

**MINUTES  
LITTLE FERRY PLANNING/ZONING BOARD  
APRIL 14, 2010  
MEETING START 7:30 P.M.**

**MEETING START:** 7:35 P.M.

**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, Star Ledger and the Press Journal, 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:

James Cirillo  
Steven Gerard  
AJ Joshi  
William Lenihan  
George Carrion  
Alan Soojian  
James Avillo  
Chairman, Joseph Olivelli

Members Absent:

Richard Bolan  
Ronald Anzalone  
Anthony DiBlasio  
Anthony Pasqua

Also Present:

Board Attorney, Mark Madaio  
Board Clerk, Susan Gerber  
Board of Health Clerk, Donna Doran  
Board of Health Inspector, Judith Muniz

**APPROVAL OF MINUTES:** March 17<sup>th</sup> & 24<sup>th</sup>, 2010. Chairman Olivelli entertained a motion to accept the minutes as written. Motion to accept the minutes were made by Mr. Gerard, second by Mr. Cirillo. All Ayes.

**APPROVAL OF DENIAL OF RESOLUTIONS:**



**APPLICANTS:**

Property Owner: Hlavaty, Michael 2009-12-3-Z-24  
Applicant: Galas, Edward  
85 Columbus Ave  
Block 92, Lot 17.03  
Zoning Application: Expanded pavers around pool and walkway without permits.  
Received letter to adjourn to the April 14, 2010 meeting.  
Carried to May 19, 2010

Property Owner: Mr. & Mrs. Pasqua 2010-2-1-Z-1  
28 Lamker Court  
Block 106.03, Lot 2  
Zoning Application: Variances for pool and pool house.  
Received letter to adjourn to the April 14, 2010 meeting.  
Carried to May 19, 2010.

Property Owner: New Star Properties, Inc. 2010-4-1-Z-7  
Applicant: The Lord's Grace Church  
415 Route 46 East  
Block 26.01, Lot 23.01  
Zoning Application: Proposed Church. Convert an existing vacant two-story building into a 1<sup>st</sup> floor church and 2<sup>nd</sup> floor offices for the church.  
Dennis Francis, Esq. on behalf of the applicant. Chairman Olivelli stated he spoke with Mr. Job of Job and Job Engineering and that the calculations for parking are incorrect. The grading has not been included on the engineering diagram nor was the lighting. It did not depict the existing present conditions of the lot. Mr. Mark Madaio questioned if South Hackensack was noticed and they did not want an issue for the future. Vice-Chairman Cirillo stated that they want to follow past practice on the notice. Mr. Madaio stated he would rather be over cautious than under cautious on this matter. Mr. Madaio stated his application is not going to get done this evening and he also has engineering issues. He suggested that the application come back and to notice South Hackensack and the statute supersedes the tax list. Mr. Francis agreed to be carried to the May 26<sup>th</sup> meeting.

Property Owner: Kimco Realty corp. 2010-4-2-P-8  
Applicant: Value Fair  
260 Bergen Tpk.  
Block 5.01, Lot 2  
Informal Site Plan: Retail Dept. Store. Indoor shopping marketplace, merchandise categories sold by individual retailers.  
Mr. Michael Unger-Vice President of marketing and promotion for Little Ferry Acquisition, LLC was sworn in. Little Ferry Acquisition does business as Value Fair. No signature of the landlord has been submitted. Kimco is substantial investor in Little Ferry Acquisitions. Little Ferry Associates is the property Owner. Mr. Madaio suggested having the owner submit a consent letter. They want to be a one stop

shopping. If the vendors are successful they are successful. Mr. David Simpson stated that it is not intended to have a flea market. They will be required to work 6 days a week, required to maintain full stock of their merchandise. They will be a laid out store, well lighted, and well decorated. He is here to stress it is not a flea market. They submitted a floor plan. They will use local contractors. Mr. Carrion stated he would have liked a better presentation of what is going to be sold. Mr. Unger stated that each business will have a one-year lease and they will need to submit one month's security. Ms. Doran stated that they have a temporary board of health license dated for Thursday, April 15, 2010. They had pre-packaged food and added eggs and milk. In the past Valley Fair never had a license to do that. Valley Fair only had one license many years ago and it was for the candy department. The food was put in without alerting anyone. They were advised to go to the building department to see if it was a permitted use. The food has to come out until the Planning Board makes that decision. Mr. Unger stated that the food is 90% out. There are only two licenses issued one is for the front and one is for the back restaurant. Mr. Unger stated that they would like to have a food court with seating. Any vendor that comes in has to sign a one-year lease and cannot be subleased. Value Fair would like to apply for the board of health license and Certificate of Occupancies for the vendors. Mr. Madaio asked if each vendor would have a CO. Mr. Unger stated yes each vendor would have a CO. Ms. Doran stated that they would need to have a food handler's license. Mr. Madaio stated that all Borough departments would need to be notified. Mr. Madaio questioned if the zoning officer determined if this is the same retail use as Valley Fair or is it something else. Chairman Olivelli stated that they need to put a great deal more into their presentation and they need to include their parking, it looks like a flea market to him and the building inspector. Bathrooms need to be shown, are they handicapped, what type of food, number seats, parking calculations. There is nothing-concrete form their report. Mr. Madaio stated to show square footage of retail and food uses. They need to calculate the number of seats, which translates to parking, drainage calculations, ingress, and egress. He seems to feel they are more directed to submit a site plan. There is also a food market to the rear of the building, which needs to be calculated into the parking. Mr. Simpson stated that Value Fair has a fixed lease; they are looking to upgrade the property. Mr. Madaio stated it is not straight retail and it may not be a flea market and he is somewhere in the middle. Mr. Cirillo stated that he didn't think there was one handicap bathroom in the building. Ms. Doran stated to inform the planning board what they want to do with the rest of the pre packaged foods so she may present it to her board. Mr. Wes Edmonds was sworn in. He is the building manager. He stated that he would like an additional temporary health certificate. Ms. Doran stated that she could not give an additional temporary certificate. Ms. Munoz stated that the BCUA has issued a warning of the grease going into our water systems. There is plumbing and so much flooding there and the sewer lines were broken about a month ago and her concern is what is going to happen with the grease traps. Mr. Edmonds has signed up for the class her concern is more the pooping. Mr. Unger stated that they came to the board for their cco's. Mr. Madaio stated that the board couldn't act on the application. Chairman Olivelli stated that the application is incomplete and to go back to the zoning official for his review if it is a full site plan. Mr. Madaio stated that the zoning officer has to make the initial decision or they can go for an appeal. Mr. Lenihan questioned the site lighting. Mr. Edmonds stated the lighting has been replaced. The lighting in the parking lot is old

and quite large. Mr. Edmonds stated that he did not know if the lighting was up to today's standards. Mr. Lenihan stated that women and children would be shopping there and wanted it safe. Mr. Edmonds stated that additional lighting was done on the building. Mr. Joshi questioned the types of business that wants to go in. Mr. Unger stated that he does not anticipate. Inaudible. Chairman Olivelli read the letter from the Zoning Officer. Chairman Olivelli stated to see the zoning official for his determination and to carry it to the May 19, 2010 meeting.

**ADJOURNMENT:** 9:20 P.M.