answer questions. You are not under oath, you are not an expert. Let your witness answer. If he can not answer wait for your traffic engineer. Please

Mr. Pugsley - You know just by the addition of a truck or two. That's not going to change, people are going to drive, drive safely. So um our traffic engineer can go through more in how the traffic flow is anticipated to go through the site. But just because there's going to be a truck or two is not going to dramatically impact the safety of people walking along the street, in my opinion.

Mrs. Mejia -Your opinion

Mr. Migliorino - Traffic engineer Mr. Chairman

Chair -Yea after we go through this. Anything else.

Mrs. Mejia - My concern is only that really, to tell you the truth. Because I know automatically you're saying it yourself. You can't even answer that. You don't know if trucks are going to go

Mr. Pugsley - What do you mean I can't answer that? What do you mean?

Mrs. Mejia -You said you're not sure, yea to where the truck is coming from.

Mr. Pugsley - At this point we don't know exactly the path where the truck is the circulation was going from store to store. I can't tell you where that is at this point in time.

??? - But for the record, the attorney did say there would be no trucks exiting or entering through there.

Mr. Pugsley – No, I said that there would be a truck entering into the site.

??? - He did say that. He did.

Mr. Pugsley - Yes. Absolutely, the truck that's the whole purpose of why this has to be this way is to allow for the truck delivery in order to get through the site. I would anticipate there would be one or two tractor trailers that would come through there and then the box trucks are small enough that they would just come in off of Route 46.

Mrs. Mejia - Ok I'm done

Chair -Yes?

Evelyn Rodriguez, 139 Woodland. My only concern is basically, basically all our concern that we live on Woodland is the safety of our kids. Ok do you believe that these tractor trailers that are coming in and out, we have so many issues already on 46, between 46 and Grand with many accidents, with these tractor trailers not even able to turn curb. How do you think they are going to be able to go from Grand to Woodland in such a

narrow street? Its really incapable of getting these tractor trailers inside without no pulling back and reserving and going back forth and three or four times. We see this every day happening on Grand and Woodland and excuse me 46. What would you think Grand and Woodland is not going to be that issues with these trailers coming in and out.

Chair - I can, if I can just interrupt for one second. That would be a perfect question for the traffic engineer. He does radius curbs and things of that sort. And he can answer your question I think better then this gentleman, not to interrupt.

Ms. Rodriguez - No problem. Thank you.

Chair - Anyone else from the general public? Yes mam

Hi good evening my name is Odette Colon for the record. I guess just to basically sum up a few of my concerns, although they're supposed to be questions for Mr. Pugsley.

Mr Pugsley - Yes

Ms. Colon - Ok um the trucks, the low hanging wires, the turning into Woodland Avenue, we would prefer that you reconsider your plan so that the entrance is not on Woodland as it has already been on 46 and Grand for years and years and years as we all very aware. We appreciate the businesses coming into the town. And a lot of the town members do want them there; it's great for all of us. But of course with certain considerations for the rest of us that pay our taxes. I don't understand why, again just a few to sum it up and I wrote them down so I can stick to my points. We would appreciate you reconsidering the way the buildings are at the existing time. I hear a lot of the word landscaping, however then it's changed into grass. So landscaping to me are maybe 6 foot tree shrubs.

Mr. Pugsley -The current plan shows grass. We're going to be adding the trees that you are referring to.

Ms. Colon - Ok before the final plans it would be nice to know how many you will be adding because it

Chair - Excuse me these plans in answer to your question, I think I can answer that for you. They need to submit a plan to our landscaping engineer. Mr. Scott Levy. And then those plans would be turned back over to them and they would agree on proper landscaping for the site.

Ms. Colon - Ok great, great does the public have anything to

Chair - You can come to the meeting

Ms. Colon - We can come to the meeting

Chair - If there is another meeting sure

Ms. Colon - Ok and I did hear some a very good concern from a few of the people on the panel, which are our same concerns. Another thing is the garbage maintenance. Like were having two different buildings I believe by the same owner of the entire property. So who's maintaining the garbage? Yes for years and years and years, I myself I live at 108 Woodland Avenue. It's the third house off the corner. I walk out of my house and I cross the street and I clean up all the garbage that's facing my front of my property. Because although I may not live in Saddle River, I like my property to look clean and across the street as well. So that's a concern. It's a concern about your driveway being facing us, the residents the children. It's just going to change everything. So if you could reconsider and be more specific when you say your landscaping. Garbage maintenance. Just to ask one question Mr. Pugsley. Whose garbage maintance for the property there?

Mr. Pugsley -They have private haulers who will come in. Each vendor will have their own private hauler.

Ms. Colon - Ok alright so. I mean there's obviously to the panel, there's a lot of concerns and some of which you're also aware. I am sick and tired of looking at the property that way. I've owned the house for going on 14 years now in July. And I love Little Ferry I love where I live. We welcome the plans. You must please reconsider because of the families you know because of the club house. For years I wanted Grand Street to be clean repaved. We welcome all of that, but you have to have a little more reconsideration because this works for you but it doesn't work for the residents. And you know I mean I guess I'm pretty much just for the panel to understand that we also have our concerns. We appreciate you welcoming to listen to them. Because I think we share some what similar concerns although we don't express ourselves the same way. Thank you.

Mr. Anzalone

Ronald Anzalone - 39 Grand Street. Little Ferry, NJ. I have to speak as a Please talk into the mic sir.

Yes I have to speak as a resident also because I don't sit on the Zoning part of the board I only sit on the Planning part of the board. But listening to the other residents speaking, can you just explain to us the difference, if the building would be rotated to this position, what it means to your end of the project.

Mr. Pugsley - Sure if you rotate the building all the truck circulation, is all entwined with the customer parking in here. So it's restricted to this little rectangle in there. So when the trucks come in it would make it very difficult for vehicles to circulate through the parking lot.

Mr. Anzalone - Ok cause I mean there has to be like a happy medium between this project. Which I'm excited to see this project. Because we want to move forward in Little Ferry. But there has to be a happy medium between the residential part and the commercial businesses also. Looking at that a rotation to that direction would open up would remove this entrance to lets say Grand St. and some of the other businesses who

came before the board, that we did have circulation problems with tractor trailers. They made arrangements to have deliveries before hours or after hours so that it didn't interfere with the normal flow of business traffic. So I don't know if that was a consideration also.

Mr. Pugsley - Yea just when the, if the building is rotated just due to the amount of space that is has there just isn't a lot of space for a tractor trailer to navigate through. so in addition to the vehicles. The one obviously 7-11 is going to be open 24/7 so there's always going to be vehicles and activity going on in this particular area. Right now the way this is laid out, the customers that are going to be utilizing the main access points to the building are kind of up here. And then there's an area for the trucks to come in and it can kind of be isolated from the regular circulation and the pedestrians and so forth. If the building is rotated everything is all together.

Mr. Anzalone - The peek hours, about the delivery.

Mr. Pugsley - Right so there's always, because 7-11 is going to be open, there's always going to be activity going on here. But here the truck can pull in and it has a nice straight shot. If it comes in off of Grand Street and then pulls in there it's, we can't push 7-11 over to the west any further. This again right here that's locked in, it can't move. The only thing that can move is the Auto Zone up into this area. So you're basically restricted to this little area which doesn't really allow well for truck traffic.

Mr. Anzalone - If a truck comes in this scenario that you have right now. If a truck comes in where do deliveries go for Auto Zone.

Mr. Pugsley - For Auto Zone they would come in.

Mr. Anzalone - Where would the truck

Mr. Pugsley – and then there's a loading area at the back of the building where the truck would be able to back into. If this gets rotated.

Mr. Anzalone - How would he back in there?

Mr. Pugsley – these are not the primary parking spaces, that why. The main entrances, this is going to be the primary parking area for all the customers. so if there is a vehicle here well then they have to wait a couple minutes for the other vehicles move in order to back in. But this is not going to be the predominate parking for the development. They're going to be parking down in this area.

Mr. Anzalone - If you rotated, just one more, one more question. If you rotated the store and had a tractor trailer during an off hour, pulling in front of the store and unload to the side, because you're going to be coming in through the side anyway with a delivery, you would just be rotating that the tractor trailer would sit here and the delivery could be here. I look at the one in Hackensack on River Street, and I see the way the deliveries are made there sometimes. And sometimes there's trucks there during the business hours, and it

does confuse the parking lot a little bit here. But listening to the concerns of the residents and I can understand how they feel, about the flow going through Woodland. When I first started the application, and that was the first thing that came to my mind too. Um I don't know, I would like to see you consider something with the Woodland Avenue part of it.

Mr Chairman

Mr. Anzalone - No that's all the questions.

George - The way we have this here. We have car movement here just for these spaces. Correct?

Mr. Pugsley - Correct.

George - It is my recommendation would be to open Grand here and close Woodland here. The spaces that are here will be moved up here. And this activity here would be more for parking. Parking is very important. And regarding truck turning radiuses and whatever. What I see here is the same radius as a truck or a car. Cause I'm really worried about cars to, not just trucks ok. So the turning radius I see the same as coming on 46 off or Grand. And if we have to shift the building a little bit up so be it. It's just something to consider.

Mr. Pugsley - So by having, if I understood properly, you're saying have the truck come here.

George - Or route 46 however they want to do it. He wants to

Mr. Pugsley -With the operations and the layout of the building, allow for all of the storage and the loading and all that stuff has to come through the delivery doors which are on this portion of the building. So we can't have

George - That's something to consider and possibly change. I don't see and when the traffic engineer comes, how many cars are going to come in and out of Woodland customers. Were doing this mostly for trucks delivery which is one or two, we would like to do it off hours. And off hours the truck can maneuver however it can to make the right 46 off or Grand street. And if we have to move the buildings up a little bit north then so be it. And then this whole assembly you have here just put it down here. It's just a suggestion. And the traffic engineer can talk about more about how much traffic is really coming in and out of this. If were doing all of this just for delivery I don't see why we cant do it on Route 46 or Grand Street since I think it's the same turning radius as Woodland.

Bill - If were having trouble with trucks now how's the fire department going to get in there.

Mr. Pugsley - There's not problem with the trucks. What do you mean by having problems now with the trucks?

Bill - We have fire trucks, if trucks can't get in and out of there; how is the fire department going to get in there on Woodland Ave.

Mr. Pugsley - The trucks can get in. a tractor trailer can get into the site.

??? - Save this for the traffic engineer when he comes up.

Mr. Migliorino - They're just concerned about the safety of the people on the streets not the access.

Steve - I just have another question too. If rotating is it a problem, why can't you bring it down so it's opposite the 7-11, open Grand up over here, leave Woodland closed. And the trucks will be able to circle in and out that way. Move it down here so it's opposite the 7-11.

Mr. Pugsley - We have to explore were haven't gone

Steve - The reality of it is that they're right the trucks are but the amount of car traffic that's going to go in and out there because that the only way to get out to 46 going east again and its also going to become a short cut through to Liberty Street. So it's going to go both ways. So I mean

Chair - Just to remind you that everything is on tape, and if everybody is talking we can't decipher so just you know you'll all get chance to talk. Ok

Steve - And I have to agree with anything we can do to help the residents, because it is a residential area right there.

Mr. Migliorino - Mr. Chairman if I may. If we let our traffic expert speak now and then perhaps taking an adjournment to reexamine the location of the building also examine the issue of what's going to be the best situation for the residents here we will do that. I like have the, if I may I like to have the traffic engineer speak if I may and distill the sense of concern and then go back to the drawing board.

Mr. Giblin - I've got a couple things I would like to say. First of all was it your intention to bring back your engineer at the next meeting?

Mr. Migliorino - Um seems to be the members most called. Would you come back to the next meeting if we need you to (addressing traffic engineer - Absolutely).

Mr. Giblin - We need to go through Mr. Job's report which we haven't done. That's going to take a considerable amount of time. Number 1 and Number 2 - I think the board. One of the things the board is going to have to decide is whether or not to engage its own

traffic engineer. And if the board is going to engage its own traffic engineer, I think it would be prudent to wait to have that person here reviewing the testimony of your traffic engineer.

Mr. Migliorino So you don't need to hear the traffic engineer now. Ok fair enough. So if I may I would please ask you then to go over Mr. Job's letter. With this gentlemen, this way we can get this behind us and we can take this back to the drawing board.

Mr. Migliorino – calls Gary Dean. Somebody needs to swear me in I think. Sworn in by Mr. Giblin. My name is Gary Dean. I recognize some of you from the CVS application right across the street. I've previously been qualified before this board constituted as a planning board. But just in terms of qualifications, I'm a professional civil engineer in New Jersey as well as a professional planner, though this evening I'll be limiting my commentary to traffic engineering testimony which is my specialty. I've been engaged by Auto Zone to evaluate this application. I've represented Auto Zone at probably two dozen locations through out New Jersey, as well as 7-11. And with that background in terms of parking, traffic numbers, and the like; I believe I have a lot of information I can help the board. I know at the CVS application you had retained the services of Mr. ----; I know his name is Mike. I know he's from Remington and Vernick. I don't know if that would be the same individual you.

Chair -Yes. Yes.

Mr. Giblin - If you wanted to submit a copy of the plans in your report to him that maybe it could be stream line for when you testify next time that would be helpful. That would be ideal. We will do that. Thank you for your time.

Mr. Migliorino – go over Mr. Job's report

Mr. Giblin – Skip over what he finds acceptable. Do you agree that this will require lot consolidation of the three lots.

Mr. Pugsley – if that's the wishes, yes then we can do that

Mr. Giblin – cannot operate independently, is that correct

Mr. Pugsley – Correct

Mr. Giblin - Mr. Migliorino you will be requesting a lot consolidation as well.

Mr. Migliorino – yes, absolutely

Mr. Giblin - #11 have you or do you intend to provide a storm water management plan

Mr. Pugsley – as I indicated during my testimony we have actually have a reduction in imperious coverage and based on, typically when you're a minor application in the eyes

of the DEP you are not increasing the imperious coverage less than an acre of disturbance and your not increasing new imperious coverage it is not warranted. As a result of the reduction in the imperious coverage you have a reduction in the storm water flows; so our intention is not to provide additional calculations.

Mr. Giblin – you do understand that Mr. Job is recommending that you do submit calculations.

Mr. Pugsley – it was my understanding with the way it was worded; it was up to the Board, if it's required, then it is something we will have to investigate. But at this time, based on typically what we do based on the DEP regulations for storm water it is not necessary.

Mr. Giblin - #13 the applicant should provide storm drainage calculations for the storm drainage collection system

Mr. Pugsley – we will provide that.

Mr. Giblin - #15 we will get your own traffic expert

#16 the plans shall be revised to show the removal and replacement of all existing curbs and sidewalks

Mr. Pugsley – we will do that

#17 making you aware that there will be work done on Woodland Avenue

Mr. Pugsley – we are aware and will coordinate

#19 – lighting is not acceptable

Mr. Pugsley – he was commenting on our revision zero plan. Rev 1 addressed this concern and corrected

#23 – Asphalt paving detail not acceptable

Mr. Pugsley – will address

#29 - concrete accessible ramp details are not acceptable

Mr. Pugsley – we will update that

#34 concrete curbing

Mr. Pugsley – we will update that

Do you agree with comment #37 to revise the plan to show the trunkcaded?

Mr. Pugsley – Yes
#38 update as well

Mr. Giblin – rest of comments , agree; applicant stated will attach note to that effect.

Mr. Pugsley-Will get revised plans to Mr. Job to review.

Mr. Migliorino – Billboard hearing

Sworn in – Domenic Vastino –
Qualifications – owns a Lions Outdoor , witness qualified

Mr. Migliorino – Tell me what is there now and tell me where we are going with this.

Mr. Vastino – There are two existing rooftop structures that are falling apart. We are going to replace them with a solid post structure and a digital sign which is the same square footage that is existing already.

Mr. Migliorino – Is that state of the art what’s happening now?

Mr. Vastino – Yes exactly. You’ll see that the signs are changing from static to digital, which works a lot more efficiently. We can also address any local events within the town through the billboard.

Mr. Migliorino – Public service announcements, date, temperature and those kinds of things? If we had a poster sign now would that basically be obsolete?

Mr. Vasino – Exactly. If there is a child missing or an event that needs to be posted right away we can do that within a matter of minutes versus two or three days to print something and install it.

Mr. Migliorino – Would the people on Woodland Avenue be affected by this signage.

Mr. Vasino – No it’s the same light that will be thrown off by the new lighting systems going around the building as far as the candle lighting, this is the same lighting system. It won’t be facing or blinding the current residents.

Mr. Migliorino – Are you positive that this type of signage would be beneficial to the drivers and people on the road.

Mr. Vasino – As I mentioned before if there is an amber alert or any type of event coming up you can do that instantly.

Chair – Can you explain to the board the process of putting a display on that sign? Say I call you or the mayor calls you and we want something displayed on there. Fire department members needed, ambulance core, etc. How long does that process take?

Mr. Vasino – We can put a direct line maybe within an hour as long as we have the content we can put it right up. It's a really simple process. The technology is pretty amazing. If you have content or a message that you want to be put up and you send it to me and the company, it will pop up there for you.

Chair – Okay I guess my question is if this sign is approved, would the owner of the property be willing to let the town post whatever they need to post on that?

Mr. Migliorino – Absolutely, before we even started this application it was part of a community service if we can.

George – Just real quick with the Route 46 expansion, it won't affect your sign at all?

Mr. Vasino – No.

Brian – Is there a signage plan that was provided to the zoning officer of the building department as part of the application?

Mr. Vasino – I believe so. I think the building department needs to review it for zoning and other compliance.

Brian - My understanding is these are billboard signs, correct? So they will not necessarily be advertising uses that take place at the site, they might be advertising other things.

Mr. Vasino – Signs can be used for both advertising and tenant use.

Steve – On that plan up there where are the signs supposed to be?

Mr. Vasino – West of the 7-11 building between the property line and the back of the building.

Steve – Both of them are going to be right next to each other? Only one?

Mr. Vasino – Back to back.

Steve - Okay thank you.

No further questions,

Mr. Migliorino – asked for adjournment to address the homeowners concerns.

Adjournment was granted to February 11, 2015 meeting.

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.

Mr. McCalley - Good evening Mr. Chairman, members of the board. My name is Michael McCalley. I'm an attorney with Dwayne Morris here on behalf of the applicant Lukoil North America LLC. This relates to a site plan application at the site 270 Route 46. This is a site located at the northeast quadrant of Route 46 and Liberty Street Block 9 Lot 1. Application again for site plan and variances really to allow the continued use of the site as the existing Lukoil gasoline service station. The reason that we are here is that the state doing the Route 46 project widening has taken a strip of property primarily along the front edge of Route 46 and wrapping around the corner of Liberty Street. It's approximately 2,700 square feet of the site that is impacted as a result of the taking. The remaining site has approximately 23,912 square feet. The main impact of this taking is again at that corner of Liberty and Route 46, it has impacted the existing ID sign and price sign. As a result of the state's taking, we have to relocate the sign, some lighting, some curbing and landscaping. But this is an older site preexisting nonconforming use with some nonconforming conditions in terms of bulk so we need variances related to that. At this time I'd like to introduce Brett Skapinetz, our engineer of Dynamic Engineering.

Brett Skapinetz – Sworn in

Qualifications – Bachelors of Science in Civil Engineering from Rutgers University, licensed professional engineer in New Jersey, Pennsylvania, and New York. Accepted as expert witness.

Mr. McCalley – I know you have some handouts. I don't know if you want to go ahead and hand them out, but basically what he was would all identify as A-1 site plan rendering for this site.

Brian – Just put on the record what it is that you're marking.

Mr. Skapinetz- A-1; It's an exhibit which is colorized. It has been colorized and highlighted to make it clearer for presentation this evening. I will note that the exhibit has what I did add to it as a result of speaking with your planner, added an additional curb line that we approximated based on the DOT plans. I also made an additional modification the sign chart just to clarify the sign area that exists out there is actually different than what was submitted in the plans to the board. I just want to make the clarification so that way you have it.

Brian – So what you marked as A-1 is identical to the smaller scale that you are going to hand out to the board, and it is slightly different than what was previously submitted to the Board.

Mr. Skapinetz – Simply put and the board I know is aware of this. The DOT is coming through with improvements on Route 46 which includes widening of the highway and takings of various widths along the right of way. In the case of this site, the Lukoil site at the northeast corner of Liberty and Route 46, they are looking to take essentially an 8 foot taking strip along the Route 46 frontage. They are going to do a taking at the corner to enable them to put in a 40 foot radius of curb at the intersection to turn on to Liberty. There will be taper of taking as it blends back in to the right of way along Liberty. Essentially the ID sign sits right in the middle of that taking at the corner, and there is also a small curb island that runs in between the two driveways on Route 46. It's about a 2 foot wide strip of landscaping that will be removed and that impacts the two light poles that the end of that curb island.

We will need to move these two light poles inward into the site. So we are moving a sign and two light posts, essentially the impact of the taking by the DOT. As a result of negotiations with DOT, the driveways will remain. To give a brief overview and show the board on A-1, there are two driveways on Route 46, one closer to the intersection of Summit and Sylvan. There is an egress driveway closer to the corner of Route 46 and Liberty that exists there today. With the taking, that driveway is being narrowed by about five feet and being shifted just slightly to the east. As you head to Liberty Street, there is also a small curb cut that exists there today. Again as a result of the taking, that curb opening is just narrowed by a couple of feet and shifted slightly to the north. Then there is a second driveway on Liberty furthest from the intersection which remains in the exact location as it does today.

The service station as far as its operation, once the improvements go in, will really be indiscernible to anyone who has driven by that anything has happened other than the curb being brought in. The pumps, canopy, and building will remain in the exact location. Driveway on Summit Place is completely not impacted as a result of the DOT improvements. As a result of the changes, there are a couple of variances that are created. The main ones are a result of the moving of the sign, which was already non-conforming in a couple different areas. We continue to maintain a couple of variances though one was setback to the right of way, albeit slightly, we are able to improve that one. With the taking of land we are seeking existing nonconformities within the property setback so that we are not conforming just become that much smaller from the taking of the highway. At some point after any questions I can run through those in some detail, but that is essentially the application.

Chair – Now you have on the existing sign 22 and a half feet high. Is that same sign going to be moved or will it be a different sign?

Mr. Skapinetz – It's the exact same sign. All we want to do is shift it north so that it sits just outside the right of way. Right now there is a 0 foot setback to the right of way. We are actually improving it to 1.7 feet.

Chair – You did mention landscaping before. Do you have any intentions of improving the landscaping on that site?

Mr. Skapinetz – We can only really put landscaping in the island. We didn't show any landscaping but we can add some shrubs in there with no problem and we'll do so in any revision to the plan.

Chair – And in the grassy area near Summit?

Mr. Skapinetz – We could look to add some landscaping there that shouldn't be a problem.

Mark – reference review letter

Mr. Soojian – Question. Were you ever considering make the driveway any wider?

Mr. Skapinetz – No, that's it. Done deal. The width of those is more than adequate enough for a vehicle sit in that location and pull out so that is all the DOT will give us.

Brian – Could you go over the efficiencies that are noted in Remington & Vernick letter?

Mr. Skapinetz – Items 7 and 8 certified tax list and proof of payment of taxes.

Mr. McCalley – In terms of proof of payment of taxes I know we submitted a notice to the tax collector in terms of verifying it. I know we did have it verified as of December 14th. I have a copy in my file I thought a copy was sent to the board but perhaps it wasn't. Certainly I can present a copy to the board.

Mr. Skapinetz – And the certified tax list, you were talking about the 200 foot list? We ordered one and had one on the cover sheet of our plan.

Mr. McCalley – We have provided a proof of the notices as well as a proof of publication.

Mr. Skapinetz – Submission to the police department traffic bureau, we didn't make a direct submission. As far as the application one was made we believe that one would be made or given to the police department as a result of our application submission distributed to that department. We aren't object to submitting something if the board wishes to as far as any condition if they end up coming back with comments we'll of course come back here if need be but I don't foresee given what we are proposing here that we will get anything more out of the police department out of this. I would have to ask for a waiver as I'm standing here but at the same time I understand if it is your requirement to do so...

Brian – Instead of doing that, rather than approve or deny it the board could directly prepare a resolution to be voted on at the next meeting and before that it can be submitted to the police department.

Mr. Skapinetz – If they have comments we can come back. If not we don't have to be here we can just kind of go through the deal.

Brian – There are a couple of other things though. The drainage facility sewer and water lines.

Mr. Skapinetz – We are not proposing any changes to the runoff patterns on site. Nothing will change. As far as proposing existing highway and interior curbing, that is where I noted the change in the exhibit. We always had the existing curbing. I put a dashed line on that exhibit. It's shown on A-1 which runs in the approximate location of the new curb line.

Brian – How many driveways exist now.

Mr. Skapinetz – 5 total. 1 on Summit, 2 on Sylvan, 2 on Liberty.

Chair opens to General Public –No one approach

Mr. Skapinetz – In general the only two comments that need to be addressed would be the fact that we need to submit to the county, which we will. I will make an application to them which I will expect a waiver or no action. Also, showing landscaping in that planter island and adjacent to Summit. Other than that there is nothing else to address.

Chair – The area that is behind the service area of the building, I noticed that there is a number of cars there. What is that being used for?

Mr. Skapinetz – Unfortunately, I can't answer that. My understanding is that those are cars being serviced.

Chair – I've seen the same cars there for weeks so I don't understand.

Mr. Skapinetz – I understand that those are possibly cars being service.

Chair – Is this being rented in any way for storage of vehicles?

Mr. McCalley – No. It's my understanding that Lukoil leases the site to run the gas and service station, but I have no knowledge of any sub-lease of that nature. It is my understanding that cars out there are cars being serviced.

Chair – Is that something you can look into?

George - Do all of the cars have license plates on them?

Mr. McCalley – This is certainly something that I will bring to the attention of our client Lukoil who will speak to the operator to make sure that the space is being used for service and not as storage.

Brian – Probably there will be a condition and resolution that that will not be permitted. All cars on the property must be consistent with the services taking place on the property.

Motion to approve or deny application.

A motion to approve was made by William Lenihan and seconded by Gino Tessaro.

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

Motion Passed.

Exhibits taken by applicant

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.

Mr. Francis – Good evening Mr. Chairman, board members. Dennis Francis, 37 Liberty Street Little Ferry New Jersey on behalf of the applicant 205 Bergen Turnpike LLC. I didn't give this to Bert before it is the affidavit of publication and proof of service along with the certified mailing list and returning green cards. The application before you this evening pertains to the development of a Laundromat proposed on two properties. 205 Bergen Turnpike, which is a commercial building having the Hallelujah books as its current tenant. The other property as part of the application is 9 Lakeview Avenue. It is a single family residence. Both properties are within Block 11 Lots 1 and 75 respectively. The applicant seeks use variance and bulk variance approval for a reverse subdivision. Finally, a site plan approval as well. Before you this evening you have two sets of plans. One provided by the applicant's engineer and planner Neglia Associates expert Anthony Kurus and the other from ICOM Architects LLC. Oswaldo Martinez AIA is here to testify as an architectural expert. I also have with me this evening both witnesses. Curtis Berger, managing member of 205 Bergen Turnpike LLC as well as Mr. Clifford Ross, of Metropolitan Laundromat. The application calls for the conversion of the existing one story commercial building into a Laundromat by adding an addition 1,084 square feet as depicted in the plans. The conversion includes the construction of a second floor office to the revised building, the complete demolition of the residence at 9 Lakeview Avenue,

various improvements which include an expanding parking lot, and finally the consolidation of both lots into one. Specific with respect to the use variances there are three separate use variances and that's the most key variances that we are asking the board this evening as well as the multitude of bulk variances but more importantly in this application is the use variances. Those use variances necessitated by a Laundromat not being specifically delineated in the allowable use of the BH zone. Also the second floor offices the conditional use in the zone and we don't meet all of the conditions with respect to that. If we consolidate the lot, does the new lot become a commercial lot or does it hold some residential values to it? Nevertheless, we noticed because the zoning officer required that if we are looking to park in that now which is a residential zone, well then that is a use variance as well. So that is how we get to that issue. I'd like to call up Curtis Berger to testify.

Curtis Berger Sworn in

Mr. Francis – Berger what is your interest in the application of 205 Bergen Turnpike?

Mr. Berger – I am the owner and sole member.

Mr. Francis – How long have you been the owner of that?

Mr. Berger – Since September of 2014.

Mr. Francis – This is a newly created New Jersey LLC?

Mr. Berger – Yes

Mr. Francis – And in fact in September of last year did the member purchase both the 9 Lakeview property as well as Bergen Turnpike?

Mr. Berger – Yes

Mr. Francis – You are currently now as the owner of those properties?

Mr. Berger – Yes

Mr. Francis – So this is not conditioned upon the approval this evening? Now does anybody besides yourself own any interest in the LLC.

Mr. Berger – No

Mr. Francis – Now you've retained experts that indicated to the board that have the plans before them, you've retained them to present testimony to the board this evening?

Mr. Berger – Yes

Mr. Francis – The plans, were they a complement of what you have done over the last several months?

Mr. Berger – Yes

Mr. Francis – So this revision here is actually at least one revision after we had received information from the board's engineer as well as the board's planner. Correct? Can you tell me a little bit more about your background in the Laundromat industry?

Mr. Berger – Yes, I am a full time operator since 1996, currently operate six Laundromats throughout New Jersey. I'm actually a fourth generation in garment care. My great grandfather came over in 1896 and was a tailor. I've been doing laundry since 1996. I'm in my laundries every day. I found this location, it's hard to miss with the green building. It won't stay green. I've passed by it many times and always thought it was a great retail location. If I can make the parking work and get the right first floor square footage, it would be an excellent location for what I do.

Mr. Francis – Do you believe the plans before the board meet those expectations that you sell?

Mr. Berger – Yes.

Mr. Francis – Now can you tell the board in the general vicinity where some of these locations are?

Mr. Berger – Teaneck, Early Bird Laundromat opened in 2011 has done well in a similar demographic; for what I will do here.

Mr. Francis – Now you said you are an owner operator, so you are hands on? Is it your vision that you will also be hands on with respect to this property?

Mr. Berger – Absolutely

Mr. Francis – Now you also included in the package some photographs. What will the photo generally depict?

Mr. Berger – This is a photo of my Teaneck Laundromat with my washing machines and driers, wide aisle space, easy for customers.

Brian – Let's mark them first. That will be A-1.

Mr. Berger - Exhibit A-2 These are double stacked dryers for efficiency and great for customers. More customers can dry quicker and get out sooner.

Mr. Francis – So what we are looking at in the photographs are similar to what would be in this location?

Mr. Berger – Yes these are the most modern energy efficient machines.

Mr. Francis – Tell us a little more about how this technology has advanced with respect to washers and dryers.

Mr. Berger – With energy consumption, these washers use approximately 40% less water than they did maybe 10 – 15 years ago. We also have high speed extract washers. They spin at an average of 200 G force in the last extract, which pulls out more water, allowing for customers to dry quicker, we use less natural gas. These washers also have inverter drives, which uses a lot less electricity. What you get is a lot of value for the customer and you save on use of utilities.

Mr. Francis – What is A-5?

Mr. Berger – These are 80lb capacity washers which are great for comforters, blankets, linens. We get a lot of customers that don't normally on a weekly basis come in and wash their linens.

Mr. Francis – You mentioned that we don't have that in town. I'm sure that the board is aware of how many Laundromats we have in town. Are you aware?

Mr. Berger – Five

Mr. Francis – Have we lost one recently?

Mr. Berger – Yes, actually it was 6. The one in the H-Mart Center which was in a state of disrepair anyway has since gone out of business about 6 months ago. All of my design comes from being in Laundromats every day and trying to be the best for the customers. I take their feedback and design from there. Wall mounted laundry card dispenser's work similar to a debit card where a customer puts money on this card. They use it to wash, dry, take it home with a balance, come back and fill it up.

Brian – I'm getting confused with A-6, A-7, etc. What the document has been identified as before he describes it?

Mr. Francis – You took these photographs and they depict all of your locations?

Mr. Berger – 2 of them.

Mr. Francis – How long ago did you take these pictures?

Mr. Berger – Last month

Mr. Francis – And they fairly and accurately depict what in fact is your location?

Mr. Berger – Yes

Mr. Francis– We have gone through a whole host of pictures. In general, what are they showing?

Mr. Berger – The most modern equipment, energy efficient equipment, equipment that is not in town right now servicing the customers of the town, and it's...

Mr. Francis - You're now saying that these pictures are an exact replica of what will be there?

Mr. Berger – The mix will be different. The size of the washing machine, capacity sizes. They will be this brand, the most recent model that has come out.

Mr. Francis – A -9?

Mr. Berger – These are the laundry card dispensers.

Mr. Francis – Safety with respect to that, what do you mean by that?

Mr. Berger – I've just noticed over the years, it used to be all quarter stores. I can tell you, at my laundries that do not have that, there are no break-in, no trouble. People know that there is no cash flying around. All of the money is on a laundry card.

Mr. Francis – How many employees would you imagine having at this location?

Mr. Berger – Four full timers and approximately five part timers for the Laundromat.

Mr. Francis – How many shifts?

Mr. Berger – I plan to be open 24 hours a day. There will be 3 shifts. 6am to 2pm; 2-pm to 10-pm; 10pm to 6am; fully staffed. I have two Laundromats now that are 24 hours. There is always somebody there to help the customers and keep an eye on the equipment, and the customers really respond to that. We have customers all night long. People that work the double and triple shift at work come in after hours.

Mr. Francis – How many washers is this location supposed to have?

Mr. Berger – 58.

Mr. Francis – So the washers at 58. How many dryers?

Mr. Berger – I believe we have 60 pockets, so 30 stacks.

Mr. Francis – The upstairs, your plan calls for office space upstairs? What is the purpose?

Mr. Berger – My plan is to bring all of my administration from my other businesses up into that area. Have a bookkeeper, advertising, repair staff, all central out of there as well as my own office.

Mr. Francis – How many people will be up there?

Mr. Berger – Between 2 and 4 including myself at one time.

Mr. Francis – Is parking a premium in this business?

Mr. Berger – It is essential. One of the things that attracted me to this location is the great exposure. It is a gateway location to this town from the surrounding towns. There will be a lot more people coming towards this town.

Mr. Francis – Give the board a general idea of the total investment as far as a monetary amount would be if in fact you were to build this out as the plans called?

Mr. Berger – Over 3 million dollars.

Mr. Francis – Do you have any special unique features that would be in this Laundromat facility?

Mr. Berger – We will have TVs, surround sound music, tables, chairs, snack machines for the kids. Like I said it will be fully staffed with folding areas.

Mr. Francis – Is it considered a drop-off Laundromat as well?

Mr. Berger – Yes we will have a drop-off service there where we will charge per pound. It's a great location for them to drop off their laundry in the morning and pick it up at night.

Mr. Francis – What about dry cleaning?

Mr. Berger – No dry cleaning.

Mr. Francis – What type of soaps and detergents will you use?

Mr. Berger – We use detergents, softeners, bleachers, and water.

Mr. Francis – Did you do an open public records request with respect to the property you purchased at 9 Lakeview Avenue? Exhibit A-10 How many incidents have been reported on this property from November 21st 2013 through March 27th 2014. Roughly 4. There was an incident on November 21st. There was a fight. Was there an incident on the property on December 10th 2013?

Mr. Berger – Something about different tenants living there, there was a burglary, stealing from each other.

Mr. Francis – Was there another incident on January 17th 2014?

Mr. Berger – It was theft by unlawful taking.

Mr. Francis – Was there another incident on March 27th 2014?

Mr. Berger – It was a fight.

Mr. Francis – What is the relevance?

Mr. Berger – This is a home that has been ill maintained. There are actually vehicles behind there that don't have license plates on. I recently evicted the people that were living there to gain physical possession of the house. It has been in a state of disrepair for many years.

Mr. Francis – Do you believe that if the board would approve this application it would enhance the quality of the neighborhood.

Mr. Berge – yes I do

Mr. Francis – nothing further of this witness

Chair – opens to Board members

??Questions hours of operation and inquires if there was a traffic study

Steve – traffic engineer report

Gino – building department trouble with house in back, snow removal etc.

Mr. Francis – facade

Mr. Berger – red brick to conform with the history of the town

Open to the Public:

Mr. John Czarnecki owner of the Music Galley located at 201 Bergen Turnpike; Had an opportunity to review the plans. Spoke with Mr. Berger and thinks this is great project for the area. First questions – back side of the building which is my parking lot. Have an issue with the building being built on the property line because of an encroachment that might exist.

Wasn't sure if he was still asking to build on the property line? If he is I object to that. Question about 24 hours, he answered. 24 hour operation being a safety issue.

Mr. Berger- stated that in his other 24 hour operations, he has no trouble in that the facility has attendants. He is looking to hire Little Ferry residents.

Mr. Czarnecki - dryer installation and safety concerns

Brian - Building department compliance

Mr. Berger- exhaust of dryer, from the roof elbowed in accordance to building codes.

Closed to public

Mr. Francis calls Cliff Ross

Mr. Ross sworn in – Clifford Ross – has not appeared before the board, but has been involved in Laudromat application in Little Ferry approximately ten years ago (Larry's Sonic Sudz) Bergen Turnpike, across from the Post Office. Metropolitan Laundry Machinery Sales, Vice President of sales, located in Union, New Jersey and Richmond Hill Queens. Location is excellent and need for this establishment.

Mr. Ross testimony to type of equipment that will be installed. Provide environment pleasing to the customer. Layout meets the qualifications

Questions from the Board –

Mark Everett

Open to Public

Sworn in Anthony Kurus of Neglia Engineering Associates, Lyndhurst – qualified by Mr. Francis and accepted by Board as expert witness.

Mr. Kurus – deemed project manager and explained his role in project. Prepared site plan, drainage calculations submitted as part of application. Worked with Curtis and made changes as per Mr. Job reports. Color version of 3.0 for presentation purposes and also landscaping superimposed Exhibit A-11.

Overview of plan of existing structures into Laudromat. Maintain existing curb cuts, Lakeview driveway moved away from intersection. Office on second floor. Parking lot 38 parking spaces, proposal of substantial landscaping, reducing impervious coverage on property; revise trash enclosure with heavy duty masonry block enclosure with heavy duty doors; buffer on residential side with 2 species of evergreens also privacy fencing on residential side 6ft high. Drainage 3200 sq ft of lawn area being added reducing the run

off. We will be tying into the Bergen Turnpike drain system which is currently being upgraded by the NJ DOT.

Lighting is shown on plan – LED (A-12- sheet 6.00) consists of LED pole mounted, 12 ft poles 3ft pedestals – 3 single mounted 1 double mounted and 2 wall mounted area as well as decorated lighting on building.

Signage – existing freestanding pole at corner – re-construct with a new pole mounted sign (A-13 Sheet 8 construction details). Rebuild existing. (variance – square footage). Earlybird logo; square footage proposal 64, height is complying, setback needs variance. Effects of signage if altered, location. Impede sight distance if moved.

Traffic flow – existing driveways from Bergen Turnpike; driveway on Lakeview. Location allows for adequate egress and ingress at the location.

Requirements applicant has to meet are:

Use variance –D-1 proposed Laundromat in the BH Zone and a D-1 for proposed parking lot in the RA zone. Laundromat not a permitted use in the BH Zone or in the RA Zone and the parking lot in the RA Zone, second floor office space is classified as permanent a conditional use in the BH Zone, however, plans to do not conform to the conditional use variance; lot coverage,

Use variance will not substantially determent, will not impair; development consistent with Master Plan. The proposed plan will suit the neighborhood.

Will elevate project to conform above flood elevation levels. Development use compatible with area. Will suited to traffic, new attractive building and landscape.

Addressed how they addressed the negative variance and have satisfied same.

D-3 Variance has been satisfied.

Addressed planners report – January 2, 2015 Remington, etc addressed

Request variance – not to have a designated loading space on site.

Gooseneck – illumination of the signs; light from top

Variance for painted wall sign on building – size

Chair opens to Board and Planner

Brian – justification for variances set in the record.

Mr. Kurus – states reason for the variance request

Continues with Remington Report-

Lot coverage – existing non-conforming; improving

Opens to Board - Questions

Mark – Awning height

Mr. Kurus – variance awning height – 6’ extending – proposing as a covered entry point

General Public –

Chair - Application will continue at the February 11, 2015 meeting. Address Mr. Job’s letter of December, 2014.

New Business –

Chair - ABC Plastic – I-beam is hanging. Gino please take care of

**Pay all Bills: Job & Job Voucher #31-0514 (AutoZone/7-Eleven)
Job & Job Voucher #31-0515 (Luk Oil)**

ADJOURNMENT: 10:16pm Motion to close – All in favor