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**MINUTES OF THE PLANNING BOARD OF THE BOROUGH OF RIVER EDGE
DECEMBER 18, 2014**

ROLL CALL: Eileen Boland, Lou Grasso, Vito Acquafredda, Kevin Duerr, James Arakelian, David Glass, Jeff Gerwitz, Robert Costa and Brigette Bogart Arthur Neiss, Esq.

Absent: Mayor Moscaritolo, Tom Behrens, Tom Kyritz, John Monroe

Chairman Duerr called the meeting to order at 8:00 p.m.

Salute to Flag

Sunshine Law (Open Public Meetings Act)

Adequate notice of this meeting has been provided by sending notices on December 20, 2013 to the Record and the Ridgewood News. By positioning on the Bulletin Board in the lobby of the Borough Hall and filing a notice of the same with the Municipal Clerk.

APPROVAL OF THE MINUTES 11-20-14

Motion made by Mr. Acquafredda, seconded by Mr. Duerr.

ROLL CALL

Mr. Acquafredda, Mr. Duerr, Mr. Grasso Mr. Boland – vote yes.

Abstain: Mr. Arakelian

Motion passes, minutes are accepted.

OPEN TO THE PUBLIC – Kevin Duerr makes the motion, seconded by Vito Acquafredda – All in favor say Aye – ALL SAY AYE.

FREEHOLDER in charge of Volunteers – we have two people on this board who are ending their term as Planning Board members. We would like to celebrate Councilman Acquafredda, Kevin Duerr, Jeffrey Gewirtz and Tom Kyritz we are giving them a certificate and thanking them for serving.

Arthur Neiss – I want to thank these people leaving the Planning Board and tell you, you have done a terrific job. It was a pleasure sitting to the left of Kevin and say you have done a great job.

WORK SESSION

2014-07 Francesca’s Fine Foods, LLC, 1051 Main Street, Block 1404/Lots 3.01.5 and 1.04 Completeness review for proposed food market/dining at New Bridge Landing, Building 2.

Arthur Neiss – What we are going to do is determine whether or not the application may be deemed complete.

(Jeff Gewirtz arrived 8:17PM)

Our professional has reviewed the application and the issue right now is if you believe the application is deemed complete.

ROLL CALL VOTE

I will make a motion to deem this application complete – Vito Acquafredda, seconded by James Arakelian.

All in favor say Aye - All say Aye.

ROLL CALL VOTE

Kevin Duerr – A motion to close the work session – James Arakelian makes a motion to close out the work session, seconded by Vito Acquafredda.

All in favor say Aye – All say Aye.

ROLL CALL

Arthur Neiss – we need a motion to go into Public Session – Vito Acquafredda so moved, seconded by James Arakelian.

All in favor say Aye – All say Aye.

OPEN TO PUBLIC SESSION

Present: Vito Acquafredda, James Arakelian, Kevin Duerr, Mr. Glass, Mr. Grasso, Ms. Boland, Mr. Jeff Gewirtz,

Absent: Mayor Moscaritolo, Tom Behrens, Mr. Monroe, and Mr. Kyritz.

Arthur Neiss – The Planning Board secretary pre-marked several exhibits and I would like to read those into the record.

A1 – Is the application for development

A2 - Is the affidavit of service of mailing.

A3 – Affidavit of publication.

A4 - Is the proof of payment of taxes.

A5 – Is the site plan of McGowan Engineering

A6 - Is the exhibit of the demised premises

A7 – Is a 4 sheet plans prepared by Architect

A8 – 3 Sheet site plan prepared by DCI signs and awnings

A9 – Memorandum of the board's planner Ms. Bogart.

Mr. Thomas Barrett, Esq. on behalf of the applicant. This is for one of the proposed stores at the town center. It is going to be a gourmet store.

Direct questioning by Thomas Barrett – Discuss with the board how you anticipate your business of operation?

Keith Aliouts, Francesca Fine Foods LLC – The proposed space is approximately 5841 square feet. I am developing a gourmet food market or specialty store. The front is approximately 3000 (+ -) feet which are the retail portion will have private label products that we produce on our own, as well as a lot of prepared foods done at a very high level. Everything in the store food, specialty items, hard to get items prepared foods is a big portion of what we will do. Hire a chef from one of the finest restaurants in the state, hire a manager from Houston. We have a seating area which they can dine in, but no waiters or waitress service.

Mr. Barrett – What is you anticipation in the seating area?

Mr. Aliouts – When you walk in the front entrance to the right you will have seating, to the left you will have cashier area. When you walk passed those 2 areas you will come to a large 25 foot display of prepared foods that will be out seven days a week. To the left of that you will have a cheese and olive area as well as a salad bar area, which we will have someone preparing the salads. Make your way to the opposite end of that we are going to have a gourmet sandwich area and then there are display cases which will have specialty items.

Mr. Barrett – What do you anticipate the hours will be?

Mr. Aliouts – Approximately 10AM – 8PM. Less on Sundays.

Mr. Neiss – (addresses Mr. Barrett) You are going to amend the application to include a request for a food handlers license?

Mr. Barrett – Yes.

Arthur Neiss – This really revolves around the variance for the signage and the food handlers license issued, which is tied up in the site plan.

James Arakelian – The site plan has already been approved, we are not changing any parking tonight or traffic flow. The only thing that we are addressing is food license and signage.

Mr. Aliouts – The carts will not enter the parking lot. The carts will remain in the store.

Member – According to the 2007 resolution there is 10,200 square foot of maximum space stipulated for restaurant use, it was amended to 12,956 square foot. This shows an additional number of square feet, which I didn't see anywhere in reference to the allotted spaces. Now with the papers you provided to us it says they are using a total of 10,175 square feet.

Mr. Barrett – For dining 320 square feet up to 500 square feet not to exceed a total 10,200 square feet in total.

OPEN TO THE PUBLIC

Kevin Duerr – I would like to open this portion to the public. James Arakelian makes a motion to open to the public, seconded by Vito Acquafredda.

All in favor say Aye – All say Aye.

No one stood up

CLOSE THIS PORTION TO THE PUBLIC

James Arakelian makes a motion to open to the public, seconded by Vito Acquafredda.

All in favor say Aye – All say Aye.

Martin Santini – Consulting Architect and Planner. I have an exhibit I will mark it A-11. This indicates where Francescas will be located. Basically, as relates to the sign there are a couple of things I would like to point out, the sign is composed of 2 separate rectangles. The first rectangle is (?) by 18 feet 4 inches. The total square footage of 58 square feet, which will contain the word Francescas. The other rectangle of 11 inches by 11 feet 3 ½ inches, which totals 10.4 square. The total sign application tonight will be for a 68.4 square feet. The drawings that were provided by DCI Signs. What we are doing here tonight is to get this sign approved. Previously, the resolution approved the signs that were going to be typical for this New Bridge Landing at 2 feet high by 20 feet long for a total 40 square feet each. That would be a typical 25 or 28 foot sign for a store that would have that particular type of sign.

What we are proposing is to have a sign that is 68.4 square feet, which is obviously larger than the 2 by 20. However, since we have two stores the 68.4 square feet would be less than the 80 square feet that the resolution would provide for.

Your Planning Board offered a couple of good points about the sign. Although the sign is less in area then would be required for the façade it is 3 foot 2 inches high so it is 1 foot higher then what was approved, however, it is only 18 feet 4 inches long where 20 feet was approved. We would need a variance for that height. The other part of the variance was the lighting. In your ordinance it calls for or allows lighting to be only in the face of the sign and this lighting was a very creative halo type lighting fixture, which really speaks to the ideas and the goals of the comprehensive of the sign design ordinance and I think it is a very creative and interesting and not shouting in your face kind of sign for this particular sign. The sign design ordinance that you have has a couple of criteria that we have to speak

to. The first one is that the extent of the variation of the regulations that this board has to make a determination as to whether or not it would allow a larger sign meaning the height of the sign, but it would be smaller in area than what would be required for 2 stores.

As I said before 80 square feet would be allowable technically and this sign is 68.4 square feet.

I think the board would have to make that determination under the part of the comprehensive sign design ordinance. The other item is that the affect of the sign on neighboring properties, this sign facing Main Street would have no negative impact on the adjacent proper owners.

The proportion of the sign to the proportion to where the sign is to be located. That is an important part of your comprehensive sign guidelines. The proportion of the sign (this area right here) is 410 square feet, the building has been designed with that in mind that we have a signage platform that the sign can be placed. That sign of 68.4 square feet is on a 410 foot plank and that has resulted to the sign being 16.7% of that total area. I don't believe that would be a negative for this particular application.

Arthur Neiss – Did you just say that the proportion of the sign the 2 rectangles in comparison the façade platform?

Martin Santini – Yes

This sign offers a very classy, creative and subtle halo glow I think this is something I believe your ordinance speaks to about the creativity and all of those items to help it become a better ordinance and a better project. The sign is appropriately located over the two pair of double doors.

I think that the variances that we are asking for can be approved by this board; however, I think that there are 2 variances you have to show that the relief can't be granted unless the applicant can demonstrate that the ordinance created a hardship. I looked at the ordinance very carefully the only thing that I can find is the hardship is the lighting section of your ordinance is in conflict with the comprehensive design guidelines. In one area it is saying you can't do so much lighting from the front. The comprehensive ordinance says that like to see signs

that are more creative harmonious and have a little bit more visual interest and that's what I think we are looking for this evening is a sign that meets the criteria especially it is for points that are outlined in that guideline.

In closing I think that the granting of this application, by this board, would pass the purposes of zoning because the sign would speak to your comprehensive sign design ordinance, which is outlined very clearly and I think in my opinion that this sign would not be substantially impair the intent and purposes of the zoning plan or the zoning ordinance or would it be a detriment to the public.

Kevin Duerr – Anyone have any questions.

James Arakelian – I would like to hear from our professionals on this as far as us granting a variance of that magnitude would affect the borough and what their thoughts are on it. I would like to hear from Bridgett.

Bridgett – The sign as he pointed out, with regard to the size it will cover two store fronts. I also agree with the testimony that the client to scale with the location of scale within the building and it meets the criteria. Refer to lighting the variance for the lights located on the face of the sign, which is more of a personal opinion issue. They need the variance for sections 416.38.

Arthur Neiss – I interpreted the application to be a request to so modify given the nature of the signage that was put forward.

James Arakelian – As I read the resolution I believe the goose necks were for only the pylon sign.

Arthur Neiss – I don't think so I think what they were doing was all around the center it was suppose to be goose necks all around was my understanding. This just goes to show just how far the science of this has advanced.

James Arakelian – How is this sign going to affect the building with regard to the other signage that is going to be on the building with Habit Burger and Dunkin Doughnuts?

Mr. Santini – I don't think it will have any negative impact. The sign is a black face on a beige background, just like what you see here. The sign is 61 feet long I don't think it will have any negative impact. The night

time lighting is very subtle. Whereas the other signs are not high intensity but you will have a sign lit just like the exit sign.

Arthur Neiss – Is there going to be any signage on the rear of the building?

Mr. Santini – No. Maybe identification on the door for deliveries.

Arthur Neiss – All deliveries are going to be in the rear of the building?

Mr. Santini – That is my understanding.

Kevin Duerr – I need a motion to **OPEN TO THE PUBLIC** –

James Arakelian – Makes a motion to open, seconded by Vito Acquafredda

All in favor say Aye – All say Aye.

NO ONE STEPPED FORWARD

James Arakelian makes a motion to close, seconded by Vito Acquafredda

All in favor say Aye – All say Aye.

Mr. Barrett – I hope you look favorably upon the application.

James Arakelian makes a motion to accept this application as presented with the granting of C2 variance incorporating the grease trap and if there becomes an issue with carts to check with our borough engineer, seconded by Mr. Grasso

ROLL CALL

Mr. Acquafredda, Mr. Arakelian, Mr. Duerr, Mr. Glass, Mr. Grasso, Ms. Boland, Mr. Gewirtz – Vote Yes.

Motion Passes.

Arthur Neiss – With regard to the Historic Element – Bridgett worked hard on putting it together, had submitted to the Historic Preservation Commission. They will be meeting next month, I think they would like us to go and talk about it. We will be going to the HPC to discuss the element. I was hoping it would be on our calendar on your agenda this month, I don't think it is going to make it till January. It will be on for your February agenda.

Complete Streets Checklist – Before last month’s meeting I circulated the Chatham Township materials and asked you to take a look at them. I think they were excellent. I think that the Mayor is going to want to have input into the complete street checklist and since he is not here he can’t lead that discussion.

24 Hour Ordinance Recommendations – I am still not clear as to what you want to do with that.

James Arakelian – I make a suggestion, since there are several appointments up for next year that we carry these over and with two Seven Elevens I think we should wait.

Vito Acquafredda – Bridgette, please research your memo of April 15th.

At what point can we comment about a new project that appeared on Monday?

Arthur Neiss – I know about that there is nothing presently before this board. It is up to you. You are a council person and you heard what happened the other night.

Vito Acquafredda – On Monday night an applicant appeared in front of Mayor and council and proposed an application to develop this site a batting cage, which used to be a car dealership and then became a furniture store and has been empty for 3 or 4 years. They were seeking Mayor and Council opinion to declare that in need of redevelopment. If you have the opportunity please watch the recording of the session together with Councilman Mignone as well as other council people we made comments to the effect of suggesting to the applicant to re-work the proposal and make it more River Edge friendly. It is another project that is in the works.

Kevin Duerr – I want to thank everyone, for everything I have enjoyed working for the Planning Board.

MOTION TO ADJOURN 9:30PM

Motion made by Vito Acquafredda, seconded by Eileen Boland.

All in favor say Aye – All say Aye.

Respectfully submitted by,

Marijane Brandau