AGENDA
RE-ORGANIZATION MEETING
OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JANUARY 18, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

This is a regularly scheduled Re-Organization 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:

APPROVAL OF MINUTES: December 7, 2011

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: Mattaliano, J. a/k/a Victoria Auto 2011-12-1-Z-13
Applicant: Joseph P. Mattaliano
169 Route 46 East
Block 15, Lot 29
Use Variance: Petition of appeal of the decision of the Zoning Officer. Used car lot/repair from fire damages.

Property Owner: Sunyi Management, Corp. 2011-12-2-P14
Applicant: Byung K. Lee Riverside BKL, Inc.
45 N. Washington Ave.
Block 44, Lot 4, 5 & 6
Informal Site Plan Application: Applicant intends to use the space to operate a karaoke bar and serve food.

Property Owner: Kim, Iljun & Seung Eun 2011-12-3-P-15
Applicant: Veggie Express, Inc.
148 Main St.
Block 19, Lot 16
Informal Site Plan Application. Currently occupied as a take-out. The same use is intended for sale of vegetarian food.

MOTIONS FOR ADJOURNMENTS OF ANY SCHEDULED CASES & ANY OTHER MOTIONS:

UNFINISHED OR ADJOURNED HEARINGS OF APPLICANTS:

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

NOMINATION OF CHAIRMAN:

NOMINATION OF VICE-CHAIRMAN:

NOMINATION OF SECRETARY:

APPOINTMENT OF ATTORNEY:

NOMINATION OF CLERK:

SELECTION OF NEWSPAPERS: The Record & Star Ledger.

SELECTION OF PUBLIC MEETINGS, WORKSHOP MEETINGS AND INSPECTION DATES: The 2012 scheduled dates were approved at the December 7, 2011 meeting.

ACTION ON ANY OTHER BUSINESS:

CORRESPONDENCE:

Date: January 13, 2012. From: Borough Clerk. Re: Review and recommendation of Ordinance No. 1346-01-12; Required Parking.

Date: December 16, 2011. From: Job & Job Engineering. Re: Site Plan-McDonald's.

Date: January 5, 2012. From: State of NJ. Re: Six public hearings for the draft final State Strategic State plan: NJ's State Development & Redevelopment Plan.

Date: December 28, 2011. From: State of NJ. Re: CD of the 2nd edition of The Redevelopment Handbook.

Date: December 30, 2011. From: Job & Job Engineering. Re: Site Plan- 169 Route 46 East.

Date January 4, 2012. From: Job & Job Engineering. Re: Land Use Applications.

Date: January 3, 2012. From: Dennis Francis, Esq. Re: 58 Hester St-Letter of Withdrawal of the application.

Date: December 29, 2011. From: Environ. Re: Response Action Outcome. Scientific Design , 145 Industrial Ave.

HEARING OF NEW CASES/APPLICANTS:

ADJOURNMENT:

MINUTES
RE-ORGANIZATION MEETING
OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JANUARY 18, 2012

MEETING START: 7:30 PM

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

This is a regularly scheduled Re-Organization 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:

Members Present:	Roberta Henriquez Steven Gerard Anita Kober George Carrion AJ Joshi Alan Soojian James Avillo William Lenihan Winton Ramsay Joseph Olivelli
Members Absent:	Richard Bolan Anthony DiBlasio Marty Loesner
Also Present:	Mike Gannaio, Board Attorney Susan Gerber, Board Clerk

APPROVAL OF MINUTES: December 7, 2011

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: Mattaliano, J. a/k/a Victoria Auto 2011-12-1-Z-13
Applicant: Joseph P. Mattaliano
169 Route 46 East
Block 15, Lot 29
Use Variance: Petition of appeal of the decision of the Zoning Officer. Used car lot/repair from fire damages.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion was made by Mr. Gerard, second by Mr. Soojian. Roll Call: Mr. Gerard, yes-Mr. Soojian, yes-Mr. Lenihan, yes-Mr. Carrion.

Property Owner: Sunyi Management, Corp. 2011-12-2-P-14
Applicant: Byung K. Lee Riverside BKL, Inc.
45 N. Washington Ave.
Block 44, Lot 4, 5 & 6
Informal Site Plan Application: Applicant intends to use the space to operate a karaoke bar and serve food.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion was made by Mr. Gerard, second by Mr. Carrion. Roll Call: Mr. Gerard, yes-Mr. Soojian, yes-Mr. Avillo, yes-Mr. Lenihan, yes-Mr. Carrion, yes.

Property Owner: Kim, Iljun & Seung Eun 2011-12-3-P-15
Applicant: Veggie Express, Inc.
148 Main St.
Block 19, Lot 16
Informal Site Plan Application. Currently occupied as a take-out. The same use is intended for sale of vegetarian food.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion was made by Mr. Soojian, second by Mr. Joshi. Roll Call: Mr. Gerard, yes-Mr. Soojian, yes-Mr. Avillo, yes-Mr. Lenihan, yes-Mr. Carrion, yes

MOTIONS FOR ADJOURNMENTS OF ANY SCHEDULED CASES & ANY OTHER MOTIONS:

UNFINISHED OR ADJOURNED HEARINGS OF APPLICANTS:

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Chairman Olivelli & Mr. Joshi recused from the application. Mr. Gerard as Vice-Chairman.

Mr. Gannaio stated that there have been some documents submitted in a context of a settlement proposal. Mr. Weiner stated correct. The last meeting some of the issues were addressed during a break. They found that by moving the shed it would be a problem with the pumps. To do all of that work it would cost a great deal amount of money, its more than feasible. The shed is almost on top of the entrance to the pool. They prepared a draft and are not an official document it is a proposal for discussion. If the board wants to do it they would resubmit it through a normal course. They came up with an alternate plan with the same purpose with less disruption in the backyard and also would satisfy the boards looking for as far as impervious coverage reduction. He did a title search on the property and did not find a deed of easement required. Even the map that is filed with the County did not say who it is to. He discussed the law of easements. There is no compelling need to move anything out of the easement in terms of legal and they have the right to be there in that they do not interfere. Mr. Greggor: Draft plan AS1-1/18/2012. This document was discussed in a settlement context at the last meeting which was for discussion purposes. The proposed settlement drawing had two problems. No. 1 the pipes interfered with moving the shed as was proposed and no. 2 if you put the shed where it was proposed the doors swing out and interfere with someone getting in and out of the pool and walking safely around the pool. The shed was proposed to be moved 8 ½ feet and also some concrete. The alternate plan shows AS2-1/18/2012 not moving the shed, but they did remove all of the concrete to the right of the shed and all of the concrete to the left of the shed leaving a very narrow portion where the doors were so you can get into and out of the shed. They also removed the paver insert; also the area underneath the deck. This is 447 reduced sq ft. from the as built plan. Mr. Weiner stated that he felt that he accomplished what was asked of them. As far as the shed they are going to agree on a condition; that there is no question that the shed remaining in that location that they agree that they are subject to the easement in that they don't require any rights against the town should the town come and decide to ask all of the neighbors to utilize the easement they would exceed that it is valid and they have the right to do that and they would challenge it; this is a paper easement that has been there since 1964; it has been there for 50 years and has never been used; without moving the shed they agreed to do that and acknowledge that as a condition so that if it ever came up the town would not have an issue with them getting out of the way. They are giving the same amount of impervious reduction that you were looking for. If the board is inclined to say they could live with this as a settlement then he would have his engineer prepare and submit an amended site plan; the title searches and exhibits. Hopefully they will finish

the case next month. Mr. Carrion questioned the easement. Mr. Weiner stated that if the town needs to utilize the easement for drainage they would move the shed. Vice-Chairman Gerard stated that before they can move on this application they would like the Borough Engineer and Planner to review the revised site plan. Mr. Gannaio stated that they should submit the revised plans to the engineer and planner and the vibe he is getting is this would be ok. Mr. Soojian stated that he has lived there close to 50 year and he has never seen water problems and he didn't see the town coming in to use the easement. Mr. Gannaio opened questions to the public. No one approached. Closed to the public. Mr. Weiner requested to have this matter carried to February 15th, 2012 so his engineer can resubmit. He will also send to Mr. Job and Ms. McKenzie and have their response before the next meeting. Mr. Lenihan questioned if the resolution will state the easement problem. Mr. Gannaio stated yes that the resolution would.

NOMINATION OF CHAIRMAN:

Chairman Olivelli entertained a motion for the nomination of Chairman. Mr. Lenihan nominated Mr. Olivelli, second by Mr. Gerard.
No other nominations.

NOMINATION OF VICE-CHAIRMAN:

Chairman Olivelli entertained a motion for the nomination of Vice-Chairman. Mr. Soojian nominated Mr. Gerard, second by Mr. Carrion.
No other nominations.

NOMINATION OF SECRETARY:

Chairman Olivelli entertained a motion for the nomination of Secretary. Ms. Henriquez nominated Mr. Soojian, second by Mr. Carrion.'
No other nominations.

APPOINTMENT OF ATTORNEY:

Chairman Olivelli entertained a motion for the nomination of Attorney. Mr. Olivelli nominated Mr. Giblin, second by Ms. Henriquez.
No other nominations.

NOMINATION OF CLERK:

Chairman Olivelli entertained a motion for the nomination of Clerk. Mr. Olivelli nominated Ms. Gerber, second by Mr. Gerard.
No other nominations.

SELECTION OF NEWSPAPERS: The Record & Star Ledger. No other nominations.

Motion was made by Ms. Henriquez, second by Mr. Lenihan. Roll Call: Ms. Henriquez, yes-Mr. Gerard, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Avillo, yes-Mr. Lenihan, yes-Mr. Ramsay, yes-Mr. Olivelli, yes.

SELECTION OF PUBLIC MEETINGS, WORKSHOP MEETINGS AND INSPECTION DATES: The 2012 scheduled dates were approved at the December 7, 2011 meeting. Chairman Olivelli stated that the dates on the bottom are for on-site inspections.

Also the applicants submitted plans must be presented to our professionals at least two weeks before the meeting. Chairman Olivelli would like a vote on it to reaffirm the law as 14 or 10 days submittal. Mr. Avillo stated that he believes in the Municipal Land Use Law it is ten days for submittal.

Motion for 10 days submittal was made by Ms. Henriquez, second by Mr. Lenihan. Roll Call: Ms. Henriquez, yes-Mr. Gerard, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Avillo, yes-Mr. Lenihan, yes-Mr. Ramsay, yes-Mr. Olivelli, yes.

Mr. Joshi mentioned to have a second podium.

Mr. Gannaio swore in the three new members. Mr. Winton Ramsay, Ms. Anita Kober and Ms. Roberta Henriquez. Congratulations!

ACTION ON ANY OTHER BUSINESS:

CORRESPONDENCE:

Date: January 13, 2012. From: Borough Clerk. Re: Review and recommendation of Ordinance No. 1346-01-12; Required Parking.

Date: December 16, 2011. From: Job & Job Engineering. Re: Site Plan-McDonald's.

Date: January 5, 2012. From: State of NJ. Re: Six public hearings for the draft final State Strategic State plan: NJ's State Development & Redevelopment Plan.

Date: December 28, 2011. From: State of NJ. Re: CD of the 2nd edition of The Redevelopment Handbook.

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Date January 4, 2012. From: Job & Job Engineering. Re: Land Use Applications.

Date: January 3, 2012. From: Dennis Francis, Esq. Re: 58 Hester St-Letter of Withdrawal of the application.

Date: December 29, 2011. From: Environ. Re: Response Action Outcome. Scientific Design, 145 Industrial Ave.

Mr. Avillo questioned if McDonalds has completed the safety for the pedestrian areas. Chairman Olivelli stated that he called their engineer and attorney and questioned the signage for caution/children at play. They said it was not in the resolution and that they would try to get the signage up. They were only directed to change the flow of traffic and change the curbing. He told them that the board would like to have some signage and the deterrents in the road.

Pollo Tropical did post the signs for overnight parking. DPW painted the curb yellow.

Mr. Gerard stated the old Atlas building on Route 46 looks horrible. Chairman Olivelli stated that it is unsightly and according to the law what the construction official considered unsafe was knocked down, they have been issued permits but have not started the work yet. Mr. Lenihan questioned if there was contamination on that ground. Chairman Olivelli stated it's a good question.

Mr. Lenihan stated the old car dealership Bob's Auto on Route 46 heading east has a lot of cars on the lot. This is across from Atlas Plastics. Chairman Olivelli stated to forward this complaint to the Property Maintenance Department for the total number of vehicles on the lot.

HEARING OF NEW CASES/APPLICANTS:

Chairman Olivelli opened questions to the general public. No one approached. Closed to the public.

ADJOURNMENT: 8:30 pm

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
FEBRUARY 15, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: December 7, 2011 & January 18, 2012.

APPROVAL OF DENIAL OF RESOLUTIONS:

CORRESPONDENCE:

Date: January 20, 2012. From: Borough Clerk. Re: Policey Governing Use of Electronic Communications.

Date: January 24, 2012. From: BC Soil Conservation District. Re: Royale Realty, LLC.

Date: February 1, 2012. From: ANJEC. Re: 2012 Sustainable Land Use Planning Grants for Municipalities.

Date: February 3, 2012. From: Mahwah Plice & Fire Academy. Re: NJ Planning Officials.

Date: February 7, 2012. From: NJPO. Re: Achievement Planning Award.

Date: February 6, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Proposed site Development, Palermo's Wholesale, Inc.

Date: February 8, 2012. From: Elizabeth McKenzie. Re: Spending Plans & Expenditure of Affordable Housing Trust Funds.

Date: 2/9/2012. From: Job & Job Engineering. Re: Site Plan Applications.

APPROVAL OF RESOLUTIONS:

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palmero's Wholsale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.
Request to be carried to the March 14, 2012 meeting.

ADJOURNMENT:

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

Borough of Little Ferry
215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

February 14, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
MEETING CANCELLED
OF THE PLANNING/ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Joined Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, February 15, 2012.

The following applicants will be carried to the March 14, 2012 meeting.

Jody Pasqua	Application No.	2010-2-1-Z-1 and
Palmero's Wholesale, Inc.	Application No.	2012-2-1-Z-2.

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

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Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Transmittal of Notification
(Special Meeting)
Transmitted on March 2, 2012
To The Record & Star Ledger

Meeting Notice Posted-March 2, 2012

Public Notice
Borough of Little Ferry
County of Bergen

Special Meeting of the Planning Board

Please Take Notice:

That there has been scheduled a special meeting of the Planning Board for Wednesday, March 7, 2012 at 7:30 P.M. or as soon thereafter as the matter can be heard in the Council Chambers, Municipal Building, 215-217 Liberty Street, Little Ferry, at which time formal action will be taken.

Purpose:

Review and discussion on Ordinance No. 1362-17-12-AN ORDINANCE AMENDING CHAPER 35, LAND USE, OF THE CODE OF THE BOROUGH OF LITTLE FERRY, BERGEN COUNTY, NEW JERSEY, TO ESTABLISH A NEW RF-A RIVERFRONT DEVELOPMENT INCULSIONARY OVERLAY A ZONE ENCOMPASSING BLOCK 25 AND ALSO SETTLING LITIGATION.

And

Review and discussion on Ordinance No. 1356-11-12 AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Susan Gerber, Board Clerk

AGENDA
LITTLE FERRY PLANNING/ZONING BOARD
SPECIAL MEETING
MARCH 7, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

This is a Special scheduled meeting on Wednesday, March 7, 2012 at 7:30 PM 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, 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:

CORRESPONDENCE:

RESOLUTIONS:

NEW BUSINESS:

RE: Review and discussion on Ordinance No. 1362-17-12. AN ORDINANCE AMENDING CHAPTER 35, LAND USE, OF THE CODE OF THE BOROUGH OF LITTLE FERRY, BERGEN COUNTY, NEW JERSEY, TO ESTABLISH A NEW RF-A RIVERFRONT DEVELOPMENT INCUSIONARY OVERLAY A ZONE ENCOMPASSING BLOCK 25 AND ALSO SETTLING LITIGATION.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Meeting Adjourned:

MINUTES
LITTLE FERRY PLANNING/ZONING BOARD
SPECIAL MEETING
MARCH 7, 2012

MEETING START: 7:35 pm

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

This is a Special scheduled meeting on Wednesday, March 7, 2012 at 7:30 PM 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, 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:

Members Present:	Roberta Henriquez Steven Gerard Anita Kober George Carrion AJ Joshi Alan Soojian James Avillo Anthony DiBlasio Winton Ramsay Marty Loesner Joseph Olivelli
Members Absent:	Richard Bolan William Lenihan
Also Present:	Brian T. Giblin, Board Attorney Susan Gerber, Board Clerk

CORRESPONDENCE:

NEW BUSINESS:

RE: Review and discussion on Ordinance No. 1362-17-12. AN ORDINANCE AMENDING CHAPTER 35, LAND USE, OF THE CODE OF THE BOROUGH OF LITTLE FERRY, BERGEN COUNTY, NEW JERSEY, TO ESTABLISH A NEW RF-A RIVERFRONT DEVELOPMENT INCUSIONARY OVERLAY A ZONE ENCOMPASSING BLOCK 25 AND ALSO SETTLING LITIGATION.

Chairman Olivelli stated that this meeting was scheduled to review and discuss the ordinance. Mr. Giblin stated that this is an ordinance that the Mayor & Council passed at their meeting in February as part of the litigation that Mr. Nuckel filed against the Borough regarding the COHA and our obligation to provide the low moderate income housing. The court held a hearing on it. The Special Master was involved. The judge made some recommendations and this ordinance is very similar to what this body has already adopted and found consistent with the Master Plan except for a couple of minor changes. The most relevant change is that whereas before 110 Bergen Turnpike was the only property that was going to be able to build just affordable units and not build a market rate units the judge in his opinion said you know that's subject to challenge somebody who else is in the overlay zone might want to just build the COHA units and not build the market rate units. So that is the major change in here. Anybody that is along the waterfront that is in this zone they will have to comply with our COAH requirement and provide low moderate income housing but they won't have to build market rate units in connection with that they can just build the COAH housing. There are a couple of other change that are minor but that is the only change. Again this board has found this ordinance to be consistent with the Master Plan and it clearly is and it has been recommended both by the judge and the Special Master.
Mr. Joshi questioned what happened to the COAH legislation that was adopted by the State a few years ago. Now there is talk that it is going to be relaxed. Mr. Giblin stated that COAH the council on Affordable Housing itself has been simply been put on hold by Governor Christie. What happens is it goes back to the courts which are where it went before it went into existence. So the courts will determine whether or not we provide a realistic opportunity for low and moderate income housing. We still have an obligation no matter what even without COAH. It's just who makes the determination as to whether or not we comply. Mr. Joshi questioned if all of the other provisions stayed the same. Mr. Giblin stated yes. The first and second rounds are already gone by. Those have been said. It's only the 3rd round that is really up in the air and it's only the growth share portion of the 3rd round that really there have been some major problems with but they have an obligation no matter what.
Mr. Giblin stated that if someone wanted to make a motion the motion would be to find this ordinance to be consistent with the Master Plan. Motion was made by Mr. Joshi, second by Mr. Soojian. Chairman Olivelli opened questions to the general public. There was no public present for this meeting. Roll Call: Ms. Henriquez, yes-Mr. Gerard, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Avillo, Abstained-Mr. DiBlasio, yes-Mr. Ramsay, yes-Mr. Loesner, yes-Chairman Olivelli, yes.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Chairman Olivelli stated that the requiring of a survey for applicants for the Planning and or Zoning Board that some of the applicants have appeared before this board and have not submitted a survey that was true and accurate and therefore the actual application did not go through as it should have been so it was the recommendation of the Borough Engineer that any applications before the Board come forth with a new current survey. Mr. Avillo stated that he sent his comments and he did not think it was a good ordinance and for the most times when you get a survey it's not depicting the property as you reviewed it or if you look at the survey and you don't think it's accurate we would ask for another survey but to ask every applicant that comes in to provide a new survey and it also applies to vacant land and nothing has been done on vacant land as long as they have had it to ask them to comply with getting another updated survey is very expensive. Ken Job as the engineer and surveyor he would like that kind of business. They would be happy to do more surveys. He feels that it is the prerogative of the board to ask for it and we did not need an ordinance to have it.
Ms. Henriquez stated she was complexed on it and has discussed it with the council. To be honest no one brought up what Mr. Avillo said. They have a right to ask for a survey so now she is thinking about it and she did support it maybe the ordinance should be changed to say a survey ---Mr. Avillo stated an affidavit that there has been no changes since the most recent survey. Ms. Henriquez stated and the board has the right to ask for an updated survey. Mr. Avillo stated that surveys are very expensive and time consuming. Ms. Henriquez stated that she thought that by passing this it gave the Planning Board more power but if we can do it and deny an application because they didn't give us a new survey. Chairman Olivelli stated when an applicant submits and comes before the board and you look at the survey and ask if it accurately depicts what and the people will say yes or no or may say yes and there was other work that had been done on that site that they don't want to say yes to because if they say yes then it would effect this board's decision. Mr. Avillo stated if you ask for the affidavit. Mr. Gerard stated because it was five years ago it could have been 2 years ago and they wouldn't have asked for the survey. Mr. Joshi asked if we could add. Mr. Giblin stated this is the ordinance that was adopted by the Borough Council. Mr. Joshi stated there should have been a couple of more items added on to this. It could say 3 and extend to 5 years and or any change on the property. Ms. Henriquez asked who would do the affidavit. Mr. Avillo stated it would be added to the application package and it would need to be notarized. Mr. Carrion stated as a contractor if he did a deck or an extension he had to come to the building dept with his survey because they are approving my plan. What I hand to them is what is there now and if I something is added he is signing the application and he felt they were jumping the gun here and he didn't understand it. If they are coming to the board they have gone to the building department first. The building department is getting a survey for exterior work.

Mr. Giblin stated that is one of the things it says before it's any built, erected or enlarged you have to provide it and it doesn't specifically just apply to the board it also applies to the building department and maybe there is a problem as well with people going to the building department with a 30 year old survey that does not accurately show the property and the building department is accepting them and then finding out after the fact they were not truly representative of what was out there later on. Mr. Gerard stated that maybe the affidavit should be given out by the building department. Mr. Gerard and Mr. Carrion felt it made more sense. Chairman Olivelli stated if it goes to the building department and then before the board and they find out it is not what is on there so now what and based upon an incorrect survey who is responsible for that and now what do they do? Mr. Avillo stated that it becomes a self inflicted hardship and then it's his responsibility to get a new survey and remove what he has constructed prior to it. It's the board's responsibility to uphold it. Mr. DiBlasio asked if it were the building/zoning officials. Chairman Olivelli stated that Richard has discussed this with the borough engineer. He stated that his opinion is it is a good ordinance to help the board. Mr. Carrion stated it's the building department that getting the survey or the affidavit and if the person who hands it in and purposely omits it then it's the responsibility of the applicant. And they have to assume it is ok and if it's done they have to rip it up. Mr. DiBlasio questioned if someone wanted to put in a pool and now we are pushing more money on them. For some it's going to be an undue hardship. He wanted to know if the building department or zoning officer goes out and checks the property. Ms. Henriquez stated they look at your survey. Mr. DiBlasio stated when the building department goes out to do inspections and it's a miss he can stop it right there. He has the survey. Mr. Carrion stated he didn't expect the building department to go out to every site. Once the applicant signs it's their responsibility. Mr. Avillo stated that he thinks they are trying to pass an ordinance that is effecting very few applications before us. Mr. Carrion stated it should be stopped at the building department he is the first one.

Chairman Olivelli stated that Mr. Bolan could not be here and he felt that they should carry this to next week's meeting. Mr. Joshi stated that they have had two recently and they survey and reality were two totally different.

Chairman Olivelli stated the next meeting we will have Richards input and they will make a recommendation to the mayor and council. Ms. Henriquez stated that she will also speak with the council. Mr. Avillo questioned if they can make it the responsibility of the building department. Mr. Giblin stated the building department is not going out to take the place of a surveyor and if someone has an 8 x 10 shed and replaced it with an 8 x 12 we can't expect the building inspector to go out. That is why you have a surveyor. That is not the role of the building inspector, if there is a new structure that wasn't on the survey it would be picked up. It is not fair to put it on the building dept. Mr. Gerard stated that they should still have the discretion at anytime to request it. Mr. Giblin stated that if there is a problem it will come up when you try to sell the house. Chairman Olivelli opened questions to the public. No public available. Closed to the public.

Meeting Adjourned: 8 pm.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
MARCH 14, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: December 7, 2011 & January 18, 2012.

APPROVAL OF DENIAL OF RESOLUTIONS:

CORRESPONDENCE:

Date: January 20, 2012. From: Borough Clerk. Re: Policy Governing Use of Electronic Communications.

Date: January 24, 2012. From: BC Soil Conservation District. Re: Royale Realty, LLC.

Date: February 1, 2012. From: ANJEC. Re: 2012 Sustainable Land Use Planning Grants for Municipalities.

Date: February 3, 2012. From: Mahwah Police & Fire Academy. Re: NJ Planning Officials.

Date: February 7, 2012. From: NJPO. Re: Achievement Planning Award.

Date: February 6, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Proposed site Development, Palermo's Wholesale, Inc.

Date: February 8, 2012. From: Elizabeth McKenzie. Re: Spending Plans & Expenditure of Affordable Housing Trust Funds.

Date: 2/9/2012. From: Job & Job Engineering. Re: Site Plan Applications.

Date: February 10, 2012. From: Ira Weiner, Esq. Re: Pasqua-28 Lamker Ct.

Date: 2/14/2012. From: Rutgers. Re: Planning & Zoning Administration Program.

Date: February 14, 2012. From: Job & Job Engineering. Re: Site Plan Application for Palmero's.

Date: February 14, 2012. From: Job & Job Engineering. Re: 28 Lamker Ct.

Date: February 14, 2012. From: Job & Job Engineering. Re: 28 Lamker Ct.

Date: February 17, 2012. From: Charles H. Sarlo, Esq. Re: Palmero's Wholesale, Inc.

Date: February 2012. From: PSE & G. Re: Application for modified freshwater wetlands statewide general permit #2 for installation of new natural gas distribution main in public rights-of-way.

Date: February 16, 2012. From: County of Bergen. Re: BC Dept. of Planning & Economic Development/BC Planning Board Site Plan Approval of Development Applications Prior to Issuance of Building Permits and/or Certificates of Occupancy.

Date: February 24, 2012. From: Ira Weiner, Esq. Re: Jody Pasqua 28 Lamker Ct.

Date: February 27, 2012. From: Gerald Salerno, Esq. Re: Palmero's Wholesale, Inc.

Date: February 28, 2012. From: Job & Job Engineering. Re: Jody Pasqua, 28 Lamker Ct.

Date: February 29, 2012. From: Job & Job Engineering. Re: Palmero's Bakery.

Date: March 2, 2012. From: Brian Giblin, Esq. Re: Palmero's Wholesale, Inc.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF RESOLUTIONS:

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palmero's Wholsale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

ADJOURNMENT:

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

Borough of Little Ferry
215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Transmittal of Notification
Regular Meeting
Transmitted on March 13, 2012
The Record & The Star Ledger

Posted on March 13, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
REGULAR MEETING
OF THE PLANNING/ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Joined Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, March 14, 2012.

The following applicants will be carried to the March 21st, 2012 meeting starting at 7:30 pm or soon thereafter. .

Jody Pasqua — Application No. 2010-2-1-Z-1 and

Palmero's Wholesale, Inc. — Application No. 2012-2-1-Z-2

Ordinance No. 1356-11-12

Susan Gerber, Planning Board Clerk

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
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March 21, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
MEETING CANCELLED
OF THE PLANNING/ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Joined Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, March 21, 2012.

The following applicants will be carried to the April 11, 2012 meeting.

Jody Pasqua	Application No.	2010-2-1-Z-1 and
Palmero's Wholesale, Inc.	Application No.	2012-2-1-Z-2.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
APRIL 11, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: December 7, 2011 & January 18, 2012.

APPROVAL OF DENIAL OF RESOLUTIONS:

CORRESPONDENCE:

Date: January 20, 2012. From: Borough Clerk. Re: Adoption of Policy Governing Use of Electronic Communications.

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Date: February 7, 2012. From: NJPO. Re: Achievement Planning Award.

Date: February 6, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Proposed site Development, Palermo's Wholesale, Inc.

Date: February 8, 2012. From: Elizabeth McKenzie. Re: Spending Plans & Expenditure of Affordable Housing Trust Funds.

Date: 2/9/2012. From: Job & Job Engineering. Re: Site Plan Applications.

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Date: February 2012. From: PSE & G. Re: Application for modified freshwater wetlands statewide general permit #2 for installation of new natural gas distribution main in public rights-of-way.

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Date: February 27, 2012. From: Gerald Salerno, Esq. Re: Palmero's Wholesale, Inc.

Date: February 28, 2012. From: Job & Job Engineering. Re: Jody Pasqua, 28 Lamker Ct.

Date: February 29, 2012. From: Job & Job Engineering. Re: Palmero's Bakery.

Date: March 2, 2012. From: Brian Giblin, Esq. Re: Palmero's Wholesale, Inc.

Date: March 12, 2012. From: Borough Clerk. Re: Required parking zoning ordinance No. 1346-01-12.

Date: March 9, 2012. From: State of NJ. Re: Route 46 Main Street to Frederick Street; Block 18, Lot 31.

Date: August, 11, 2011. From: State of NJ. Re: Route 46 Main Street to Frederick St. Block 18, Lot 39.

Date: March 9, 2012. From: Job & Job Engineering. Re: Palermo's Bakery. 389-399 Liberty St.

Date: March 26, 2012. From: Environ. Re: Response Action Outcome; Scientific Design Co., 145 Industrial Ave.

Date: March 26, 2012. From: Environ. Re: Response Action Outcome; Scientific Design Co., 145 Industrial Ave.

Date: April 4, 2012. From: Job & Job Engineering. Re: Palermo's Bakery.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

RE: Review and discussion on Ordinance NO. 1346-01-12. AN ORDINANCE ENTITLED "REQUIRED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF RESOLUTIONS:

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palmero's Wholsale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.

ADJOURNMENT:

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
APRIL 11, 2012

MEETING START: 7:35 pm.

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Richard Bolan Roberta Henriquez Steven Gerard Anita Kober Alan Soojian Anthony DiBlasio Winton Ramsay Joseph Olivelli
Members Absent:	George Carrion AJ Joshi James Avillo William Lenihan Marty Loesner
Also Present:	Board Attorney, Brian T. Giblin Board Clerk, Susan Gerber

APPROVAL OF MINUTES: December 7, 2011 & January 18, 2012. Chairman Olivelli entertained a motion to accept the minutes for 12/7/11 and 1/18/12 as written. Motion to accept the minutes as written was made by Mr. Soojian, second by Mr. Gerard. All Ayes.

APPROVAL OF DENIAL OF RESOLUTIONS:

CORRESPONDENCE:

Date: January 20, 2012. From: Borough Clerk. Re: Adoption of Policy Governing Use of Electronic Communications.

Date: January 24, 2012. From: BC Soil Conservation District. Re: Royale Realty, LLC.

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Date: February 28, 2012. From: Job & Job Engineering. Re: Jody Pasqua, 28 Lamker Ct.

Date: February 29, 2012. From: Job & Job Engineering. Re: Palermo's Bakery.

Date: March 2, 2012. From: Brian Giblin, Esq. Re: Palermo's Wholesale, Inc.

Date: March 12, 2012. From: Borough Clerk. Re: Required parking zoning ordinance No. 1346-01-12.

Date: March 9, 2012. From: State of NJ. Re: Route 46 Main Street to Frederick Street; Block 18, Lot 31.

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Date: March 26, 2012. From: Environ. Re: Response Action Outcome; Scientific Design Co., 145 Industrial Ave.

Date: April 4, 2012. From: Job & Job Engineering. Re: Palermo's Bakery.

Date: April 10, 2012. From: The Louis Berger Group, Inc. Re: Proposed Expansion of apron area between Taxiways M and J, Phase 2 Project, Teterboro Airport, Borough of Moonachie, Bergen County, NJ.

Date: April 9, 2012. From: Job & Job Engineering. Re: McDonald's Corp.

Chairman Olivelli stated that they received a lovely letter from Mrs. Gerber for the basket of cheer and that they were very sorry and are in their thoughts and prayers. A moment of silence was observed. Mrs. Gerber thanked the board members for their prayers and for the basket of cheer.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

RE: Review and discussion on Ordinance NO. 1346-01-12. AN ORDINANCE ENTITLED "REQUIRED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF RESOLUTIONS:

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palermo's Wholesale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.
Gerald Salerno Esq. on behalf of the applicant. He is here to present an application proposing to make this an established facility which he believes would be good for the Borough. It has 2 separate lots. Palermo's is a family owned business for over 25 years. They have grown and developed into a very successful operation and doing specialty cakes. They want to move part of their operation to this location. They intend to make a significant investment into the property. This property is vacant and abandoned. It will have indoor and outdoor café. It will consist of two separate buildings. There is a use variance involved; bulk variance required. He feels that this fits into the zone.
Mr. Paulo Bruno was sworn in and is the authorized representative of both entities. They have an existing bakery in Ridgefield Park. He runs operations and sales. They have been in business for 25 years. They have 40 employees with 3 shifts. They have 12 commercial vans. The space in Ridgefield Park has become tight and are looking to expand. Mr. Bruno described the operations at the new facility; 389 Liberty St; office space; retail bakery, parking conditions, brick paving for seating, 399 Liberty St, mixing & baking, prep space, kids party room, cake decorating facility, cake gallery, waiting area, Viennese style table. They do not have a fixed plan with the machinery. Coolers would be on pods and be utilized from either side. They do not anticipate any noise from the coolers. Deliveries are done by a bulk supplier once a week abound 8 am and are there about 1 hour. They have a loading dock. They anticipate 10 to 15 employees with 3 shifts. They intend to hire additional employees. They do have ample parking spaces.

The exterior of the building would be power washed and put in a nice café area and landscaping, awnings. They reviewed the engineer's suggestions/recommendations and they do have some financial constraints for the paving and sidewalks. They are willing to do repairs. They want to do the work in phases. Mr. Bolan questioned the number of employees. The site is deficient on parking some of the areas that he is proposing is not included in the parking calculations. Mr. Bruno stated there are 12 to 15 total employees. Mr. Bolan stated it's a big facility. Mr. Bruno stated they can operate the same amount and almost double the business. Even if they increase their production it would be delivered the same day. 1 to 2 trucks a night make delivers for local am deliveries. The trucks will be parked in Ridgefield Park. He has had no complaints on odors. Mr. Gerard questioned the customer & employee parking. Mr.Bruno stated the employees would park in the rear and customers would park (inaudible). The party room people would park by 389 Liberty. Ms. Kober questioned the bulk delivery day. Mr. Bruno stated Mondays 8 am. They would pull in off Harding Ave. There are no external construction plans just aesthetics. Mr. DiBlasio questioned the excess garbage. Mr. Bruno stated they cook it first and then discard it. Mr. Ramsay questioned the parking off of Liberty. Mr. Bruno stated that Liberty Street has good traffic movement and parking. Mr. DiBlasio stated that it would make more sense to enter off of Liberty and exit off the back and come up Harding. Mr. Bruno stated he felt it may cause more of confusion and prefer it the way it is. Mr. Soojian questioned the refrigerators and their height. Mr. Bruno stated right now there is grass there and they are standard size maybe 10 feet. Mr. Soojian questioned the seating area between the streets and if there was any landscape blocking the road. Mr. Bruno stated it is up against the building and they can do some landscaping. Mr. Soojian stated maybe a landscaped wall. Mr. Bruno (inaudible). Chairman Olivelli questioned the deliveries. Mr. Bruno stated one bulk delivery a week which is around 8 am Monday or Tuesday. Chairman Olivelli stated he agrees with the arrows for the flow of traffic. He questioned the front parking. Mr. Bruno stated it was too close to the street and did not want them there. Chairman Olivelli stated if outside seating is there how they anticipate protecting the public seated at those tables. Mr. Bruno stated they are a distance away from the street and perhaps putting up some bushes and landscaping. Chairman Olivelli stated to put up the retaining wall or barrier. Mr. Bruno stated what he can do with that area is putting up a 2 foot high wall. Mr. Salerno stated that they would check into it as it is also near a County road. Chairman Olivelli opened questions to the general public. Ms. Henriquez of 22 Grand Street stated that she likes the idea but they need to address the parking area. (side talking). Mr. Giblin questioned the customer parking for lot 1.02. (side talking).

Mr. Salerno called Mr. Kenneth Nelson and was sworn in as the Planner. He also worked on our Redevelopment some years ago. He did review the 2004 Master Plan Reexamination Report. He discussed the existing conditions of the site, 3 exhibits –A2, A3 & A4 were handed out to the board members, and it's in the BN Zone, the subject property does not touch on any of the residential zones, he discussed retail, a use variance is required, there are bulk variances, the positive criteria, lot area, lot depth, side yard & rear yard setback deficiencies, lot coverage, they are existing conditions, parking variance, it is also an existing condition, Sq. footage of building, existing floor area, 26 parking spaces on the site, any use would have a similar parking requirement, prior use was an industrial use, car pooling, public transportation, vans will not impact the parking

situation, the 14 spaces for the customers should be sufficient, D1 variance, this site is particularly suited for this use, and good for the neighborhood, vehicles will no longer back out onto Liberty Street, the appearance of the building will be spruced, this site is suited for the proposed use, it's a good fit for the neighborhood, it will meet the commercial needs of Little Ferry, this application meets the positive criteria for a D1 variance, the negative criteria is the parking, beyond that there is virtually no change to the site or the building, there are no impacts & no new impacts, C variances are existing and are not being worsened, the benefits outweigh the detriments, rear yard setbacks, this application is consistent with the master plan and should be granted. Mr. Bolan stated that the outside seating area was not calculated in the parking requirement. Mr. Nelson stated he didn't disagree but the reality is the applicant would be managing how the parking would be used. The board can give a reasonable number of seats. Mr. Bolan stated it's a sizeable area, he said you can see the refrigerator area from Liberty Street, Mr. Nelson stated there would be a fence, Mr. Bolan stated that the Borough Engineer suggested that these lots should be rejoined and if they were then they would get rid of some of those non-conformities. Mr. Salerno stated that they are not considering the rejoining due to financial. Mr. Bolan was concerned if there were a phasing of the operation. The retail is permitted, if the lots are divided and the commercial operation is self limiting and they can't afford to continue he didn't know if they could give a resolution that says that you have to keep the two lots together. It would give them the ability to create the use that is not permitted without ever having to create the use that is permitted. Mr. Salerno stated that if the retail operation never came to pass the resolution (inaudible) otherwise the use variance would be valid. Mr. Bolan questioned what would prevent the applicant from establishing his commercial wholesale business deciding that he didn't want to operate the retail part and sold that retail part to another party. Doesn't the board wind up with what they don't want? Chairman Olivelli stated that he was in agreement with Mr. Bolan with regards to combining the two lots. He agreed that if they allowed them to have two separate lots they came in with the industrial part and then opted to sell the other side and then they are in a catch twenty-two as the parking calculations or the variance is going to be negated because it's based upon the two buildings. He knows that is one of the recommendations from the Borough Engineer to combine them. Mr. Salerno stated that he understands but disagrees with it and there are financial constraints that require them for financing and keeping it two separate lots. Mr. Giblin stated with the zoning data it would be 28 spaces overall. Chairman Olivelli opened questions to the public. No one approached. Mr. Mathew Evans was sworn in as the architect. Mr. Evans agreed with the 28 parking spaces. He discussed lot 1.01, lot 1.02, parking spaces, traffic change, two way driveways, county planning board for comments, one way access, lighting, review of Mr. Job's letter, noise generated from refrigerators/freezers, repair of sidewalks/curbs. Chairman Olivelli opened questions to the board members and the general public. No questions. Mr. Bruno explained why the consolidation of the lots would be an issue and financing concern. It's just the way the financing is being provided it makes financial sense to have them be two lots; when they merge them together they lose property value and they would end up with less money available to use to improve the property. Mr. Giblin stated that it is really not relevant consideration for the board; it's not a land use consideration that you're financing the property. He felt the board was cognizant of that but not sure that they board could rely

on that and overlooking the land use concern. The board also wants to hear from Mr. Job. The board and Mr. Giblin need to know to prepare a resolution what his comments are going to be to be put into the resolution for the board to vote. Mr. Salerno stated that they would fully comply. Mr. Giblin stated the application would be carried to April 18, 2012 at 7:30 pm. No further notice would be required.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.
Request from the applicants council Mr. Ira Weiner to be carried to the April 18, 2012 meeting.

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.
Frank Migliorino, Esq. on behalf of the applicant. They want to bring a high quality hamburger establishment. Mr. Daniel Murphy was sworn in. Mr. Murphy will be the franchisee which is an upscale hamburger place which is between fast food and fine dining. There may be up to 6 employees. Hours of operation would be 11:30 to 9:30. There are a total of 46 spaces which are shared with Starbucks Coffee. The refuse container is the same. The landscaping is common and will be maintained. Mr. Soojian asked if there would be tables outside. Mr. Migliorino stated he thinks there are three tables now and it's shared with Starbucks. Mr. Gerard asked if they intended to have a drive-thru. Mr. Murphy stated no. Mr. DiBlasio questioned the number of tables and chairs. Mr. Murphy stated that he did not think it was going to be a problem. He suggested running it by the fire official. Mr. Gerard asked if it were to be all internal seating. Mr. Murphy stated yes. Chairman Olivelli opened questions to the general public. No one approached. Chairman Olivelli entertained a motion to approve or deny the application. Motion to approve the application was made by Ms. Henriquez, second by Mr. DiBlasio. Roll Call: Mr. Bolan, yes-Ms. Henriquez, yes-Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. DiBlasio, yes- Mr. Ramsay, yes-Chairman Olivelli, yes.

Chairman Olivelli stated that he spoke with the project manager at Pollo Tropical and it was corporate decision to close all the stores in NJ.

Chairman Olivelli stated that an item to address is the used car lots on Route 46. He is getting annoyed with the car lots in that they are abusing what they have. He spoke with Mr. Bolan on the 3 feet between cars and will make sure it's a law. He also said there are no fire lanes. Under 70 car lot has 26 vehicles. Chairman Olivelli would like a letter sent to the Mayor & Council for some enforcement of the car lots on Route 46. Mr. Bolan stated there is an ongoing problem that we don't have resolutions for all of the car lots.

Ms. Henriquez questioned if they need to be striped and would be easier for the inspector to see. A letter will be sent to the Mayor & Council on this matter.

Ms. Henriquez questioned the ordinance for new surveys. She had concerns on this matter with the cost. Mr. Bolan suggested that he did not agree with the length of Mr. Jobs request for new surveys. It has caused some problems on occasions. Some suggestions that would not need a new survey are fences, direct replacement of a driveway, walkways, and above-ground swimming pools. The ones that he would not exempt are ground cover with a permanent structure, widening driveways. Mr. Bolan disagreed on getting a survey every five years. In some cases we do need it. Ms. Henriquez asked how to fix the ordinance. Chairman Olivelli stated at the discretion of the Building Dept.
Mr. Bolan stated that if you are adding ground cover & in ground pool then yes we need one. Ms. Henriquez stated they can also set it up if the survey is not correct and fill out an affidavit. Mr. Bolan stated that if it has a foundation it should have a current survey. Mr. Bolan will write his suggestions for the Mayor & Council. Chairman Olivelli opened questions to the general public. No one approached. Closed to the general public.

ADJOURNMENT: 10:00 pm.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
APRIL 18, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: April 11, 2012.

CORRESPONDENCE:

Date: April 16, 2012. From: NJ Planning Officials. Re: 2012 NJ Planning Officials Achievement in Planning Awards.

Date: April 16, 2012. From: Remington & Vernick Engineers. Re: Palermo's Wholesale.

Date: April 17, 2012. From: Rutgers Continuing Studies. Re: 12th Annual current issues in Planning & Zoning conference, June 1, 2012.

RE: Review of plans from Martifer Solar USA, Inc for Washington Elementary School.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

RE: Review and discussion on Ordinance NO. 1346-01-12. AN ORDINANCE ENTITLED "REQUIRED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palmero's Wholsale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.

ADJOURNMENT:

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
APRIL 18, 2012

MEETING START: 7:30 pm.

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Richard Bolan Steven Gerard Anita Kober A.J. Joshi Alan Soojian Anthony DiBlasio Bill Lenihan Winton Ramsay Marty Loesner Joseph Olivelli
Members Absent:	Roberta Henriquez George Carrion James Avillo
Also Present:	Board Attorney, Brian T. Giblin Board Clerk, Susan Gerber

APPROVAL OF MINUTES: April 11, 2012. Chairman Olivelli entertained a motion to accept the minutes as written. Motion to accept was made by Mr. Bolan, second by Mr. Gerard. All Ayes.

CORRESPONDENCE:

Date: April 16, 2012. From: NJ Planning Officials. Re: 2012 NJ Planning Officials Achievement in Planning Awards.

Date: April 16, 2012. From: Remington & Vernick Engineers. Re: Palermo's Wholesale.

Date: April 17, 2012. From: Rutgers Continuing Studies. Re: 12th Annual current issues in Planning & Zoning conference, June 1, 2012.

RE: Review of plans from Martifer Solar USA, Inc for Washington Elementary School. Mr. Giblin stated that the board did not have the right to approval it or deny it. Mr. DiBlasio stated that there are about 4 stalls in the parking area and it's the 3 stalls all the way in the back. They would be canopy solar panels.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.
Chairman Olivelli read the ordinance. He stated that they had the problem with the number of years that they would suggest to the Mayor & Council for the permit and the other discussion was Mr. Bolan stated that it if was foundation or structural and he agrees that it should be within the 3 to 5 year period and it would be required. He felt they needed to address this a final time and give our recommendations. Mr. DiBlasio stated that Mr. Bolan came up with the best. Mr. Giblin stated that Mr. Bolan was to give his notes as to what the corrections were. Chairman Olivelli stated he did not feel comfortable with voting and will hold this ordinance till the next meeting.

RE: Review and discussion on Ordinance NO. 1346-01-12. AN ORDINANCE ENTITLED "REQUIRED PARKING" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.
Chairman Olivelli read the ordinance. He read it a few times and is familiar with it and if you want to park your car on the front lawn you would need to first get a permit from the building department which is $50.00 and then you have to put down what is called grass pavers. So it is a stronger surface so the grass can grow through. It is so the vehicle does not put mud and dirt all over the street. It also states that if the property owner does put it into the street they could be subject to a fine and clean up the street. The ordinance now is 9pm to 8am. The new ordinance changes are from 9pm to 9am. It also requires that you put the pavers down and you could not park on the grass. No one is grandfathered. Mr. Joshi asked if it were a onetime fee of $50.00. Chairman Olivelli stated yes. Mr. DiBlasio stated that it was unfair to ask the people to put down the pavers and are making a somewhat of a driveway that is now impervious coverage and to ask them to pay a permit fee is that is just not good. Mr. Loesner and Mr. Lenihan disagreed with the ordinance. Chairman Olivelli stated that they would not need to come to the zoning board and it was considered pervious coverage. Mr. Gerard stated it was a ridiculous ordinance

you are paying taxes on a property that you are now charging $50.00 to park on your own property again plus the cost of the pavers. Mr. Lenihan stated that the town should go up and down Route 46 and look at the car dealerships. Chairman Olivelli stated he thought putting the pervious pavers down was a good idea. The reason is when it's raining out and you park your car you drag all the mud and it looks like hell and we have a problem with parking. Can the Mayor & Council give us parking in front of our houses and pay $5.00 that would be great. But the fire department, dpw and police do not want it. Mr. Lenihan says it would bring us back to Hudson County. Get permission to park somewhere else. Mr. DiBlasio stated it was not fair to ask the people to pay for the pavers and putting a burden on the homeowners. Chairman Olivelli stated that there are other places that you can park your vehicles. He felt that they should have to put down the pavers but not pay for the fee. Chairman Olivelli stated that this is for a non-commercial vehicle. Chairman Olivelli asked if the board was in agreement and that there would be no $50.00 fee. Mr. Soojian said he would rather see street parking, Mr. Gerard, yes-Mr. Lenihan, yes-Marty, yes-Ms. Kober, yes-.

Chairman Olivelli reminded board members to get their certification by the end of the year.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palermo's Wholesale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating. Mr. Salerno on behalf of the applicant. It's a continuation of the application. The last meeting the board asked him to speak with Mr. Job and discuss 2 things in particular. The first issue is with relation to the merger of the two lots. They indicated all along that it is their position to offer to the board a stipulation which could be included in the resolution with a condition of approval and for any reason the retail bakery is not developed on the adjacent site that they would be required to have bakery on the retail site so that way they can satisfy the board that there would be a retail bakery there under any circumstances. It is their intention to develop the site but they ask the board to phase in they want to start the commercial site first get it up and running do the improvements and then become the retail operation. He did also speak with Mr. Job and he felt that Mr. Job was satisfied with their position and they are prepared to stipulate that they have done most of what Mr. Job requested and the only caveat is they request to patch and repair the sidewalk and driveway. Bob Perry from Remington Vernick & Arango Engineers

on behalf of the Planning/Zoning Board Planner. He reviewed Mr. Nelsons report and he felt satisfied from a professional standpoint and he put all the statements on record to support the use variance that was being requested. The only comment that he had was that some landscaping was to be removed from the building and it wasn't calling for any replacement and he would like to see replacement of the shrubs in front and also to have the large pine tree removed. Ms. Kober stated that living down the street she did not see it as a very big issue with the traffic and obstruction of view. Mr. Gerard questioned if the retail was not going to happen and if they could move the spaces in the front. Mr. Bolan asked if there was a time frame that they anticipate the retail component to be established. Mr. would like to phase it in over two years. Mr. Joshi questioned the report from Ken Job on the internal drainage. Mr. Salerno stated that there was a concern with the water flow and has provided Mr. Job with the information and it has been satisfied. Mr. Joshi asked if there were enough parking area for the retail area. Mr. Salerno stated yes. Mr. Soojian stated if they do not open up the second building for retail they are going to put it in the first building what would happen to the building would they sell it. Mr. Salerno stated that is not the intention of the applicant. It that would happen they would have to come back to the board. Mr. DiBlasio stated that he still has a concern with the arrow. Mr. Salerno stated it was a good idea and they intend to. Mr. Perry stated that both buildings are going to utilize the parking and he would think that it would be advisable to have a cross-easement for the parking. The plan shows the refrigerator/freezer being on 399 Liberty. If there were an issue in the future then they would have to be removed. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Chairman Olivelli entertained a motion to approve or deny the application. Mr. Bolan motioned to approve the application with the following the conditions. The retail component be established within 24 months of the approval as stipulated by the applicant, they do not require him to replace the curbs and sidewalks and macadam, landscaping that is described by Mr. Perry, changing the entrance on Liberty Street to an entrance only not a two way and a cross easement for the parking. Second by Mr. Gerard. Roll Call: Mr. Bolan, yes-Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. DiBlasio, yes-Mr. Ramsay, yes-Chairman Olivelli, yes.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.
Chairman Olivelli recused and Mr. DiBlasio recused.
Mr. Ira Weiner on behalf of the applicant. They are trying to resolve this. At the last meeting the board suggested to remove some of the concrete and move the shed. Mr. Weiner stated that moving the shed was no good for a couple of reasons, the pipes and they were able to show removing as much concrete as they could. The main issue was the shed and the paper drainage easement. If the town needs it they are voluntarily moving the shed. They understand that they encroach onto the town's property. The plan is to remove 449 sq. ft. of concrete. This is their proposal and they think it is fair and its best that they could do. Ms. McKenzie –planner for this application was sworn in. she questioned the shed encroachment onto the Borough property. Mr. Weiner stated that they have to go to the town for an agreement from them to allow them to encroach onto the property. Ms. McKenzie stated that they understand that if there is a need for drainage purposes that they would remove the shed and grading by the Borough. Mr. Weiner

stated that if the Borough makes them move it they would. Ms. McKenzie questioned the reverse grading issue from Mr. Jobs report. Mr. Weiner stated if the town asks them they will and then the whole block would need to do it also. Ms. McKenzie questioned the two sheds. Mrs. Pasqua stated that the shed attached to the house came that way when she purchased it. Ms. McKenzie discussed the changes on the plans and if the board is satisfied with the conditions. They only have to decide if the shed should be in its current location or relocated. Mr. Bolan asked if the town was protected. Mr. Giblin stated that they are agreeing that they won't sue if the Borough says that the Borough needs the easement they won't sue over the relocation they may have a problem with the regarding if not everyone else is required to do it. Ms. McKenzie stated that if the board feels that under the circumstances they believe the placement of the pool, the shed and the amount of the impervious coverage and the other deviations from the ordinance are supportable and are in fact promote the purposes of the land use law more than denying the variances and the benefits outweigh the detriments. There are some hardship elements to it. Mr. Bolan stated that some of the boundaries on Mrs. Pasqua's survey are incorrect. It is not a self imposed hardship it was created for her by a professional. Ms. McKenzie stated that the board could take some of it into consideration and not deliberate and it truly doesn't make it a hardship variance. She would have been happier if the shed were placed outside the easement. Mr. Weiner stated that the shed was previously approved. Mr. Giblin stated it is a zoning issue if you built over your property. Mr. Weiner stated he felt this was appropriate as they did go to the town to deal with that issue. Ms. McKenzie read Mr. Jobs report. Ms. McKenzie stated that the board may want to address the encroachment issue. Mr. Giblin stated that the board would have to approve the setback of zero feet zero inches on the rear property line and mandate that the applicant get permission on the encroachment into the boroughs property. Mr. Weiner stated there is a fence that was put in the wrong place all along the plot line. Vice-Chairman Gerard opened questions to the board members and to the general public. Closed to the public. Vice-Chairman Gerard entertained a motion to approve the application along with the restrictions. Motion to approve the application including the restrictions was made by Mr. Soojian, second by Ms. Kober. Mr. Giblin read the conditions as the application will remove the shed if the Borough decides that it needs to use the easement that they will re-grade and if other people are similarly required to re-grade, they will look to the borough for the approval of the encroachment onto the borough property. Roll Call: Mr. Gerard, yes-Ms. Kober-yes, Mr. Soojian, yes-Mr. Ramsay, yes.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.
Mr. Swieca was sworn in. He stated the variances required. Mr. DiBlasio asked if he would make it 16 foot not 18 feet. Mr. Swieca stated he could move it back a few feet. No deck. No other questions. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Chairman Olivelli entertained a motion to approve or deny the application. Mr. Giblin asked the applicant if he was going to move the pool back as a rear yard as 5 feet. Mr. Swieca stated yes. Motion to approve the application was made by Mr. Loesner, second by Mr. Lenihan. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Loesner, yes-Anthony DiBlasio, yes-Mr. Lenihan, yes-Chairman Olivelli, yes.

Mr. Loesner stated that the Veggie Express has two soda machines blocking the window. You cannot see in that building. Chairman Olivelli stated to send a letter on the window coverage.

Mr. Loesner stated that the old Balalas (Grand Used Cars) next to under 70 dealership car lot have their cars parked right up against the building.

Mr. Lenihan stated that the trucks are parked a foot apart at the used truck dealership. Chairman Olivelli stated that we cannot enforce the 3 foot between cars unless we come up with a new ordinance and that would be only for those people forward. But we can enforce the fire lanes and the number of vehicles on the lot. When the mayor gets back maybe we can get these car lots under control they are way out of hand.

ADJOURNMENT: 9:15 pm.

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry
215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

Transmittal of Notification
Transmitted on May 10, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
MEEETING CANCELLED
OF THE PLANNING/ ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, May 16, 2012 due to a lack of quorum. The meeting will be scheduled for Wednesday, May 23, 2012 starting at 7:30 p.m. or as soon thereafter as the matter may be heard in the Council Chambers, 215-217 Liberty Street, Little Ferry, N.J. at which time formal action may or may not be taken.

Susan Gerber

Susan Gerber, Board Clerk

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.

Property Owner: Kim, Iljun & Seungeun 2012-5-2-Z-6
Applicant: Veggie Express, Inc.
Block 19, Lot 16
Zoning Application: Conversion of an existing retail business into a wholesale business with no change to the existing building or layout of property.

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: The Record

FAX: 201-457-2520

FROM: Susan Gerber

DATE: 5/10/12

RE: _____

_____ **FOR YOU INFORMATION**

_____ **PLEASE CALL UPON RECEIPT SO WE MAY DISCUSS**

_____ **AS YOU REQUESTED**

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET:
2

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Mulier, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: Star Ledger

FAX: 973-392-4129

FROM: Susan Gerber

DATE: 5/10/12

RE: _____

_____ **FOR YOU INFORMATION**

_____ **PLEASE CALL UPON RECEIPT SO WE MAY DISCUSS**

_____ **AS YOU REQUESTED**

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

TX Result Report

P 1
05/22/2012 13:52
Serial No. AOPP011015073
TC: 106049

Destination	Start Time	Time	Prints	Result	Note
19733924129	05-22 13:51	00:00:56	002/002	OK	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:F-Code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.

Mauro D. Ragusco
Mayor
Michael Capabianco
Borough Administrator
Barbara Maldonado
Borough Clerk

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
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Borough of Little Ferry
315-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: Stan Ledger
FAX: 973-392-4129
FROM: Susan Dexter
DATE: 5/22/12
RE:

_____ FOR YOU INFORMATION

_____ PLEASE CALL UPON RECEIPT SO WE MAY DISCUSS

_____ AS YOU REQUESTED

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

TX Result Report

P 1
05/22/2012 13:53
Serial No. AOPP011015073
TC: 106050

Destination	Start Time	Time	Prints	Result	Note
2014572520	05-22 13:52	00:01:08	002/002	OK	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:F-code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.

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_____ AS YOU REQUESTED

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
MAY 23, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: April 18, 2012.

CORRESPONDENCE:

Date: May 1, 2012. From: Mayor. Re: Change Decembers meeting date (if possible).

Date: May 1, 2012. From: NJ Planning Officials. Re: Planning Conference.

Date: May 3, 2012. From: Borough Clerk. Re: Required Parking-Ordinance No. 1344-29-12.

Date: May 4, 2012. From: Richard Bolan, Construction/Zoning Official. Re: Comments relative to the requirement of applicants providing updated surveys.

Date: May 8, 2012. From: NJ Planning Officials. Re: Webinar.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

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Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.

Property Owner: Kim, Iljun & Seungeun 2012-5-2-Z-6
Applicant: Veggie Express, Inc.
Block 19, Lot 16
Zoning Application: Conversion of an existing retail business into a wholesale business with no change to the existing building or layout of property.

ADJOURNMENT:

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry
215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

Transmittal of Notification
Transmitted on May 22, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
MEEETING CANCELLED
OF THE PLANNING/ ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, May 23, 2012 due to a lack of quorum. The meeting will be scheduled for Wednesday, June 13, 2012 starting at 7:30 p.m. or as soon thereafter as the matter may be heard in the Council Chambers, 215-217 Liberty Street, Little Ferry, N.J. at which time formal action may or may not be taken.

Susan Gerber

Susan Gerber, Board Clerk

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18'x 32' In-Ground Pool.

Property Owner: Kim, Iljun & Seungeun 2012-5-2-Z-6
Applicant: Veggie Express, Inc.
Block 19, Lot 16
Zoning Application: Conversion of an existing retail business into a wholesale business with no change to the existing building or layout of property.

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

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Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Transmittal of Notification
Transmitted on May 22, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
MEEETING CANCELLED
OF THE PLANNING/ ZONING BOARD

PLEASE TAKE NOTICE:

PUBLIC NOTICE is hereby given that the Little Ferry Planning/Zoning Board has cancelled a Regular Scheduled Meeting for Wednesday, May 23, 2012 due to a lack of quorum. The meeting will be scheduled for Wednesday, June 13, 2012 starting at 7:30 p.m. or as soon thereafter as the matter may be heard in the Council Chambers, 215-217 Liberty Street, Little Ferry, N.J. at which time formal action may or may not be taken.

Susan Gerber

Susan Gerber, Board Clerk

Property Owner: Scully, Eileen — 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18'x 32' In-Ground Pool.

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Applicant: Veggie Express, Inc.
Block 19, Lot 16
Zoning Application: Conversion of an existing retail business into a wholesale business with no change to the existing building or layout of property.

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: Star Ledger

FAX: 973-392-4129

FROM: Susan Gerber

DATE: 5/22/12

RE: _____

_____ **FOR YOU INFORMATION**

_____ **PLEASE CALL UPON RECEIPT SO WE MAY DISCUSS**

_____ **AS YOU REQUESTED**

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Mulier, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
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Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: The Record

FAX: 201-457-2520

FROM: Susan Gerber

DATE: 5/22/12

RE: _____

_____ **FOR YOU INFORMATION**

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COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JUNE 13, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: April 18, 2012.

CORRESPONDENCE:

Date: May 1, 2012. From: Mayor. Re: Change Decembers meeting date (if possible).

Date: May 1, 2012. From: NJ Planning Officials. Re: Planning Conference.

Date: May 3, 2012. From: Borough Clerk. Re: Response to PLZB on Required Parking-Ordinance No. 1344-29-12.

Date: May 4, 2012. From: Richard Bolan, Construction/Zoning Official. Re: Comments relative to the requirement of applicants providing updated surveys.

Date: May 23, 2012. From: Superior Court of NJ. Re: Civil Action Summons. Re: Donald Nuckel, Gilbert Manor, NV I & II vs. Little Ferry Planning Board.

Date: May 25, 2012. From: Borough Clerk. Re: Letter to Grand Used Cars to appear before the Planning Board.

Date: June 1, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Palermo's Bakery.

Date: June 4, 2012. From: NJ Planning Officials. Re: Summer Webinars.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palermo's Wholesale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.

ADJOURNMENT:

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

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Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Transmittal of Notification
Posted on June 12, 2012

PUBLIC NOTICE
BOROUGH OF LITTLE FERRY
COUNTY OF BERGEN
REGULAR SCHEDULED MEETING OF THE
JOINED PLANNING/ZONING BOARD

PLEASE TAKE NOTICE:

That the Regular Meeting of the Little Ferry Joined Planning and Zoning Board scheduled for Wednesday, June 13, 2012 at 7:30 p.m. has been cancelled due to a lack of business. The next regular scheduled meeting will be held on Wednesday, June 20, 2012 or as soon thereafter as the matter may be heard in the Council Chambers, 215-217 Liberty Street, Little Ferry, N.J. at which time formal action will be taken.

Susan Gerber

Susan Gerber, Planning Board Clerk

AGENDA:

Ms. Eileen Scully	2012-5-1-Z-5 Requested to be carried in the near future.
Mr. & Mrs. Sparta	2012-6-1-Z-7 Renovation/Addition to one family.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JUNE 20, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: April 18, 2012.

CORRESPONDENCE:

Date: May 1, 2012. From: Mayor. Re: Change Decembers meeting date (if possible).

Date: May 1, 2012. From: NJ Planning Officials. Re: Planning Conference.

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Date: May 4, 2012. From: Richard Bolan, Construction/Zoning Official. Re: Comments relative to the requirement of applicants providing updated surveys.

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Date: May 25, 2012. From: Borough Clerk. Re: Letter to Grand Used Cars to appear before the Planning Board.

Date: June 1, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Palermo's Bakery.

Date: June 4, 2012. From: NJ Planning Officials. Re: Summer Webinars.

Date: June 11, 2012. From: PSE & G. Re: Application for a Freshwater Wetlands Statewide General Permit Number 12 & a Costal General Permit Number 27. Geotechnical Investigation O-66 Underground Circuit.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palermo's Wholesale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.
REQUESTED TO BE CARRIED IN THE NEAR FUTURE-Ms. Scully will be submitting a engineers report.

Mr. & Mrs. Peter Sparta 2012-6-1-Z-7
80 Summit Circle
Block 6.02, Lot 10
Zoning Application: Addition & Renovation to one family.

ADJOURNMENT:

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

Borough of Little Ferry

215-217 LIBERTY STREET • LITTLE FERRY, NJ 07643
201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: The Record

FAX: 201-457-2520

FROM: Susan Gerber

DATE: 6-22-12

RE: _____

_____ **FOR YOU INFORMATION**

_____ **PLEASE CALL UPON RECEIPT SO WE MAY DISCUSS**

_____ **AS YOU REQUESTED**

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

TX Result Report

P 1
06/22/2012 10:49
Serial No. AOPP011015073
TC: 116518

Destination	Start Time	Time	Prints	Result	Note
2014572520	06-22 10:48	00:01:02	002/002	OK	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:F-Code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.

Mauro D. Ragusco
Mayor
Michael Capabianco
Borough Administrator
Barbara Maldonado
Borough Clerk

George Muller, *Council President*
Ronald Anzalone, *Councilman*
Roberta Henriquez, *Councilwoman*
Thomas Sario, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

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TO: The Record
FAX: 201-457-2520
FROM: Susan Gerber
DATE: 6-22-12
RE:

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COMMENTS: Rescheduling of meeting

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Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

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Ronald Anzalone, *Council President*
Roberta Henriquez, *Councilwoman*
George Muller, *Councilman*
Thomas Sarlo, *Councilman*
Sue Schuck, *Councilwoman*
Peggy Steinhilber, *Councilwoman*

June 22, 2012

PUBLIC NOTICE

PLEASE TAKE NOTICE:

That there has been scheduled a regular meeting of the Planning/Zoning Board for Wednesday, December 5, 2012 starting at 7:30 pm. The meeting has been cancelled and rescheduled for Wednesday, December 12, 2012 at 7:30 pm or as soon thereafter as the matter can be heard in the Council Chambers, Municipal Building, 215-217 Liberty Street, Little Ferry, at which time formal action will be taken.

Susan Gerber
Board Clerk

Mauro D. Raguseo
Mayor

Michael Capabianco
Borough Administrator

Barbara Maldonado
Borough Clerk

George Muller, *Council President*
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Borough of Little Ferry

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201-641-9234 201-641-1957 FAX
www.littleferrynj.org

TO: Star Ledger

FAX: 973-392-4129

FROM: Susan Gerber

DATE: 6/22/12

RE: _____

_____ **FOR YOU INFORMATION**

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COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

TX Result Report

P 1
06/22/2012 10:48
Serial No. AOPP011015073
TC: 116517

Destination	Start Time	Time	Prints	Result	Note
19733924129	06-22 10:47	00:00:46	002/002	OK	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX, DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CsRC, FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original, FCODE:F-code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax, IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF, TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer, Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.

Mauro D. Raguseo
Mayor
Michael Capabianco
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George Muller, *Council President*
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FAX: 973-392-4129
FROM: Susan Gerber
DATE: 6/22/12
RE:

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_____ AS YOU REQUESTED

COMMENTS: Rescheduling of meeting

NUMBER OF PAGES INCLUDING COVER SHEET: 2

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JUNE 20, 2012

MEETING START: 7:35 PM

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Steven Gerard Anita Kober Alan Soojian William Lenihan Winton Ramsay Joseph Olivelli
Members Absent:	Richard Bolan Roberta Henriquez George Carrion AJ Joshi James Avillo Anthony DiBlasio Marty Loesner
Also Present:	Brian T. Giblin, Board Attorney Susan Gerber, Board Clerk

APPROVAL OF MINUTES: April 18, 2012

CORRESPONDENCE:

Date: May 1, 2012. From: Mayor. Re: Change Decembers meeting date (if possible).

Date: May 1, 2012. From: NJ Planning Officials. Re: Planning Conference.

Date: May 3, 2012. From: Borough Clerk. Re: Response to PLZB on Required Parking-Ordinance No. 1344-29-12.

Date: May 4, 2012. From: Richard Bolan, Construction/Zoning Official. Re: Comments relative to the requirement of applicants providing updated surveys.

Date: May 23, 2012. From: Superior Court of NJ. Re: Civil Action Summons. Re: Donald Nuckel, Gilbert Manor, NV I & II vs. Little Ferry Planning Board.

Date: May 25, 2012. From: Borough Clerk. Re: Letter to Grand Used Cars to appear before the Planning Board.

Date: June 1, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Palermo's Bakery.

Date: June 4, 2012. From: NJ Planning Officials. Re: Summer Webinars.

Date: June 11, 2012. From: PSE & G. Re: Application for a Freshwater Wetlands Statewide General Permit Number 12 & a Costal General Permit Number 27. Geotechnical Investigation O-66 Underground Circuit.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Chairman Olivelli & Board members agreed to change the December 5th 2012. The new date will be Wednesday, December 12, 2012.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Property Owner: 300 Route 46 West, LLC. 2012-3-1-P-3
Applicant: Jake's Hamburgers
300-302 Route 46 W
Block 8, Lot 1.01
Informal Site Plan: Revise to accommodate fast food establishment.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion to waive the reading was made by Mr. Soojian, second by Mr. Gerard. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. Ramsay, yes-Mr. Olivelli, yes.

Property Owner: Behrooz Ghavami 2012-2-1-Z-2
Applicant: Palermo's Wholesale, Inc.
389 & 399 Liberty St.
Block 7, Lot(s) 1.01 & 1.02
Preliminary & Final Site Plan & Variance: Upscale bakery with indoor & outdoor seating.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion to waive the reading was made by Mr. Soojian, second by Mr. Gerard. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. Ramsay, yes-Mr. Olivelli, yes.

Property Owner: Mrs. Jody Pasqua 2010-2-1-Z-1
28 Lamker Court
Block 106.03, Lot 2
Zoning Application: Zoning appeal of the decision of the Zoning Officer & for variances set forth in the application.
Vice-Chairman Gerard entertained a motion to waive the reading of the resolution. Motion to waive the reading was made by Ms. Kober, second by Mr. Soojian. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. Ramsay, yes.

Property Owner: Malgorzata Swieca 2012-4-1-Z-4
30 Roosevelt Street
Block 48, Lot 9
Zoning Application: Above-ground pool and hot tub.
Chairman Olivelli entertained a motion to waive the reading of the resolution. Motion to waive the reading was made by Mr. Soojian, second by Ms. Kober. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. Lenihan, yes-Mr. Olivelli, yes.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.

Mr. & Mrs. Peter Sparta 2012-6-1-Z-7
80 Summit Circle
Block 6.02, Lot 10
Zoning Application: Addition & Renovation to one family.
Mr. & Mrs. Sparta were sworn in. Mr. Sparta stated that they need a variance because they are running out of room. His daughter-in-law has one child and she is expecting twins so they need more room. They need 3 variances. Maximum lot coverage, single side yard and combined side yard setback. The plans show 57.7 coverage but he is asking for 64%. Mr. Guy Sole was sworn in. the Mr. Sole stated that the architect put the wrong numbers on the first set of blueprints. He stated that it is 64%. Chairman Olivelli questioned the dimension of the back of the addition. Mr. Hristoe was sworn in. He is the contractor. There was discussion on the lot coverage. Mrs. Sparta stated it is just two new rooms. Chairman Olivelli stated to submit new revised set of plans to the construction official and for the boards review. Chairman Olivelli opened to the

public. No one approached. Chairman Olivelli entertained a motion to approve or deny the application. Motion to approve the application with the corrections was made by Mr. Lenihan, second by Mr. Gerard. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes- Mr. Lenihan, yes-Mr. Ramsay, yes-Chairman Olivelli, yes.

Mr. Gerard stated that the old Atlas Plastics on Route 46 East needs to be cleaned up. There is a lot of trash.

Mr. Lenihan stated that they need to check the total number of cars on the Grand Used Cars lot. Chairman Olivelli stated that he talked to the Mayor on this issue and that they should hire someone who could check the total number of cars on the lots. Mr. Lenihan stated that the property maintenance guy should be doing it. Mr. Lenihan stated that the property at Hallelujah bookstore is high.

Mr. Giblin stated that the board clerk has given him complaints for collection of fees and he has submitted them to the court.

Mr. Giblin stated that there have been several Nuckel lawsuits. One is against the board for passing the fair share housing element, one against the borough which is going before the appellate court challenging the fair share element builders remedy the settlement of his suit that he started which has been going on for 3 years, he got the builders remedy but he didn't want to build because he said he didn't get enough units. Then the planner we changed the plan to include 110 Bergen Turnpike COAH units he challenged the settlement and the judge approving of our fair share housing.

Mr. Vincent Evelich 126 Waterside Drive. He stated that the street going into the Valley Fair, Waterside, North Village and Motel. It is a private road. He was directed to call the Borough Administrator. He wanted to know who was responsible for maintaining that road. He mentioned that Fort Lee was going to build two-forty seven foot high-rises. He came here because it was a small town.

Chairman Olivelli closed to the public and motioned to close the meeting.

ADJOURNMENT: 8:15 pm.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JULY 18, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: April 18, 2012 & June 20, 2012.

CORRESPONDENCE:

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Date: June 20, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: CVS Retail/Pharmacy.

Date: July 5, 2012. From: Rutgers. Re: Continuing Education.

Date: July 12, 2012. From: Job & Job Engineering. Re: Royale Realty

Date: July 17, 2012. From: National Business Institute. Re: Land Use Law.

APPROVAL OF DENIAL OF RESOLUTIONS:

APPROVAL OF RESOLUTIONS:

Mr. & Mrs. Peter Sparta 2012-6-1-Z-7
80 Summit Circle
Block 6.02, Lot 10
Zoning application: Addition & Renovation to one family

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.

Property Owner/Applicant: Royale Realty 2012-7-1-P-8
273, 277 & 281 Main Street
Block 38, Lot(s) 22, 23 & 24
Planning Board: Seeking to amend a condition of a prior approval.

Property Owner/Applicant: AFJK, Inc. 2012-7-2-Z-9
9 Liberty Street
Block 76, Lot 8
Zoning Application: Automotive repair facility with wholesale of automobiles.

ADJOURNMENT:

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
JULY 18, 2012

MEETING START: 7:33 PM

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Richard Bolan Steven Gerard Anita Kober Alan Soojian Anthony DiBlasio Winton Ramsay Marty Loesner Joseph Olivelli
Members Absent:	Roberta Henriquez George Carrion AJ Joshi James Avillo William Lenihan
Also Present:	Board Attorney, Brian T. Giblin Board Clerk, Susan Gerber

APPROVAL OF MINUTES: April 18, 2012 & June 20, 2012. Chairman Olivelli entertained a motion to accept the minutes of April 18, 2012 & June 20, 2012. Motion to accept the minutes were made by Mr. Soojian, Second by Ms. Kober. All Ayes.

Property Owner/Applicant: AFJK, Inc. 2012-7-2-Z-9
9 Liberty Street
Block 76, Lot 8
Zoning Application: Automotive repair facility with wholesale of automobiles.
Mr. Dennis Francis, Esq. on behalf of the applicant. Mr. Francis stated that the applicant is before the board for a use variance it is within the zone and requesting an additional use of selling of vehicles. The property is occupied by Stallion Auto Repair. The use for repair was a prior approval. The property is non-conforming and they are not seeking any modifications to the building. They are seeking repair with wholesale. Mr. Fady Kadaj was sworn in. He currently is used as an auto repair facility. He is there since 2007. He can fit 25 to 30 cars there. He is next to the strip mall, and a commercial building. To the rear is residential. The intended use is wholesale. He picks up cars and does repairs. To transfer the vehicles he needs plates and he does repair work then he has to bring the vehicles back. He needs the permission from the town. No one would be coming to buy. He will sell them to the dealers. He does not want to buy and sell from there. He wants the plates for his own use. He will not have signs for sale. Mr. DiBlasio stated that there is no fire lane. Mr. Francis stated that they put spaces on the plans to show the amount of vehicles that could be stored there. Mr. Francis stated his use is a repair shop and did not intend to show it as sales of automobiles only to show what could be stored there. This is a repair facility. They are not assigned parking spaces. Mr. DiBlasio would like to see less cars and a fire lane. Mr. Kadaj stated that he would be able to limit the number of cars and leave a fire lane. Mr. Bolan questioned about dealer plates, the amount of vehicles on the lot at a given time, existing accounts, selling of vehicles, how long the vehicles stay on site, retail business, total days to do a repair, bill of sales, dealer plates. Mr. Kadaj stated that he wants dealer plates; he has existing accounts to pick up, do the repairs and return the vehicles. He sells to dealers and auctions. Vehicles are usually there no longer than a week. He wants to use the plates for his own personal use and go back and forth to Teterboro. Chairman Olivelli stated he is in agreement with the fire lane, he was concerned with the parking of cars in the rear near the residential area, he may need only one or two plate's maximum. He says it looks like a used car lot. Mr. Gerard says it looks like the ability to buy cars and not to just transfer back and forth from the dealership. Mr. Giblin stated that you cannot transfer cars that are not yours. He needs to check with Motor Vehicles. Mr. Giblin stated that the insurance follows the vehicle. Mr. Bolan said it would be for cars that he buys and sells on his own. Mr. Loesner questioned the number of vehicles on the lot for wholesale and car carriers coming in. Mr. Kadaj stated the most important is the repair shop. Mr. Ramsay stated he had the same feelings of Mr. Loesner. It is also a bad corner there. Chairman Olivelli opened questions and or comments to the general public. Mr. Kent stated that he is a customer of Mr. Kadaj's and he knows that there are very few cars that stay on the premises. He is mostly looking for wholesale of cars as times are bad. He is not only his friend. Mrs. Kadaj stated that it is for their safety and comfort and being responsible. Mr. Dinelli stated that Mr. Kadaj is honest, immaculate; nothing is left out at night on the lot, it's lit up, and his friend. Mr. Garland state that Mr. Kadaj is honest, terrific mechanic, his whole family goes to him, give him a break. Mr. Bolan questioned the use variance. Mr. Francis stated that buying and selling of vehicles are not for the public to purchase vehicles from him. It is not a used car lot. They could put a number of vehicles permitted and the lot is stone. There are several parking spaces in the front and in the building. Mr. Kadaj has two men working for him. Mr. Francis stated that his client would be willing to limit the amount of cars on the lot to 17. Mr. Wayne Guskind was sworn in as the architect. He stated went over

PLANNING/ZONING BOARD
BUILDING DEPARTMENT

TO:	**Mayor & Council**
FROM:	**Susan Gerber, PLZB Clerk**
DATE:	**Thursday, July 26, 2012**
RE:	**Repair Shops**
C:	**Michael Capabianco, Borough Administrator** **Chief Ralph Verdi**

At our recent Planning/Zoning Board meeting held on July 18, 2012 the board discussed two car repair shops and was concerned with the safety issues.

One is located on Liberty Street across the street to where the new Palermo's bakery would like to open. This shop continues to have many vehicles park on Liberty St. making it difficult for pedestrians and vehicles. This situation is very dangerous.

The second repair shop is located on Main & Wilson Street. This business is a South Hackensack property. They continue to park their cars in the street and they also park their overflow on Wilson Street and in the vacant Bergen Kitchen lot.

Also one of the used car lots is parking their vehicles in the vacant Pollo Tropical parking lot.

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
AUGUST 15, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

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:

APPROVAL OF MINUTES: July 18, 2012.

CORRESPONDENCE:

Date: July 27, 2012. From: Job & Job Engineering. Re: Proposed parking stalls at Waterside Village.

Date: August 1, 2012. From: Rutgers Continuing Studies. Re: Planning & Zoning Program Fall 2012 Schedule.

Date: August 3, 2012. From: State of NJ Dept of State Office for Planning Advocacy. Re: Via E-mail Distribution. Two additional public hearings for the draft final state strategic plan: NJ State development and redevelopment plan.

Date: August 6, 2012. From: Job & Job Engineering. Re: Lincoln Street Subdivision/Site Plan, Block 87, Lot 21 a/k/a Markopoulos Developers.

Date: August 6, 2012. From: Job & Job Engineering. Re: Blanco Residence 10 Monnett St.

Date: August 9, 2012. From: PSE & G. Re: Application for freshwater wetlands statewide general permit no. 12 & a coastal general permit no. 27.

Date: August 10, 2012. From: Port Authority of NY & NJ. Re: Legal Notice for flood hazard area permit application.

Date: August 13, 2012. From: NJPO. Re: Summer Newsletter.

**Discussion of 15 Monnett Street, Mrs. Morales. Re: encroachment of fence and removal of planter.

APPROVAL OF DENIAL OF RESOLUTIONS:

Property Owner/Applicant: AFJK, Inc. 2012-7-2-Z-9
9 Liberty Street
Block 76, Lot 8
Zoning Application: Automotive repair facility with wholesale of automobiles.

APPROVAL OF RESOLUTIONS:

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.
Applicant asked for adjournment to be carried to the September 12th or 19th meeting.

Property Owner/Applicant: Royale Realty 2012-7-1-P-8
273, 277 & 281 Main Street
Block 38, Lot(s) 22, 23 & 24
Planning Board: Seeking to amend a condition of a prior approval.

Property Owner/Applicant: 375 Liberty St. Assoc., LLC. 2012-8-1-Z-10
359, 367 & 375 Liberty Street
Block 8, Lot(s) 3.02, 8 & 9
Zoning Application: Convert vacant retail space to restaurant use. 1569 sq. ft. with 39 seats.

Property Owner: BAL Management, LLC. 2012-8-2-P-11
Applicant: Grand Used Cars
180 Route 46 W
Informal Site Plan: Used car dealership to same use.

ADJOURNMENT:

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
AUGUST 15, 2012

MEETING START: 7:30 PM

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Roberta Henriquez Anita Kober George Carrion AJ Joshi Alan Soojian James Avillo William Lenihan Winton Ramsay Marty Loesner Chairman Joseph Olivelli
Members Absent:	Richard Bolan Steven Gerard Anthony DiBlasio
Also Present:	Board Attorney, Brian T. Giblin Board Clerk, Susan Gerber

APPROVAL OF MINUTES: July 18, 2012. Chairman Olivelli entertained a motion to approve the minutes as written. Motion to approve the minutes as written was made by Mr. Soojian, second by Mr. Loesner. All Ayes.

CORRESPONDENCE:

Date: July 27, 2012. From: Job & Job Engineering. Re: Proposed parking stalls at Waterside Village.

Date: August 1, 2012. From: Rutgers Continuing Studies. Re: Planning & Zoning Program Fall 2012 Schedule.

Date: August 3, 2012. From: State of NJ Dept of State Office for Planning Advocacy. Re: Via E-mail Distribution. Two additional public hearings for the draft final state strategic plan: NJ State development and redevelopment plan.

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Date: August 6, 2012. From: Job & Job Engineering. Re: Blanco Residence 10 Monnett St.

Date: August 9, 2012. From: PSE & G. Re: Application for freshwater wetlands statewide general permit no. 12 & a coastal general permit no. 27.

Date: August 10, 2012. From: Port Authority of NY & NJ. Re: Legal Notice for flood hazard area permit application.

Date: August 13, 2012. From: NJPO. Re: Summer Newsletter.

**Discussion of 15 Monnett Street, Mrs. Morales. Re: encroachment of fence and removal of planter.
Mr. Jamie Ross was sworn in to translate from English to Spanish and Spanish to English. Mr. Ross stated it is about the fence in the rear yard. Chairman Olivelli stated it is also the planter. Mr. Ross stated it's about both. How will it be corrected? Mr. Rosss: the yard is abandoned and he takes care of it and it looks nice. It is maintained nice. Chairman Olivelli stated that he could not cover the drainage easement. Does he know what a drainage easement is? Mr. Carrion asked in Spanish. He cannot cover it or put a permanent structure on it. Mr. Ross: he only put plants. The fence was there when he bought the house. The only thing he did was plant and rocks. His wife had a problem with the pool and fence and she was not allowed to put in the planters. She never responded to any of the letters that were sent. Mr. Ross: he was in Peru for awhile. The fence was only painted. Mr. Giblin stated that the fence is restricting the Borough access to get to the pipe drain easement in order to maintain it they need access. Mr. Carrion stated it is not maintained by anyone and you could use. Who will maintain it? Mr. Giblin someone owns it. Chairman Olivelli asked him to bring a copy of his deed for the Planning Board Attorney. Mr. Ross stated ok. No other questions.

APPROVAL OF DENIAL OF RESOLUTIONS:

Property Owner/Applicant: AFJK, Inc. 2012-7-2-Z-9
9 Liberty Street
Block 76, Lot 8
Zoning Application: Automotive repair facility with wholesale of automobiles.
Resolution will be ready for next month's meeting.

APPROVAL OF RESOLUTIONS:

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.
Applicant asked for adjournment to be carried to the September 12th meeting.

Property Owner/Applicant: Royale Realty 2012-7-1-P-8
273, 277 & 281 Main Street
Block 38, Lot(s) 22, 23 & 24
Planning Board: Seeking to amend a condition of a prior approval.
Applicant asked for adjournment to be carried to the September 12th meeting.

Property Owner/Applicant: 375 Liberty St. Assoc., LLC. 2012-8-1-Z-10
359, 367 & 375 Liberty Street
Block 8, Lot(s) 3.02, 8 & 9
Zoning Application: Convert vacant retail space to restaurant use. 1569 sq. ft. with 39 seats. Attorney Saverio Cereste representing 375 Liberty Street Associates. It is a use variance to allow a restaurant. There are 7 stores. Currently four are filled; a convenience store; a spa; a beauty supply store and Yuki Hanna Restaurant. Store number 5 will be rented for the Greek Restaurant. Two stores will be left vacant at this time. The will be occupying 1500 sq. ft. Having 39 seats, with 56 onsite parking spaces. Mr. Louis Luglio was sworn in as the engineer. He submitted two exhibits. A-1; Mr. Luglio went over the site conditions. There is a one directional flow, there are 33 spaces under; 23 spaces in the front; 3 are handicapped, it's a shared use. Some stores are closed during pm peak hours. There are 56 spaces on site. There is an elevator or a walk around for the pedestrians. Chairman Olivelli opened questions to the public. No one approached. Closed to the public. Mr. Santiago Torres was sworn in as the architect. It will be a full service sit down eat in restaurant. It has 39 seats a commercial kitchen and bathrooms. They will have 4 to 6 employees. The anticipated hours of operation will be 10 AM to 10 PM. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Michael Bracke was sworn in as the business owner. He worked in the food industry for 5 years. It's like a Chipotle restaurant, you place your order, it's prepared and then sit down and eat. You can also eat on the premises. He would like the 11 am to 11 pm

hours for the lunch and dinner crowd. He plans on 2 to 4 employees. It will be Greek food which is chicken, beef or pork kabobs. It's a Mediterranean style. It will be called The Kabob Shop. He will also have takeout and delivery. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Mr. Michael D. Kauker was sworn in as the Planner. This is a D1 variance, there are 4 existing uses there now, the property is in the BH Zone, and the use is not permitted. For the positive this site is suited for this use, the planning is advantageous, it fits well with the other uses, the peak times are different for each use, it is compatible with the area. For the negative there is no substantial impact on the area, the traffic impact will be negligible, this use is a D1 variance, and the use can be reconciled with the Master Plan. His opinion is that the application has met the burden of proof and it is a positive over the negative. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Mr. Cereste stated that they are happy with Michael Bracke coming aboard and it will complement the site, it will improve the area, he is a quality tenant, it will enhance the business area and requests the approval of the use. Chairman Olivelli entertained a motion to approve or deny the application. Motion to approve the application was made by Ms. Kober, second by Mr. Lenihan. Roll Call: Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Lenihan, yes-Mr. Ramsay, yes-Chairman Olivelli, yes.

Property Owner: BAL Management, LLC. 2012-8-2-P-11
Applicant: Grand Used Cars
180 Route 46 W
Informal Site Plan: Used car dealership to same use.
Attorney Jay Arnesen representing Grand Used Cars. They want to continue to use the property as a used car dealership. Ms. Elizabeth Estivez was sworn in. A diagram was drawn to scale depicting the area. There are a total of 37 parking spaces shown on the diagram. The stall sizes are 8'x18'. Ms. Estivez stated she is willing to stripe the lot. The prior use has 40 total spaces. There are 2 customer spots and 1 employee spot. These are included in the 37 total spaces. Fire lanes have been designated. They are a minimum of 10' wide. An 8' buffer zone is designated. There are no other changes to the interior or exterior of the property. This was a business transfer. The Mayor & Council will introduce a ordinance to mandate all car lots to be striped. No auto repairs will be done on the premises. A concrete pad was poured to the rear of the property without obtaining permits. The grass strip was removed. It's about 2'6". Ms. Estivez agreed to remove the concrete if need be. She will need to check with Mr. Bolan on this matter. No cars are to be prepped in the fire zone. The customer spaces will be moved to spots 12 & 13 and will be shown on a new diagram. The customer parking will be 10'. Ms. Estivez agreed to striping the lot within 30 to 60 days. Chairman Olivelli opened questions to the public. No one approached. Closed to the public. Chairman Olivelli entertained a motion to approve or deny the application as corrected with spaces 12 & 13 being the customer parking. Motion to approve was made by Ms. Henriquez, second by Mr. Lenihan. Roll Call: Ms. Henriquez, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Avillo, yes-Mr. Lenihan, yes-Mr. Ramsay, yes-Chairman Olivelli, yes.

Chairman Olivelli opened questions to the general public. Closed to the public.

ADJOURNMENT: 8:39 PM

MINUTES
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
SEPTEMBER 12, 2012

MEETING START: 7:39 PM

CALL TO ORDER-FLAG SALUTE:

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:

Members Present:	Roberta Henriquez Steven Gerard Anita Kober George Carrion AJ Joshi Alan Soojian Winton Ramsay
Members Absent:	Richard Bolan James Avillo Anthony DiBlasio William Lenihan Marty Loesner Joseph Olivelli
Also Present:	Louis Flora, Board Attorney Susan Gerber, Board Clerk

APPROVAL OF MINUTES: August 15, 2012. Vice-Chairman Gerard entertained a motion to accept the minutes as written. Motion to approve the minutes as written was made by Ms. Henriquez, second by Ms. Kober. All Ayes.

CORRESPONDENCE:

Date: August 21, 2012. From: Giblin & Giblin, Re: 15 Monnett Street.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Date: August 28, 2012. From: Bergen County Soil Conservation District. Re: Palermo's Bakery Site Improvements.

Date: August 29, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Palermo's wholesale.

Date: September 11, 2012. From: ANJEC. Re: Registration.

Date: September 11, 2012. From: NJPO. Re: Fall Classes.

Date: September 11, 2012. From: Job & Job Engineering. Re: Markopoulos Developers.

Date: September 12, 2012. From: Charles Sarlo. Re: Palermo's Bakery.

APPROVAL OF DENIAL OF RESOLUTIONS:

Property Owner/Applicant: AFJK, Inc. 2012-7-2-Z-9
9 Liberty Street
Block 76, Lot 8
Zoning Application: Automotive repair facility with wholesale of automobiles.

APPROVAL OF RESOLUTIONS:

Property Owner: Jody Pasqua Revised Resoluiton-2010-2-1-Z-1
28 Lamker Ct.
Block 106.03, Lot 2
(Zoning Application: Variance for permission to retain pool, shed and walkway, maximum lot coverage, minimum distance from an accessory structure to the side yard and rear yard).
Vice-Chairman Gerard entertained a motion to approve the revised resolution for Pasqua. Motion to approve the resolution was made by Mr. Soojian, second by Ms. Kober. Roll Call: Mr. Gerard, yes-Ms. Kober, yes-Mr. Soojian, yes-Mr. Ramsay, yes.

Property Owner/Applicant: 375 Liberty St. Assoc., LLC. 2012-8-1-Z-10
359, 367 & 375 Liberty Street
Block 8, Lot(s) 3.02, 8 & 9
Zoning Application: convert vacant retail space to proposed Greek restaurant including 39 seats.

Property Owner: BAL Management, LLC. 2012-8-2-P-11
Applicant: Grand Used Cars
180 Route 46 W
Informal Site Plan: Used car dealership to same use.

HEARING OF NEW CASES/APPLICANTS:

Property Owner: Scully, Eileen 2012-5-1-Z-5
13 Sand Hill Court
Block 6.02, Lot 29
Zoning Application: Install an 18' x 32' in-ground pool.
Applicant asked for adjournment to be carried to the October 17th meeting.

Property Owner/Applicant: Royale Realty 2012-7-1-P-8
273, 277 & 281 Main Street
Block 38, Lot(s) 22, 23 & 24
Planning Board: Seeking to amend a condition of a prior approval.
Applicant will be carried to the October 17th meeting.

Property Owner: Mr. & Mrs. William Ebenau 2012-9-Z-12
67 Marshall Avenue
Block 62, Lot 1
Zoning Application: Installation of hot tub on existing patio.
Mr. John Veteri attorney for the applicant. This is a corner lot and seeks relief. They have 3 variances. Mr. William Ebenau was sworn in. He could have placed the hot tub in the rear yard but chose not to because the location of the hot tub would be behind the fence and getting to the hot tub would be quicker, there is also the old police station with 2 big windows so it is a privacy issue, it also floods back there. Exhibits were submitted. Mr. Ebenau's doctor recommended that he use a hot tub for his medical condition of his knee. Mr. Gerard questioned the above ground pool. Mr. Ebenau stated that the pool is owned both by him and his brother and if ever need be the pool would be removed. Board members had no questions. Vice-Chairman Gerard opened questions to the general public. Ms. Henriquez stated that with his condition and knowing the old building she felt it should be approved. Vice-Chairman entertained a motion to approve or deny the application. Motion to approve the application was made by Mr. Carrion, second by Mr. Joshi. Roll Call: Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Ramsay, yes-Vice-Chairman Gerard, yes.

Property Owner: One Bergen Tpk, LLC, c/o 4 Star Auto 2012-9-2-P-12
Applicant: Roberto Rosario, Jr. d/b/a Glass Man
1 Bergen Tpk aka Route 46 West & Circle
Block 12, Lot 1
Informal Site Plan Application: Sale of Business only. Auto Glass repair shop.
Mr. Rosario was sworn in. He is the new tenant. Everything is the same. He is not changing anything. It used to be 4 Star Auto Glass. It is strictly glass. No modifications. Ms. Henriquez has a problem with the parking. Mr. Carrion stated that the lot next door has since moved out. Mr. Rosario stated that there is parking in the rear. Mr. Carrion stated that there are a lot of issues with the other lot. Vice-Chairman Gerard opened questions to the general public. No one approached. Closed to the public. Vice-Chairman Gerard entertained a motion to approve or deny the application. Motion to approve the application was made by Mr. Soojian, second by Ms. Henriquez, Roll Call: Ms. Henriquez, yes-Vice-Chairman Gerard, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Ramsay, yes.

Property Owner: Chin, N. & R. Trustee c/o Carrols Corp. 2012-9-3-P-13
Applicant: Little Ferry Chicken, LLC. d/b/a Popeye's Chicken Restaurant
146 Route 46 East
Block 20.01, Lot 39
Informal Site Plan Application: Vacant Pollo Tropical Restaurant. Re-opening as Popeye's Chicken Restaurant.
Frank Migliorino Esq. for the applicant. This was Pollo Tropical and the applicant is asking for a Popeye restaurant. There are no changes to the building except for signage. The lot will be kept clean. Mr. Haran Parikh was sworn in. They will be open from 10 am to 11 pm. There would be 15 to 20 employees. They will also have a drive-thru. No blaring music in the lot, site light is front and sides, landscaping will be kept nice, trash will be cleaned up and will police the area, there will be 6 managers, there was a problem in the past with overnight parking. They questioned the color of the building; they will have a camera for security. Vice-Chairman Gerard opened questions to the general public. No one approached. Closed to the public. Vice-Chairman Gerard entertained a motion to approve or deny the application. Motion to approve the application was made by Ms. Kober, second by Ms. Henriquez. Roll Call: Ms. Henriquez, yes-Vice-Chairman Gerard, yes-Ms. Kober, yes-Mr. Carrion, yes-Mr. Joshi, yes-Mr. Soojian, yes-Mr. Ramsay, yes.

Mr. Rob Walsh consultant from the NJ DOT questioned if the resolution and site plan is available for Grand Used Cars. He wants to see the resolution and plans when they are approved.

Ms. Henriquez stated to have the official go and look at the plans and go check the site. Mr. Carrion stated that they still need to stripe the lot. Ms. Henriquez stated that she needs to check and see if the Mayor & Council has approved the Ordinance regarding parking for used car dealerships.

The Planning/Zoning Board meeting for September 19th has been cancelled due to lack of business.

ADJOURNMENT: 8:20 PM

AGENDA
MEETING OF THE
LITTLE FERRY PLANNING/ZONING BOARD
SEPTEMBER 12, 2012

MEETING START:

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

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ROLL CALL:

APPROVAL OF MINUTES: August 15, 2012

CORRESPONDENCE:

Date: August 21, 2012. From: Giblin & Giblin, Re: 15 Monnett Street.

RE: Review and discussion on Ordinance No. 1356-11-12. AN ORDINANCE AMENDING CHAPTER 35, SECTION 107, SUBPARAGRAPH a ENTITLED 'COMPLIANCE WITH ARTICLE' OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE FERRY, COUNTY OF BERGEN AND STATE OF NEW JERSEY.

Date: August 28, 2012. From: Bergen County Soil Conservation District. Re: Palermo's Bakery Site Improvements.

Date: August 29, 2012. From: County of Bergen Dept. of Planning & Economic Dev. Re: Palermo's wholesale.

Date: September 11, 2012. From: ANJEC. Re: Registration.

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Date: September 11, 2012. From: Job & Job Engineering. Re: Markopoulos Developers.

Date: September 12, 2012. From: Charles Sarlo. Re: Palermo's Bakery.

Property Owner: One Bergen Tpk, LLC, c/o 4 Star Auto 2012-9-2-P-12
Applicant: Roberto Rosario, Jr. d/b/a Glass Man
1 Bergen Tpk aka Route 46 West & Circle
Block 12, Lot 1
Informal Site Plan Application: Sale of Business only. Auto Glass repair shop.

Property Owner: Chin, N. & R. Trustee c/o Carrols Corp. 2012-9-3-P-13
Applicant: Little Ferry Chicken, LLC. d/b/a Popeyes Chicken Restaurant
146 Route 46 East
Block 20.01, Lot 39
Informal Site Plan Application: Vacant Pollo Tropical Restaurant. Reopening as Popeyes Chicken Restaurant.

ADJOURNMENT: