

ZONING BOARD OF ADJUSTMENT
VILLAGE OF RIDGEFIELD PARK
Bergen County, NJ

Minutes of Regular Meeting
December 16, 2008

The Acting Chairman, Ms. Perrotta, called the meeting to order at 8:05 p.m. in the Municipal Building.

The Chairman announced that this meeting is being held in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., notice of which was published in the Record on the 21st day of December 2007.

Roll Call: Present: Ms. Perrotta, Messrs. Vorhees, DellaFave, Frontera and

Absent: Messrs. Cathcart, McCormack, Wohlrab and Spontak

A motion was made by Ms. Perrotta, and seconded by Mr. Vorhees, to accept the minutes of the November 18, 2008 meeting as prepared; all in favor.

Correspondence:

Planning Board Minutes – November 3, 2008 Meeting
Building Department Certificate Logs – October 2008
Historic Preservation Commission Minutes – November 20, 2008 Meeting
Notice from Borough of Little Ferry, re: development fee ordinance, and
amendments to
Land Use Code of Little Ferry
Notice from Township of Teaneck Planning Board, re: public hearing on Teaneck's Master Plan
Notice from Borough of Bogota Planning Board, re: amendment to Housing Element of the Master Plan
Letter from Board Attorney, re: Municipal Land Use Law regarding memorialization of a decision and right to obtain construction permits
Memo from Village Attorney, re: wireless facility siting
Letter from attorney for MetroPCS, requesting carrying of the case to the Jan. 20, 2009 mtg.

The Board Attorney, Mr. DeMarrais, spoke to the Board about his letter concerning an applicant's right to seek a permit after the Board votes to approve and application but before memorialization of the decision.

The Acting Chairman announced to all present that Case # 1435, Block 74, Lot 1 – 265 Main Street (MetroPCS), would be carried to the January 20, 2009 meeting at the applicant's request. No further notice would be required.

The Acting Chairman read the Rules of Procedure.

The Acting Chairman announced that there are two (2) resolutions to be memorialized for cases that were heard and decided at the November 18, 2008 meeting.

Case # 1440 Block 63, Lot 6 – 18 Paulison Avenue – Global Eagle, LLC

Mr. Frontera read into the record the resolution to approve the application. A motion was made by Mr. Vorhees and seconded by Mr. Frontera to approve the resolution as prepared; all in favor. A copy of the resolution is attached.

Case # 1441 Block 94/Lot 4 – 143 Main Street – Blumenthal

Mr. Frontera read into the record the resolution to approve the application. A motion was made by Mr. Vorhees and seconded by Mr. Frontera to approve the resolution as prepared; all in favor. A copy of the resolution is attached.

The Chairman announced that there is one (1) case to be heard:

Case # 1431 Block 151.01/Lot 2 – 60 Railroad Ave – Diamond Rock Spring Water

An application requiring a use variance to allow the bottling and sale of water from the premises located at 60 Railroad Avenue, Block 151.01/Lot 2.

The Board was furnished with proof of service, publication and taxes paid.

The applicant, Mario Picinich, was sworn in. He is the sole proprietor of Diamond Rock Spring Water. Mr. Picinich testified that he wishes to bottle water on site using a compact bottling machine, which can process 350 bottles per hour with one operator. There would be no increase in the number of employees, which would remain at 7. Instead of a trailer bringing filled bottles from the spring site in the Catskills, a tanker truck would come and the water would be pumped into the building to bottle on-site. Right now a trailer comes three to four times a week, bringing full bottles and taking back the empty bottles. The advantages are that one tanker can bring water for approximately 1200 bottles, versus one trailer carrying 900 bottles in racks. Filling more bottles with each trip would allow him to stay competitive in pricing by keeping costs down.

Regarding parking, the applicant testified that currently he has distributors coming for pickups and the general public comes as well. The proposed change would not affect the availability of parking on his site. His two beverage trucks fill up at the beginning of the day and deliver to customers, returning at the end of the day. So they would be out on the road when the tanker truck would come to deliver the water. The tanker truck would come and go on the same schedule as the current schedule for the trailer delivering the filled bottles.

The applicant testified that the tanker truck would not make noise when delivering water to the building. There would be no annoying pump or machinery sound. They would need to connect to the sewer line inside the building to carry off the wastewater from washing and rinsing the bottles before refilling. The applicant projects 100 to 200 gallons of wastewater produced per day.

The case was opened to the public. No one appeared.

The case was set down for work session.

The Board went into work session and returned to regular session with the following decision:

Case # 1431 – Diamond Rock Spring Water

Mr. DellaFave, seconded by Mr. Vorhees, made a motion to approve the application.

Roll Call:	Ms. Perrotta – Yes	Mr. Vorhees – Yes
	Mr. DellaFave – Yes	Mr. Frontera – Yes
	Mr. Miele - Yes	

The Board attorney will prepare a resolution to be memorialized at the January 20, 2009 meeting.

The meeting was adjourned at 8:35 pm.

Respectfully submitted,

Linda Quinn
Secretary
Tape 511