

**BOROUGH OF NORTHVALE  
PLANNING BOARD/BOARD OF ADJUSTMENT  
MARCH 7, 2012**

**MINUTES**

**REGULARY SCHEDULED FORMAL MEETING**

Chairman, Charles Amorosso, 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),  
MR. SILLERY (ALTERNATE #3)

**ALSO PRESENT:** ATTY. JUSTIN SANTAGATA, (IN PLACE OF ATTY.  
MARC LEIBMAN), MR. PAUL NIEHOFF

**ABSENT:** MR. DELAURA, MR. DELISIO, MR. VOLLER,  
MRS. WALKER (ALTERNATE #2), MR. BARGNA  
(ALTERNATE #4)

**APPLICATION OF HMG FUEL LLC, 250B LIVINGSTON STREET,  
BLOCK 303, LOT 14 – SITE PLAN WITH VARIANCES**

Since this is a Board of Adjustment application, the Mayor and Councilman Sokoloski recuses themselves from this hearing.

Atty. Christopher Erd of Williams, Caliri, Miller & Otley, P.C., came forward to represent the applicant. Atty. Erd has offices at 1428 Route 23 in Wayne, New Jersey.

The property owner in the matter is Jim Briscoe of Briscoe's Auto Service, Inc., 250B Livingston Street in Northvale, New Jersey. Mr. Briscoe was sworn in by Atty. Santagata. Mr. Briscoe would like to demolish the existing building on the site to make room for a new building that will contain a 1,312 sq. ft. convenience store and a 950 sq. ft. repair garage. The reason for this proposal is that he would like to increase his business and would like to do the rehabilitation for a safety issue.

Mr. Brian Shortino came forward. Mr. Shortino is employed by Bertin Engineering located at 66 Glen Avenue in Glen Rock, New Jersey 07452. Mr. Shortino was sworn in by Atty. Santagata. Mr. Shortino has an undergraduate degree in landscape architecture from Rutgers University and a Masters Degree in civil engineering from the New Jersey Institute of Technology.

Mr. Shortino is a licensed professional engineer, a licensed professional planner, a certified landscape architect and a registered architect in the State of New Jersey.

**Exhibit A-1** – A landscape plan rendering dated March 7, 2012 was marked into the record.

Presently the property has gas pumps and repair services on site. There is an existing canopy and a repair facility. The applicant would like to do a complete demolition to the site. Proposed is to put in a new canopy with six pump islands, new underground storage tanks and one building which will have a combination of a convenient store towards the front facing Livingston Street and to the rear would be a two bay garage which has access from the rear.

The plan indicates a curved island in the front along Livingston Street and there will be one way access in on the northerly side and one way exit out on the southerly side. The applicant is also including a diesel dispenser at the site. With respect to parking, the applicant has met the parking requirements by the ordinance. They have nine spaces available, three in front of the store, one space would be handicapped accessible and in the rear would be the remaining six spaces. The convenient store would be 1,312 sq. ft. and the repair garage would be 950 sq. ft. The size of the proposed building is less than what exists now.

Mr. Amorosso said that the Police Department objects to any left hand turns going south. Mr. Shortino said that he would like to see the entrance on the southerly side and the exit on the northerly side. This is what he thinks would be desirable. Mr. Shortino will go to the County and discuss the Board's recommendations regarding turns.

The site plan had indicated the site ingress at the northerly portion of the property and the egress at the southerly portion of the property. This was based on the requirements of the County of Bergen. Due to the narrowness of the width of the property, the fuel delivery truck would need to back out of the property onto Livingston Street in order to leave the property.

The Board did not agree with the County's recommendations. Mr. Shortino will go back to the County to discuss another way to exit the property.

Signs were discussed. The applicant proposes three on the building, four on the gasoline dispenser canopy, one on each side of the canopy and one pylon freestanding sign. The applicant proposes three wall mounted signs.

Mr. Sillery brings up the Nascar sign. He recommends that this be removed from the site.

The proposed freestanding pylon sign height above the ground is of concern due to sight distance for the adjacent lot (Lot 15) egress movements. Mr. Niehoff recommends the applicant to consider their egress and assure appropriate sight distance.

Mr. Amorosso stated that the applicant is 54 sq. ft. over. He suggested if you take out the official Nascar, 8 sq. ft., the other Nascar 12 sq. ft., the other Nascar sign on the side, it would eliminate approximately 32 sq. ft.

The proposed drainage on the site will split the site into two drainage patterns. The front half of the site will drain towards Livingston Street while the runoff from the rear half will drain toward the rear grass area. The building and canopy roof runoff will be directed to a seepage/infiltration basin.

Mr. Niehoff said that the applicant is responsible for storm water runoff from the site. If runoff negatively impacts neighboring properties or County Road, it will be the applicant's responsibility to alleviate the problem.

Mr. Sillery asked if an air pump will be available at the site. He asked if there could be a condition that the air is free. The attorney of the Board said that prices cannot be set by the Board.

The meeting was **opened to the public**. Since no one from the public came forward, the meeting was **closed to the public**.

At this time, Mr. Arjani came forward. Mr. Arjani is a licensed architect in New Jersey. He has been working with Bertin Engineering for the past eight years. Mr. Arjani is sworn in by Atty. Santagata.

The proposed building is 2,262 sq. ft., the existing is 3,100, 950 sq. ft. of the 2,262 is the garage in the rear and 1,312 sq. ft. on the front will be the store. Mr. Arjani talks about the design of the convenience store. The height of the building is 23 feet. The building will be stucco and siding.

The meeting was **opened to the public**. Since no one from the public came forward, the meeting was **closed to the public**.

Continued hearings on this application will resume on March 21, 2012.

#### **APPROVAL OF MINUTES – JANUARY 18, 2012**

A motion to **approve** the minutes was made by Mr. Perretti, seconded by Mr. Giannotti.

ROLL CALL: Mr. Perretti, Mr. Giannotti, Mr. Amorosso, Mr. Trebino, Mr. Devlin,  
Mr. Sillery – YES

*Correspondence* was discussed.

A motion to **adjourn** the meeting at 10:07 p.m. was made by Mr. Perretti seconded by Mr. Amorosso.

**Meeting adjourned.**

**Respectfully submitted,**

*Laura Benvenuto*

**Laura Benvenuto, Board Secretary**