

**Township of South Hackensack**  
**BOARD OF ADJUSTMENT**  
**September 26, 2011**  
**MINUTES**

At 7:40 p.m. the meeting was Called to Order. Pursuant to the Open Public Meetings Act, adequate notice of this meeting was advertised in The Record and the Herald News and by posting a copy of the meeting notice on the bulletin board in the clerk's office where notices are customarily posted.

The Secretary called the roll.

**Member Present**

Lou LoPiccolo  
Louis Perdomo  
John Falato  
Brian Veprek  
Greg Padovano, Township Attorney  
Elliot Sachs, Boswell Engineering  
Ray DeRiso, Zoning Officer

**Members Absent**

Joseph D'Amico	James Diraimondo
Bill Regan	Victor Santos
Angelo Marrella	

**MINUTES:**

Veprek **motioned**; Perdomo **seconded** to approve the **Minutes** of the August 26, 2011 meetings. All in favor.

**CORRESPONDENCE:**

Veprek **motioned**; LoPiccolo **seconded** to accept the Correspondence listed and place them in the appropriate files. All in favor.

**OLD BUSINESS**

**BOA2011-09 – Memorialize Resolution**

**North Jersey Media**

89 Leuning Street

Block: 54 Lot: 1.1

“D” Variance – Use – News Paper Distribution Center

Veprek **Motioned**; LoPiccolo **seconded** to accept the Resolution to the applicant.

**Vote: Yes:** Veprek, Falato, LoPiccolo

**Not Qualified to Vote:** Regan, Diraimondo, Perdomo, Santos

**Absent:** D'Amico, Marrella

September 26, 2011

Padovano stated that only four members are present at the meeting tonight and one member would have to step down for one of the applications. Five members are required for variance requests. Therefore, both applications, BOA2011-10, 9 Romanelli Realty and BOA2011-11, 21 Leuning Street will be carried to next month's Board of Adjustment's Meeting on October, 24, 2011, 7:30 PM. No further notice will be required.

**BOA2011-10**

**9 Romanelli Realty, LLC**  
3 Romanelli Avenue  
Block: 58 Lot 23  
"D" Variance – Use for Wingmen Garage

Veprek **Motioned**; Falato **seconded** to carry to the next Board of Adjustment's Meeting on October 24, 2011 at 7:30 PM. No further notice will be required.

**Vote: Yes:** Veprek, Falato, LoPiccolo, Perdomo,  
**Absent:** D'Amico, Diraimondo, Regan, Santos, Marrella

**NEW BUSINESS**

**BOA2011-11**

**Malandruccolo**  
21 Leuning Street  
Block: 44 Lot: 18  
"D" Use Variance

Veprek **Motioned**; Falato **seconded** to carry to the next Board of Adjustment's Meeting on October 24, 2011 at 7:30 PM. No further notice will be required.

**Vote: Yes:** Veprek, Falato, LoPiccolo, Perdomo,  
**Absent:** D'Amico, Diraimondo, Regan, Santos, Marrella

**Public Comments**

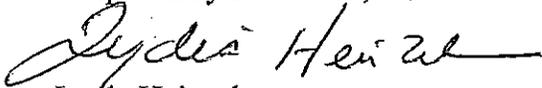
There were no public comments.

**Board Discussion**

There was no board discussion.

At 7:48 p.m. the meeting was **adjourned**. Veprek **motioned** to adjourn the meeting; **second** by Perdomo. **All in favor.**

Respectfully Submitted,



Lydia Heinzelman  
Planning/Zoning Board Secretary

September 26, 2011

**RESOLUTION**

**TOWNSHIP OF SOUTH HACKENSACK  
ZONING BOARD OF ADJUSTMENT**

**APPLICATION OF NORTH JERSEY MEDIA GROUP, INC.**

**APPLICATION NO. 2011-09**

WHEREAS, North Jersey Media Group, Inc., 1 Garrett Mountain Plaza, Woodland Park, New Jersey (hereinafter the "Applicant"), applied to the Zoning Board of Adjustment of the Township of South Hackensack (the "Board") for a conditional use variance approval pursuant to N.J.S.A. 40:55D-70(d) and waiver of site plan to permit use of a portion of an existing building for distribution of newspapers and promotional materials, as further described by the Applicant; and

WHEREAS, the property subject of the application is designated on the Tax Map of the Township of South Hackensack as Block 54, Lot 1.01 and is more commonly known as 89 Leuning Street, South Hackensack, New Jersey (the "Property"); and

WHEREAS, the Property is comprised of approximately 234,807 s.f. and is improved with a multi-tenanted existing building utilized for warehouse/industrial uses; and

WHEREAS, the Property is located within the C-Industrial Zone; and

WHEREAS, the Applicant proposes to rent a portion of a tenancy within the existing building on the Property identified as "Unit D" for use in distributing daily copies of The Record newspapers and associated materials; and

WHEREAS, the Board previously granted approval to 30 Wesley Street, LLC under Application No. 2011-01 (the "Prior Approval"). Under the Prior Approval, 30 Wesley Street, LLC was granted approval to permit the current Applicant's use of a tenancy located at 30 Wesley Street, South Hackensack, New Jersey for use as a newspaper distribution center, in the manner as proposed under the current application; and

WHEREAS, the Applicant proposes to relocate the distribution center use from 30 Wesley Street, South Hackensack to the subject Property; and

WHEREAS, after due notice and publication, the matter was called for a public hearing on July 25, 2011 at which time the matter was adjourned without testimony until the August 22, 2011 public meeting of the Board during which time the Applicant was represented by Winne, Banta, Hetherington, Basralian & Kahn, P.C. (Joseph Basralian, Esq. appearing); and

WHEREAS, Joseph Burgis, PP, AICP of Burgis Associates, 25 Westwood Avenue, Westwood, New Jersey, testified as an expert planner on behalf of the Applicant; and

WHEREAS, Mr. Ray DeRiso, Zoning Officer for the Township of South Hackensack, testified regarding the matter during the public hearing;

WHEREAS, the Board made a physical inspection of the Property at such times as the Board members have indicated; and

WHEREAS, the Board has carefully considered the exhibits introduced into evidence, the testimony of the witnesses and review report/letter from the Boswell McClave Engineering, the Board's professional consultant; and

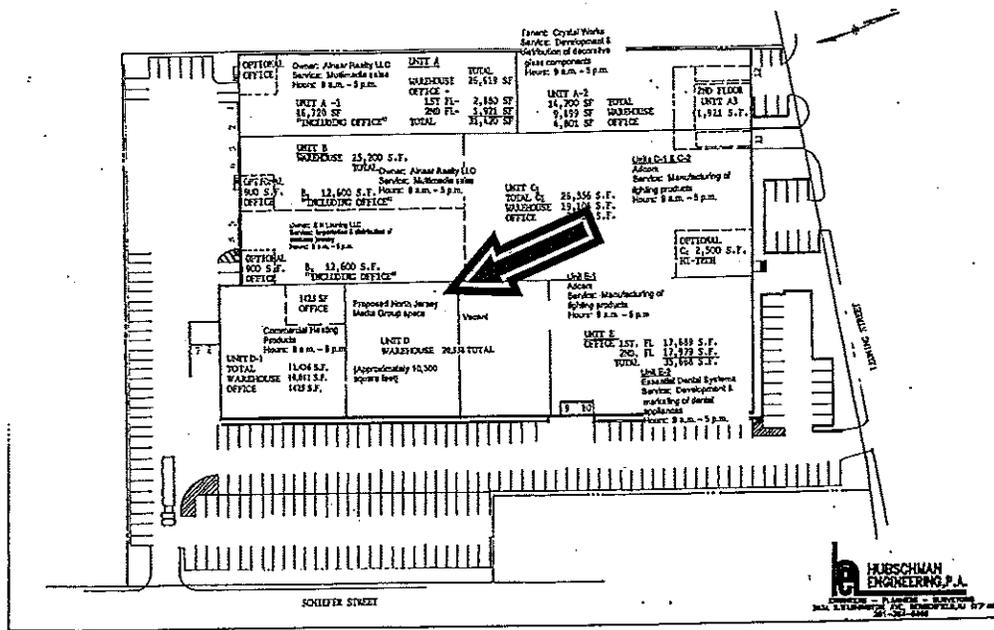
WHEREAS, the South Hackensack Zoning Board of Adjustment hereby makes the following findings of fact with regard to the application.

A. Mr. Gerhard Bacharach is the owner of Property commonly known as 89 Leuning Street, South Hackensack, New Jersey which Property is located along Leuning Street and Schriever Street and is also identified as Block 54, Lot 1.01 on the Tax Map of the Township of South Hackensack. The Property is located entirely within the C-Industrial Use Zone.

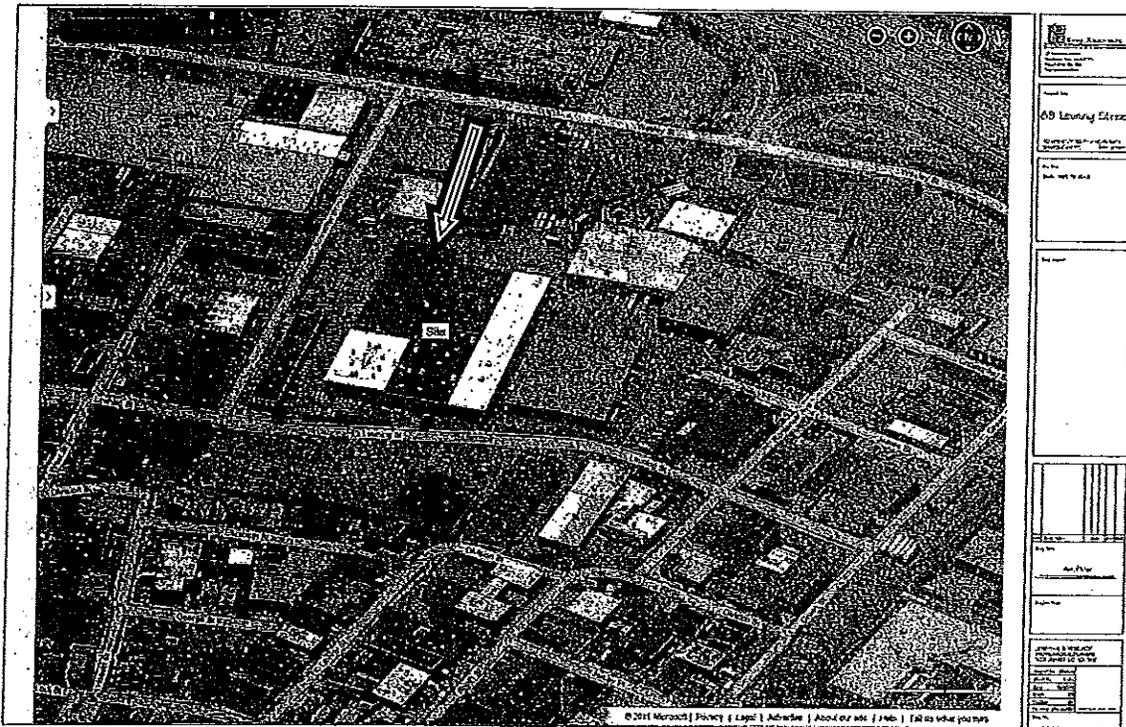
B. The Property is comprised of approximately 234,807 square feet and is currently improved with on-grade parking and a multi-tenanted two story building which is comprised of approximately 207,078 square feet of tenancy space, portions of which are currently occupied and utilized for warehousing/industrial and accessory office uses.

C. The Applicant specifically proposed to occupy a portion of the existing tenancy within the building located on the Property comprised of approximately 10,331 s.f. located in the easterly portion of the existing structure (which area is designated as a portion of "Unit D"), as testified by the witness.

D. The subject portion of the existing building to be occupied by the Applicant under this application is further identified on the following portion of the floor plan submitted to the Board as Exhibit "A-2" during the public hearing:



E. The subject Property is further identified on the following portion of aerial photos submitted as Exhibit "A-3" during the public hearing:



F. Section 208-7 of the South Hackensack Zoning Ordinance provides, in pertinent part, for the permitted, conditionally permitted and prohibited uses in the C-Industrial Zone as follows:

§ 208-7. C District - Industrial Zone.

**A. Permitted uses.** No building or premises shall be used and no building or part of a building shall be erected, constructed or altered which shall be arranged, intended or designed to be used for any purpose other than the following uses:

- (1) Manufacturing by the assembly of component parts only.
- (2) (Reserved)

(3) Machine shops.

(4) Warehouses and miniwarehouses.

(5) Private security vaults.

(6) Wholesale or retail sales.

(a) Wholesale or retail sale of the following:

[1] Automotive tires, batteries, mufflers, upholstery, radiators and other accessories.

[2] Household furniture, furnishings, rugs and carpeting, fixtures and appliances.

[3] Computers and communication equipment and parts therefore.

[4] Tools and machinery.

[5] Art and art frames.

[6] Restaurant supplies and equipment.

[7] Parts for any of the foregoing.

(b) Shops for the repair of items the sale of which is permitted under Subsection A(6) hereof.

(7) Car wash establishments.

(8) Open storage of goods and materials normally used in connection with one of the aforesaid permitted uses as an accessory thereto but nevertheless to a height not to exceed eight feet and effectively screened from view of streets and abutting properties by a fence, wall or hedge at least eight feet in height.

(9) Motor vehicle body repair and paint shops in full compliance with all state and municipal regulations otherwise governing the operation of the same so long as all of the work upon the vehicles being repaired and/or painted is undertaken within otherwise permitted permanent enclosed structures and, further, so long as any point of the perimeter of the subject premises is no less than 500 feet from any point in the perimeter of any premises lawfully used or zoned for residential purposes.

(10) Public utilities within public rights-of-way or within other easements granted therefore together with the necessary connections thereto, pursuant to and to the extent permitted by grants or franchises of the Township.

(11) Digital data communication radio units no larger than two cubic feet in size excluding the electric line and any attached antenna, each of which having an antenna no longer than three feet, installed upon any existing utility pole at a point thereon no closer than 20 feet to the ground and which such radio unit shall be no closer to any other radio unit in this zoning district than 1,000 feet to any other such radio unit.

(12) Life sciences industry as more particularly described and defined in this chapter, with the exception that any medical and biological research involving live viruses and animals is expressly prohibited.

(13) Professional, business and governmental offices.

(14) Banks, savings and loans, mortgage offices, brokerage house or other investment-related offices.

(15) Retail sales of goods and services, except as prohibited herein.

(16) Offices for commercial, financial or executive purposes.

(17) Baking and preparation of food not to be consumed on premises.

(18) Laboratories and related offices engaged in research or product testing.

(19) Printing and publishing.

\* \* \*

**C. Conditional uses.** Conditionally permitted uses shall be as follows:

(1) Office buildings, subject to the area and bulk requirements of the B District.

(2) Supermarkets, subject to the following requirements:

\* \* \*

(3) Sexually oriented adult entertainment as the same is defined in § 208-1 of this chapter conducted as either a principal use or as an accessory to any go-go lounge, cabaret or nightclub, notwithstanding the prohibitions contained in

§ 208-7D(12), (13) and (14); such uses shall be conditioned upon the approval of the Planning Board after a determination that such uses comply with all the applicable less restrictive requirements of this chapter otherwise applicable to the premises and shall further comply with the following conditions:

\* \* \*

(4) Package handling and distribution facilities, subject to the following requirements:

(a) Bulk requirements:

- [1] Minimum lot area: 10 acres.
- [2] Minimum lot width: 200 feet.
- [3] Minimum lot depth: 200 feet.
- [4] Minimum side yard: 100 feet.
- [5] Minimum front yard: 50 feet.
- [6] Minimum rear yard: 20 feet.
- [7] Maximum building coverage: 50%.
- [8] Maximum building height: one story, 25 feet.
- [9] Minimum landscaped area: 10%.
- [10] Minimum landscaped buffer to residential zone or use: 35 feet.
- [11] Maximum height of lighting fixture in parking areas or drive aisles: 20 feet.

(b) Parking requirements:

- [1] Minimum number of spaces:
  - [a] Office area: one space per 200 square feet.
  - [b] Package handling amid distribution area: one space per 1,000 square feet.

[2] Parking dimensions:

- (a) Automobiles: nine feet by 19 feet.
- (b) Other vehicles: as determined by the Planning Board.
- (c) Buffer:

[1] Each facility shall have a landscaped buffer to any residentially zoned properties and residential uses with a minimum dimension of 35 feet to the property line.

[2] The buffer shall include a complete visual screen not less than 10 feet in height between parking areas or access aisles and any adjacent residential use or zone. The complete visual buffer may be provided by a fence or wall which complies with the requirements of this section. Such

buffer area shall be free and clear of all structures, including accessory structures.

[3] The buffer area shall include evergreen and deciduous trees and plants. The minimum number of each type of plant material shall be calculated by dividing the buffer area into planting modules 20 feet wide by 35 feet long. Each module shall contain at least three canopy trees (such as oak, maple, birch or ash), three understory or lower trees (such as dogwood, witch hazel, magnolia, cedar, hemlock, holly, pine or spruce) and 10 shrubs (such as rhododendron, barberry, nonflowering dogwood, forsythia or viburnum). Canopy trees shall be a minimum caliper at planting of two inches and understory or lower trees a minimum height of six feet in height. Trees and plants which cannot be located within a given module shall be planted in adjacent modules or elsewhere on the site.

[4] Lighting. Any exterior facility lighting shall not exceed the height of any sound walls or buffers as required herein. All lighting shall be by separate plan to be reviewed and accepted by the Township's Engineers to ensure safety and also to ensure that light does not radiate beyond the boundaries of the site.

(d) Operations:

[1] Applicant shall demonstrate its intended manner and method of compliance with the provisions of N.J.A.C. 7:29 or, as amended or substituted, the New Jersey noise codes and shall agree to continuing compliance with such standards. All operations of any type shall be fully screened from adjacent residential use or zones with adequate noise-abatement construction to ensure compliance. If noise walls or sound barriers shall be required they shall be a minimum height of 20 feet and constructed of material which is demonstrated to be acceptable and adequate to prevent noise in excess of the standards established by N.J.A.C. 7:29 from reaching adjoining residential uses or zones. Such noise walls are to be located at least 35 feet from the property line. In the event such wall exceeds 35 feet in height, it shall be set back an additional foot for each foot of height in excess of 35 feet.

**D. Prohibited uses.** Any uses other than those uses permitted by Subsections A through C of this section shall be prohibited without in any way limiting the generality and prohibition of this section. Nothing contained in this article shall be construed to permit any of the following uses in a C District:

(1) Multifamily.

(2) The manufacture of or the manufacture of articles from plastics having a flammable or toxic base or the manufacture, processing, handling, use or storage of hazardous substances.

\* \* \*

(3) Junkyards, automobile graveyards or dismantling plants or the storage of secondhand materials derived therefrom.

(4) The boiling or treatment of junk, iron, rags, bottles or scrap paper, or storage in connection therewith, stamping machinery, rendering and tanning.

(5) Entertainment or amusement establishments.

(6) Building material storage yard, including materials such as sand, plaster, brick, cement, lumber, roofing materials, boilers, tanks, radiators, pipes and fittings.

(7) Dog pounds or kennels.

(8) Outdoor theaters.

(9) Open storage of materials

(10) Manufacture of soaps and processing or roasting of coffee.

(11) Automotive uses, including new and used car or truck sales and driving schools.

(12) Go-go lounge which is an establishment or premises wherein a scantily-clad person or persons are permitted to dance or otherwise move and perform in a suggestive manner.

(13) Any "cabaret" or "nightclub" which, for the purposes hereof, is defined as a commercial establishment open to the public providing food and/or drink which also provides entertainment in the form of dancing by live performers other than the patrons thereof.

(14) Any sexually oriented adult entertainment as the same is defined in § 208-1 of this chapter as a principal use or as an accessory to any permitted use that is open to the public.

(15) Massage parlors.

(16) Used or new car dealerships.

(17) Gasoline service stations.

(18) Poolrooms, billiard rooms or parlors.

**B. Permitted accessory uses shall be as follows:**

(1) Offices as an accessory use, occupying not more than 20% of the total gross floor area of a permitted use.

(2) Cafeteria as an accessory use to a permitted use in the Industrial District, located on the same lot as the principal use, provided that its purpose is to serve food and drink to the employees of the principal use to which it is accessory.

(3) Garages to house delivery trucks or other commercial vehicles only when accessory to a permitted industrial use, warehousing, wholesaling or laboratory use.

**G. The term "package handling and distribution facility" is defined under**

**Section 208-1 of the Zoning Ordinance as:**

A commercial facility primarily and exclusively engaged in the receipt and redistribution of goods, products, cargo and materials by truck or trucks in original containers or packages, including overnight courier services. Overnight storage shall be only incidental and not a primary function of the commercial operation.

H. The evidence and testimony presented to the Board reveals that the application as presented, does not comply to the conditional use requirements under the Township Ordinance and does not specifically comply with the definition of the term "package handling and distribution facility". Accordingly, a variance approval pursuant to N.J.S.A. 50:55 D-70(d) is required.

I. The Applicant specifically proposed to occupy a portion of "Unit D" of the building for its use in a limited warehousing and distribution of daily newspapers and related materials in connection with the publication of The Record and other publications of the Applicant, as testified by the witness. The witness testified that no printing or manufacturing of product would be conducted by the Applicant on the Property under this application.

J. The witness testified that the proposed use of the subject portion of the existing building would entail receipt of daily newspapers and associated materials by box truck delivery. The witness specifically testified that tractor trailer type vehicles would not be utilized in connection with the proposed use under this application.

K. The witness testified that newspaper materials would be warehoused for a limited time period on the Property until said material is picked up by private couriers for distribution throughout the region. The witness also testified that there would be limited storage of materials on the Property to be distributed as part of a weekend newspaper which would be initially delivered to the Property during weekdays and would be maintained on site until delivery during Saturday and Sunday. The witness further testified that the material would be either packaged into individual newspapers for delivery on the Property or taken off site by the couriers for later packaging and distribution.

L. The witness testified that couriers will pick up papers from the Property between the hours of approximately 3:00 a.m. to 5:00 a.m. and that the couriers would be on site for limited amount of time, approximately 10 to 15 minutes per courier. The witness further testified that approximately 100 couriers would be accessing the site on a daily basis in connection with the proposed use.

M. The Applicant was a tenant under a prior application adjudicated by the Board. The Board previously granted approval to 30 Wesley Street, LLC under Application No. 2011-01 (the "Prior Approval"). Under the Prior Approval, 30 Wesley Street, LLC was granted use variance approval to permit the current Applicant's use of a tenancy located at 30 Wesley Street, South Hackensack, New Jersey for use as a distribution center in the same manner as proposed under the current application.

N. The witness testified that approximately 7 to 8 employees would be utilizing the tenancy on a daily basis spread out through various full time and part time shifts, as further described during the hearing, with most employees on site during the time period when the product is distributed to couriers.

O. The Applicant, as part of this application, sought waiver from any request of formal preliminary and final site plan in connection with the application since no exterior alterations of the existing building or Property were proposed.

P. The Applicant's expert witness testified that the existing structure on the Property does not comply with several bulk requirements under the current Zoning Ordinance including the front yard setback, and side yard setbacks, maximum building coverage, minimum landscaped area and total lot area. However, the Applicant's expert witness testified that given the existing conditions of the site, the proposed use would not have any detrimental impact to the

surrounding area which is comprised mostly of industrial uses since the Applicant is not proposing any exterior additions or changes to the existing building or Property.

Q. The witness testified that there are approximately 250 parking spaces located along the existing building on the Property which will be available for use in connection with this application. The witness also testified that the existing parking available on site will more than adequately serve the proposed tenant and use under this application since no other tenant utilizes the Property at the time the Applicant's couriers will access the Property. The witness also testified that the couriers normally do not remain on site longer than 10-15 minutes and usually utilize non-commercial automobiles. The witness concluded that the 250 on-site parking spaces will provide adequate parking for the proposed use.

R. The expert witness further testified that given the fact that the Property contains frontage along 2 roadways and is close to Route 80, the proposed distribution use is appropriate and surrounding roadway service is more than adequate for the anticipated traffic associated with the proposed use.

S. The subject tenancy's existing loading dock is located along Schreiffer Street. The witness testified that all delivery of newspapers and materials to the subject tenancy would be required along Schreiffer Street. The witness also testified that all couriers accessing and leaving the site for pick up of materials will be directed to utilize Schreiffer Street to the extent practicable.

T. Mr. Roscoe Meeks, 53 Leuning Street, appeared and expressed concern about the onset of vehicular traffic resulting from the proposed use. 53 Leuning Street is utilized as a non-conforming residential parcel within the C industrial zone near the subject Property. No other members of the public appeared or testified regarding this application.

U. In consideration of the application pursuant to N.J.S.A. 40:55 D-70(d) , the Board incorporates all testimony, findings, exhibits, reports and other documents submitted and/or referenced in this Resolution.

V. The Applicant has satisfied the burden of proof with respect to both positive criteria and negative criteria with regard to the proposed distribution and warehouse use, as testified by the witness. The Applicant has shown special reasons to satisfy its burden of proof for the use variance sought and has satisfied the enhanced burden of proof necessary to grant an approval of the application as proposed.

W. The Application for all variances for existing site conditions and parking condition associated with the subject and use variance is not detrimental to the public, surrounding neighborhood, existing traffic conditions or characteristics of the surrounding area. The proposed use as approved herein, is not detrimental to the C-Zone and is substantially consistent, although not specifically permitted, with the uses enumerated under Section 208-7 of the Township Zoning Ordinance.

X. The benefits of the proposed use variance and any associated variance as may be required for existing parking and bulk conditions to permit distribution and warehousing of newspapers and associated materials, as described by the witnesses, outweigh any detrimental effect.

Y. The application, as proposed, is not detrimental to the public and will not have a detrimental effect on the surrounding neighborhood, existing traffic conditions or characteristics of the surrounding area which is industrial in nature. The proposed use is consistent with other uses existing on the Property and adjacent parcels. The use compliments the existing uses on the Property since it will be most active during times when other existing tenants or existing building are not operating.

Z. The goals and recommendations of the Master Plan will be advanced by promoting the health and general welfare of the Township citizens and citizens of the surrounding area since the proposed use is substantially consistent with the permitted uses in the C-Zone. The granting of the use variance and any associated parking/bulk variances and required waiver of formal preliminary and final site plan requirement will not result in a substantial detriment to the public.

NOW THEREFORE, BE IT RESOLVED the Application of North Jersey Media Group, Inc., Use Variance Approval and waiver of preliminary and final site plan approval be and the same is hereby approved as follows:

1. **Location, Use and Type:** The Applicant shall be permitted to utilize a portion of the existing building designated by the Applicant as "Unit D", which section is divided in the subtenancies, the subject portion of which is comprised of 10,331 s.f. in connection with its distribution and limited warehouse use as proposed and as testified by the witness herein.

The Applicant shall be permitted to utilize the subject portion of the building on the Property in accordance with the proposed hours of operation and number of employees referenced herein and as further testified by the witness during the public hearing.

The Applicant shall limit truck and commercial vehicle access to the subject portion of the building on the Property from Schrieffer Street as further referenced herein. The Applicant shall also recommend that all other employees / couriers accessing and exiting the Property utilize Schrieffer Street only so to limit traffic along Leuning Street.

All parking associated with the proposed use shall be restricted to on-site parking spaces.

The Applicant is granted waiver of all site plan approval as may be required in connection with this application since no changes to the exterior of the existing building, loading dock, parking area or Property is sought under this application. Accordingly, the Applicant is not permitted under this application to expand the footprint of the existing building or parking area located on the Property otherwise alter the exterior structure of the existing building subject of this application without further approval of this Board or a Board of similar jurisdiction.

2. **Compliance with the report of Board Engineer:** The Applicant shall comply with the testimony of review report(s) issued by Boswell McClave Engineering including, but not limited to, its review report dated July 21, 2011, to the extent not addressed or amended during the public hearing.

3. **County of Bergen / New Jersey Department of Transportation:** The approval herein is subject to and specifically conditioned upon the approval of the County of Bergen Department of Planning and Economic Development and/or the New Jersey Department of Transportation, to the extent deemed to be applicable by said agencies.

4. **Legal and Engineering Fees:** The Applicant shall be responsible for all legal and engineering fees of the Zoning Board of Adjustment associated with this application.

5. **Other Fees:** All additional fees, if any, required by the Township Ordinances shall be paid.

6. **Reliance by Board on Testimony and Application:** Approval granted herein specifically granted based upon the testimony of the Applicant, witnesses, the exhibits, the application, and any amendments to same, submitted to the Zoning Board of Adjustment, as amended, all of which have been relied upon by the Board herein.

7. **Compliance with Laws:** The Applicant shall comply with all Township Ordinances, and any and all State and Federal laws and applicable regulations.

8. **Non-Severability of Conditions:** The relief granted to the Applicant is specifically made subject to the conditions referred to herein. In the event any condition is held to be invalid, unenforceable, or unlawful, the approval granted herein shall be unenforceable. It is the intent of the Board that Use Variance approval not be approved if any condition is invalid, and that the conditions are not severable from any variance(s) or relief granted herein.

9. **Publication of Resolution:** The Applicant shall publish notice of the Board's decision in an official newspaper of the municipality or in a newspaper of general circulation in the municipality at the Applicant's own expense pursuant to *N.J.S.A. 40:55D-10(I)*.

10. **Appeal Period:** The Applicant has been advised that there is an appeal period for the relief granted herein for a period of forty-five (45) days from the date of publication of notice of the relief granted pursuant to this Resolution in a newspaper of general circulation approved by the Zoning Board of Adjustment. Accordingly, any work or construction done prior to the expiration of the appeal period is accomplished at the sole risk of the Applicant.

Said motion was adopted by the following vote at the meeting prior to adoption of the memorializing Resolution:

Moved by: Brian Veprek  
 Seconded by: Michangelo Marrella

	<u>For</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Qualified To Vote</u>
Brian Veprek, Chairperson	X				
Bill Regan, Vice Chairperson				X	
James Diramondo				X	
John Falato	X				
Joseph D'Amico	X				
Lou LoPiccolo	X				
Luis Perdomo				X	
Victor Santos, Alt. #1				X	
Michangelo Marrella, Alt. #2	X				

Dated: August 22, 2011

Said Resolution was memorialized at the meeting after the motion was adopted (as set forth above), by the following vote:

Moved by: Veprek  
 Seconded by: Lopiccolo

For   Against   Abstain   Absent   Not Qualified To Vote

Brian Veprek, Chairperson	X				
Bill Regan, Vice Chairperson					X
James Diramondo					X
John Falato	X				
Joseph D'Amico				A	
Lou LoPiccolo	X				
Luis Perdomo					X
Victor Santos, Alt. #1					X
Michangelo Marrella, Alt. #2				A	

Dated: September 26, 2011

SOUTH HACKENSACK ZONING BOARD

By: Brian Veprek  
 Brian Veprek, Chairperson

CERTIFIED TO BE A TRUE COPY

By: Lydia Heinzelman  
 Lydia Heinzelman  
 Secretary to the Zoning Board of Adjustment

the newspapers of **New Jersey** make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web ([www.PublicNoticeAds.com](http://www.PublicNoticeAds.com)), not scattered among thousands of government web pages.

**County:** Bergen  
**Printed In:** The Record, Hackensack  
**Printed On:** 2011/10/08

ZONING BOARD TOWNSHIP OF SOUTH HACKENSACK PUBLIC NOTICE NOTICE is hereby given that the Zoning Board of the Township of South Hackensack, by resolution duly adopted on September 26, 2011 for the reasons set forth in its resolution of that date, conditionally granted approval to the application of North Jersey Media, as to premises designated as Block 54, Lot: 1.01 and more commonly known as 89 Leuning Street, Init "D" to permit distribution of newspapers and promotional materials. Said approval was made expressly conditioned upon the satisfaction of all of the terms and conditions contained in that resolution. A copy of that resolution is on file in the office of the Township Clerk, 227 Phillips Avenue, South Hackensack, New Jersey, and is available for inspection by members of the public during the regular business hours of that office. Lydia Heinzelman, Secretary South Hackensack Zoning Board Oct 8, 2011-fee:\$24.57 (26) 3168459

**Public Notice ID:**