

**MINUTES
LITTLE FERRY PLANNING/ZONING BOARD
SPECIAL MEETING
JULY 8, 2010
MEETING START 7:00 P.M.**

MEETING START: 7:25 PM

CALL TO ORDER-FLAG SALUTE:

OPENING STATEMENT:

This is a Special 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
Ronald Anzalone
AJ Joshi
Alan Soojian
Joseph Olivelli
James Avillo

Members Absent:

Richard Bolan
Steven Gerard
Anthony DiBlasio
William Lenihan
George Carrion
Anthony Pasqua

Also Present:

Brian T. Giblin, Board Attorney
Susan Gerber, Board Clerk

CORRESPONDENCE:

Resolution in support of the grant application for Indian Lake Park, includes extending the walkway, drainage improvements at playground, solar lights and four (4) additional fountains.

HEARING OF NEW CASES/APPLICANTS:

Discussion on Zoning Code revisions: Mr. Giblin recommends increasing the fees based upon his discussion with other towns. He did not see the fees to be out of the ordinary. Brian stated that this will conclude our review of the revisions. Chairman Olivelli opened questions to the general public. No one approached. Closed to the public. Chairman Olivelli entertained a motion to accept the fees. Mr. Cirillo motioned to accept the fees, second by Mr. Anzalone. Roll Call: Mr. Anzalone, yes-Mr. Soojian, yes-Mr. Joshi, yes-Mr. Cirillo, yes-Mr. Avillo, yes-Chairman Olivelli, yes.

Discussion on Escrow for Professionals. Mr. Giblin stated that right now we do not have an escrow fee schedule for the board professionals such as the engineer and planner. He also spoke with both the Borough Engineer and Planner on the matter and they recommended that the Borough collect a certain amount of money to be deposited into escrow for them to get paid. The board felt that the fees were reasonable.

Discussion on the Repeal of Ordinance No. 1277-09-09. Mr. Giblin stated that you have an ordinance repealing an Ordinance No. 1277-09-09 as part of the law suit with the builders remedy. The Mayor & Council has passed an ordinance an overlay zone which permitted increased densities along the Riverfront in order to satisfy our affordable housing. The Mayor & Council chose to do that by using the entire Riverfront so including Nickel's property even though the judge said specifically that we couldn't rely on Nickel's property to meet our COAH obligation. The Mayor & council did rezone the entirety of the Riverfront. The ordinance was then challenged by Mr. Nuckel and by other property owners. There have been several conferences in court since then and the Mayor & Council have now decided that they are going to repeal that ordinance that was passed and they are now going to implement another ordinance that will not contain Mr. Nuckel's property. Only the properties to the south. That way we would get rid of at least one of the challenges to the ordinance. You have in front of you an ordinance repealing the entire Riverfront Zone that was passed. At the next Mayor & Council meeting they will hopefully introduce another ordinance that will satisfy or COA H obligations. The overlay zone is to keep the original zoning and this is something that you add on top of that. The alternative to what was permitted previously. This is also by the way the repeal which is pursuant to a court order. They have the blessings of the court master. We are essentially complying with what the court wants us to do. The judge said that they have to provide a zone to satisfy our Mount Laurel relief. The court said you cannot rely on Mr. Nuckel's property because Mr. Nuckel said he is not going to build affordable housing. Mr. Nuckel said he can't build it in 8 stories. The council looked at it and went up to 14 stories. Mr. Nuckel's property was included in the overlay zone even though the court wouldn't give us credit for it. They kept him in the zone

anyway. Since Mr. Nuckel stated he is not going to build affordable housing and you cannot rely on it. Chairman Olivelli opened questions to the public. No one approached. Closed to the general public. Chairman Olivelli entertained a motion to advise the Mayor & Council that they find the repealing of this ordinance consistent with the Master Plan. Mr. Cirillo entertained a motion to approve the notification to the Mayor & Council of the repealing of Ordinance No. 1277-09-09, second by Mr. Joshi. Roll Call: Mr. Cirillo, yes-Mr. Joshi, yes-Mr. Anzalone, yes-Mr. Avillo, yes-Chairman Olivelli, yes.

Chairman Olivelli stated that the Board had a car dealership who gave them grief for the number of vehicles that were permitted on his property. This applicant changed his business name and has a new sign. Mr. Olivelli stated that he counted about 30 vehicles on the lot and his resolution states he is permitted 14 vehicles. Mr. Olivelli suggested having Mr. Bolan do an on-site inspection and investigate this matter.

Chairman Olivelli stated that he lives behind the VFW and a company was parking their school vehicles in their parking lot. The VFW has since rejected them from their lot. They then moved to the Lukoil located on Route 46. The Building Inspector had them remove the vehicles. They are now parking these vehicles in the Value Fair parking lot. Chairman Olivelli stated that he spoke with Mr. Bolan and the vehicles have to be removed by Monday. He advised the board members if they see any vehicles parked there to give him a call.

Mr. Cirillo stated that next to the auto glass business on Route 46 & Bergen Turnpike is Jacks Auto. He has numerous unregistered vehicles stacked, the vehicles are not registered and it looks horrendous. He would like Mr. Bolan to go and do an on-site inspection to investigate.

Mr. Avillo questioned if the burned building of Heaven is A Spa on Route 46 West should be torn down. He suggests having Mr. Bolan go and do an on-site inspection to see if it is unsafe and have it demolished.

Mr. Olivelli stated to have Mr. Bolan go and do an on-site inspection at the old Atlas Plastics building and see if this building is also unsafe.

Mr. Anzalone stated they the property owners need to do something with these buildings or remove them.

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

ADJOURNMENT: 7:45 PM