

**BOROUGH OF NORTHVALE
PLANNING BOARD/BOARD OF ADJUSTMENT
FEBRUARY 20, 2013**

MINUTES

Chairman, Peter Perretti, reads the Sunshine Statement into the record at 8:00 p.m.

ATTENDANCE:

PRESENT: MR. AMOROSSO, MAYOR BAZELA, MR. GIANNOTTI,
MR. PERRETTI, COUNCILMAN SOKOLOSKI, MR. TREBINO,
MR. DEVLIN (ALTERNATE #1), MRS. WALKER (ALTERNATE #2),
MR. SILLERY (ALTERNATE #3), MR. BARGNA (ALTERNATE #4)

ALSO PRESENT: ATTY. DRONZEK, BOARD ATTORNEY,
MR. PAUL NIEHOFF, BOARD ENGINEER

ABSENT: MR. DELAURA, MR. VOLLMER

REGULARLY SCHEDULED FORMAL MEETING

**APPLICATION OF CHO DAE COMMUNITY CHURCH OF NJ,
119 ROCKLAND AVENUE, BLOCK 1007, LOT 1 AND
150 RAILROAD AVENUE, BLOCK 1007, LOT 2 –
SITE PLAN APPROVAL**

Mr. Perretti notified the public and board members that this hearing is postponed to March 6, 2013. No further notices are necessary.

**APPLICATION OF NORTHVALE SHOPPING CENTER ASSOCIATES,
246, 250, 252 & 254 LIVINGSTON STREET, BLOCK 303,
LOTS 5, 6, 8, 13 AND 15 – SITE PLAN WITH VARIANCES**

Atty. David Watkins with offices in Closter, New Jersey came forward. This is a continuation of the hearing in January. The application has been amended to incorporate three individual restaurants on the subject site. The parking calculations are exactly the same. One restaurant will go where the store "Just A Buck" was located, there will be a reconfiguration of "Organica" and proposed is two restaurants in the new free standing building.

Site Plan consisting of seven sheets, Revision 1 dated January 28, 2013 was marked as **Exhibit A-1**.

Modifications to the plan was as follows:

All the new work is on the north side, all the spaces now are ten feet wide, not nine feet wide.

The applicant lost 38 spaces. Mr. Hubschman, engineer representing the applicant noted that there are 556 spaces, 404 spaces are required. The applicant is well over the amount that is required by ordinance. A walkway will be created and the islands will be widened. The applicant is in agreement to do the streetscape along the entire length of the property (the frontage). This includes the lighting. The total number of lights that will be placed would be approximately 10 or 11 lights. The engineer has the streetscape plan and will refer to that plan.

Mr. Hubschman said that the “Just A Buck” store will now be a Bagel Shop. The dollar store has an L shape and the rear L will be storage for “Organica”. There will be two restaurants to come onto the property and they will have to come back to the board for approval.

Chairman Perretti said that the Police Department had asked that the exit on Livingston Street in front of the building be a right turn only. Atty. Watkins said that the jurisdiction lies with the County on this matter. Mr. Niehoff said that he will take this to the County and see what their suggestion is on the matter.

The building expansion will be one story. There will not be a second floor in the new building. The free standing building is one story also. A second sign is being proposed on the north side, similar in size, maybe one foot higher than the existing sign. The existing sign is 103 sq. ft. and the applicant is proposing 125 sq. ft., a 30 foot sign.

Mr. Sillery mentioned that there was discussion by a property owner in the rear of Shop Rite. Shop Rite delivery trucks were driving onto her property and causing problems. He said that he noticed that orange cones were placed at the site. Will these cones be the cure for this problem? Atty. Watkins said this is not acceptable and he will take care of the issue of the delivery trucks.

Mayor Bazela said he sent Police Chief, St. Angelo over to talk to the person attending the last meeting regarding the complaint. The manager of the store and the Police Chief are going to address the problem and resolve the issue.

The meeting was **opened to the public** for questions of the engineer.

Mr. Jim Briscoe came forward and was sworn in by Atty. Dronzek. Mr. Briscoe owns the gas station at 250B Livingston Street. He asked when they tear down Albanese’s building is the elevation of the property going to be the same. Mr. Hubschman said it would be slightly higher. Mr. Briscoe said that when he was before the board, he was told that he could not make that left hand turn. Why is it a question with this application? Atty. Watkins said that the County is going to make that determination and whatever the County tells the applicant to do, they will comply.

Mr. Briscoe asked if a fence will be placed in between the two properties. Mr. Hubschman answered that the applicant is not proposing a fence. Mr. Briscoe said it may be a good idea. Mr. Perretti told Mr. Briscoe that, he too, has a right to put up a fence.

The meeting was now **closed to the public**.

A motion to **approve** the application was made by Mr. Amorosso, seconded by Mrs. Walker.

The meeting was once again **opened to the public**.

Mr. Briscoe came forward and asked who actually owns the property. Equity Associates is the owner of the property. Who is responsible for the pollution? Mr. Amorosso said that goes under the DEP, the State of New Jersey. Mr. Perretti suggested that he go to the Mayor and Council since his question is not a part of this application.

On the question – Mr. Giannotti stated to put in the Resolution pending the approval or disapproval of the turns by the County. Mr. Amorosso amends his motion and Mrs. Walker amends her second.

ROLL CALL: Mr. Amorosso, Mrs. Walker, Mayor Bazela, Mr. Giannotti, Mr. Perretti, Councilman Sokoloski, Mr. Trebino, Mr. Devlin, Mr. Sillery - YES

APPROVAL OF MINUTES OF JANUARY 3, 2013

A motion to **approve** the minutes was made by Mr. Amorosso, seconded by Mr. Trebino.

ROLL CALL: Mr. Amorosso, Mr. Trebino, Mayor Bazela, Mr. Giannotti, Mr. Perretti, Councilman Sokoloski, Mr. Trebino, Mr. Devlin, Mrs. Walker, Mr. Sillery, Mr. Bargna - YES

APPROVAL OF MINUTES OF JANUARY 16, 2013

A motion to **approve** the minutes was made by Mr. Devlin, seconded by Mrs. Walker.

ROLL CALL: Mr. Devlin, Mrs. Walker, Mr. Amorosso, Mayor Bazela, Mr. Giannotti, Mr. Perretti, Councilman Sokoloski, Mr. Trebino, Mr. Sillery, Mr. Bargna – YES

Correspondence was discussed.

General Discussion by board members.

Mr. Perretti suggests that the Mayor and Council address the C2 zone regarding restaurants. His suggestion is that when we look at all our ordinances, we should eliminate the 1,000 foot requirement in the C2. If you want to leave it in the commercial zone which is basically Livingston Street and Paris Avenue because of the parking situation, he can understand it. But C2 is from Pegasus Avenue to the State Line basically and then the shopping centers on the opposite side. There is no need for the variances for the 1,000 feet.

At the Reorganization Meeting of the Mayor and Council, an Ordinance Review Committee was established and the members of this committee include Councilman Roy Sokoloski, Councilwoman Gloria Libby, Mr. Peter Perretti, Mrs. Lisa Walker and Mr. Nick Lepore.

A motion to **adjourn** this meeting at 8:55 p.m. was made by Mr. Trebino, seconded by Mr. Giannotti.

All present were in favor.

Meeting adjourned.

Respectfully submitted,

A handwritten signature in cursive script that reads "Laura Benvenuto".

Laura Benvenuto, Board Secretary