
BOROUGH OF RIVER EDGE PLANNING BOARD MINUTES
July 17, 2014

ROLL CALL PRESENT: Tom Behrens, Kevin Duerr, David Glass, Tom Kyritz, Eileen Boland, James Arakelian, Lou Grasso, Mayor Moscaritolo, Mr. Costa, Arthur Neiss Esq.

Absent: Vito Acquafredda, John Monroe , Ms. Bogart

CALL MEETING TO ORDER 800PM

Kevin Duerr called the Planning Board 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 Minutes June 19, 2014

Mayor Moscaritolo makes a motion to approve, seconded by Mr. Kyritz.

All in favor say Aye – All say Aye.

OLD BUSINESS

Application 2014-03 New Jersey CVS Pharmacy L.L.C., Block 1404, Lots 1.04 and 5, Kinderkamack Road and Main Street, Amended site plan approval for signage with variances.

Mr. Kyritz makes a motion to accept, Mr. Duerr.

ROLL CALL

Mr. Arakelian, Mr. Behrens, Mayor Moscaritolo, Mr. Duerr, Mr. Glass, Mr. Grasso, Ms. Boland, Mr. Kyritz – Vote Yes.

Motion is approved.

NEW BUSINESS

2014-04 HRS Consulting Group L.L.C., 490 Kinderkamack Road, Block 804/Lots 9.10.01 and 12.01 Seeks food handlers license for grocery store operations.

James Arakelian – To our attorney: why is this application being heard when we had a food operation in that same store front as the last tenant? Typically, when a food license is issued to a particular store front that carries over if the new client tends to be in the same type of operation.

Arthur Neiss – The food handlers' license, the way it appears in the ordinance, is personal to the licensee. If there is going to be a new store, or new situation, a new food handlers' license is required for the new licensee.

James Arakelian – For those who did not come before us that took over existing operations, are they not in compliance with the borough ordinance?

Arthur Neiss – I can't answer those questions, I don't know who those are. You might ask that question of the Zoning Officer.

James Arakelian – I thought it may be prudent that the Zoning Officer make sure that everyone is playing on the same field.

Arthur Neiss – He travels the town. Go back into his records and make sure that those that do have it.

James Arakelian – If they don't have it, I don't know what the recourse would be.

Arthur Neiss – The ordinance is clear that a food handler's license aren't issued by the Board. It is the Board of Health that issues them so that would be within his purview to do that and find out where that stands. Any food handler's license to be issued requires a resolution by this board and that is why these folks are here before us.

Arthur Neiss – Tonight is the first night that I am invoking a new procedure for the board. The Applicant has submitted prior to today the following:

A1 Development application.

A2 Affidavit of Mailing

A3 Application of Publication

A4 Proof payment of taxes

A5 One sheet drawing S.J. Kufel Associates
(Plan & Details)

A6 One sheet document prepared by Koestner Associates
(Location Survey)

A7 Is a sign plan (1 sheet)

A8 Is a one sheet document also prepared by Koestner entitled Soil Erosion
and Sediment Control

A9 Planners memorandum dated July 14, 2014.

Mr. Spiniello – There is only one additional exhibit: it is, instead of A5 by Stanley Kufel, it is a revised drawing and all it shows is that there is a janitor sink that was going to be removed and going to be left on the premises. I will make this as A10.

The last revision date of that document is June 2014. The application was for a retail grocery store Japanese type groceries. It is in the strip mall at 490 Kinderkamack Road. It is in the C1 Commercial Business Zone so no use variance is required. According to the Borough of River Edge Site Plan Ordinance, a food handler's license is required pursuant to section 250-4E. The requirement is made at the applicant's request for planning board approval.

There are no exterior changes or alterations to the premises; there are only minor interior alterations.

Rumiko Saikai is the principal of the applicant, HRS Consulting Group, and she will give testimony this evening. We provided a certification that she successfully completed the food handler's safety manager's course.

I received your planner's comments and we will have Ms. Saikai testify as to those points. We are not seeking any variances. No food is being prepared on the premises. No tables, no chairs no one is going to be served; only picked up.

Rumiko Saikai, 986 Wildwood Road, Oradell, NJ, is sworn in.

Direct – Are you a member of the HRS Consulting Group? Yes and my husband.

You are opening a grocery store at 490 Kinderkamack Road, River Edge and have you signed a lease for that? Yes.

How many employees will be working at that premises? 2.

Is that premises a total of 707 square feet? Yes.

Mr. Spiniello - I will start with the Brigette Bogart's letter dated July 14th. The applicant should provide site location and procedures for unloading goods for sale in the store in addition and providing the size of the delivery trucks and demonstrates the ability of the truck drivers to properly maneuver their vehicles on the site. What trucks will be delivering to the premises?

Rumiko Saikai - Two or three trucks delivering 2 boxes of frozen food twice a week. Should take 5 to 10 minutes. A 24 foot truck. Vegetables: I go to Edgewater to pick them up 2 times a week.

Are you going to have other trading companies drive to the property? Yes, about twice a week.

What size is that truck? Box truck is 18 feet.

Mr. Spiniello - Are there other businesses in that mall who are getting other deliveries? - Yes.

Mr. Spiniello - What type of vehicles do you have in this business that you are utilizing? Two mini vans. When not in use where are they parked? At the rear of the property.

Mr. Spiniello - Do you deliver to customers? - Yes. On what days do you deliver?

Ms. Saikai - On Tuesdays and Thursdays and Fridays. Mr. Spiniello: About what time?

Ms. Saikai - In the morning, about 10 a.m. Mr. Spiniello: What counties?

Ms. Saikai - Morris, Essex, Bergen County. Do you advertise in the Japanese newspapers? Yes, and the internet.

Mr. Spiniello - The hours to be open to the public for grocery store (opening to the public), deliveries, food preparations, and restocking. What do you intend the hours of operation should be?

Ms. Saikai – Open at 9 a.m., close at night 7 p.m. Mr. Spiniello: What days? Monday through Saturday. Mr. Spiniello: Will you and your worker be working in the store for the morning before the store opens? Yes. About 7 a.m. and park in rear.

Mr. Spiniello – Provide daily operations of the facility including number of employees working in the store. Ms. Saikai – One other employee, no catering. No table and chairs, no food preparations? No. Mr. Spiniello: What will the basement be utilized for? Storage empty boxes.

Mr. Spiniello– Any new signage proposed. Is there an existing sign on the property? – Yes. Are you looking to change the lettering – Yes. What size is that sign – 5 X 15. Any approvals granted by the board should be conditioned on the applicant receiving the necessary approvals for any other government agencies. Yes. You may have to submit an application to the county planner. If this board grants you approval tonight. Yes.

Mr. Spiniello – Do you expect customers to visit the store to pick up orders? Yes. How many customers would you expect per day? About 10.

Mr. Spiniello– Customers would call, like ordering a pizza? Yes.
Mr. Spiniello: Most of your customers would be delivered to.

Arthur Neiss – Any questions?

Ms. Saikai – Our E-Mail address is YASAINET@LIVE.JP

Mr. Spiniello – Did you ever have this type of business before? Yes.

Where are you now? Fairview.

No further questions.

Stanley J. Kufel, Jr., a registered architect of the State of New Jersey and sole proprietoris sworn in. I have been licensed 22 years, I have given testimony before many boards including River Edge. My B.A. in Architecture is out of NJIT, first graduating class. I have done continuing education at Harvard and Columbia.

Arthur Neiss – We will accept you as an expert in design and layout of this building and architectural service.

Stanley Kufel: A-5 is my document, which was updated at the end of June, 2014 for the existing janitor slop sink which is going to remain. This is the building just north of Crown Trophy, which is over 50 feet long and about 13.2 in width. The layout of the first floor is the operations level, which has a small display area, cashier's reception for the walk-ins that do pick-up. A grocery store and packaging area and a clean-up area with a 3-gang sink and an additional area for their supplies and in the back, a janitor's sink and a toilet.

The entire square footage is a little over 700 feet.

Mr. Spiniello – Any changes to the exterior? No.

Mr. Spiniello – Any area for food preparation serving of customers serving prepared foods? No.

Mr. Spiniello – Also, part of the application attached is the Koestner location survey – have you reviewed that? Yes, it's from a prior application for the location of the store. Attached is the location plan of the building and that is all it is used for because the parking on the plan is not accurate. A-8 is how it exists today. Counsel's A-8 is the way it exists today.

James Arakelian – I will make a motion on this application be approved as submitted, seconded by Mr. Kyritz.

ROLL CALL

Tom Behrens, Kevin Duerr, David Glass, Tom Kyritz, Eileen Boland, James Arakelian, Lou Grasso, Mayor Moscaritolo.

2014-05 The Habit Restaurants, L.L.C. s/b/a Habit Burger Grill, 135 Kinderkamack Road, Block 1404, Lots 1.04,5 and 3.01, Seeks site plan approval to operate food establishment, amended approval for signage, and food handler's license.

Timothy Corrison- representing the applicant. This is for New Bridge Landing, The Habit Restaurant: Pursuant to the same requirement that a food establishment appear before the board and also to get a sign variance. Back in 2007 when the approval was granted for the New Bridge Landing, the issued plans contained anticipated signage for the retail Total Wine Building. At that time it was anticipated that the signage would be in the 2 feet to 20 feet area.

When we get to the application, Mr. Wiley questioned who the tenants were going to be on the sign, and they said no, and that was fine for now, but in the future any future applications would be handled through the comprehensive sign ordinance, and that is what this application is based on. This sign did present a little bit more than what was anticipated. That is why we are here.

Arthur Neiss – Several exhibits were submitted by the applicant and that is part of the record and have already been marked.

- A1 – application dated June 25 and received July 7th.
- A2 - The affidavit of service of Mailing.
- A3 – Application of publication.
- A4 – Proof of payment of taxes
- A5 – 4 sheet Plan Set Prepared by Chandler Signs Dallas, Texas
- A6 – 3 Sheet Plan Set.

Timothy Corrison – Two other issues, the original application included a rear sign that was not approved back in 2007; that is hereby withdrawn. I will handout another exhibit: we have photos of the actual sign of the proposed sign we have in Fair Lawn. I would like to call Gary Keurajian(sworn in). I work for the Habit Burger Grill; I am the market partner; I control operations for the Habit Burger Grill in northern New Jersey.

Timothy Corrison – Please give the board a summary of Habit Burgers and the history.

Gary Keurajian– We started in 1969 on the west coast; it is a fresh, cooked-to-order, casual concept. We started with a couple of stores on the west coast and as our company grew, we went into different markets. We are in Arizona and Utah, with the majority of stores being in California. We are excited to come into this area; I am born and raised in New Jersey. Our company's burger was just voted the best tasting burger in Consumer Reports.

Timothy Corrison – Explain how the store operates in terms of ordering?

Gary Keurajian – This casual concept, we have tables. It is a cooked to order process. You would enter the restaurant, we have a menu board up, select your menu items from the board , walk up to a register and place your order, we cook it, give the customers a pager, our menu consists of many items.

Timothy Corrison – Any approval you get here today will still be conditional

James Arakelian – Are you going to have outside dining?

Gary Keurajian– The typical Habit does have outside dining. I understand it is unique to this area.

Arthur Neiss – Your menu consists essentially of chicken sandwiches and burgers?

Gary Keurajian– Our signature item would be our double char burger.

Arthur Neiss – What would define your busiest times per store.

Gary Keurajian– It depends on the location. We are a lunch concept, most of our stores in California 60% more lunch 40% dinner. Some locations 50/50. This location here I could see it being even between lunch and dinner. About 86/87 seats are in the store.

Member – Hours of operation?

Gary Keurajian– 10:30AM – until 10:00PM. On Sundays we shorten the hours 11:00AM – 9:00PM. Everything is served on disposable dishes.

James Arakelian–Is the property management going to have outside trash containers and be up to each individual tenant to have an outside trash receptacle? Has it been discussed yet? Are they going to be uniform, is everyone going to have their own design?

Gary Keurajian– We normally have 2 outside trash receptacles that are nicely designed, there are covered, it is stainless steel very professional and we maintain it.

Arthur Neiss – If you know, how does the sign that you're proposing to be put up here compare to your other locations?

Gary Keurajian- It is the same size in Fair Lawn and it fits the look of the store front.

Arthur Neiss – What about the stores in California?

Gary Keurajian– The signage changed over the years when the original Habit Burger created many years ago, but the signage is very similar. It takes seven minutes to cook this food.

Arthur Neiss – You have 87 seats and you anticipate that people are going to come in and you going to be turning over for lunch and turning over for dinner.

Gary Keurajian– Yes. Maybe a couple of times.

Arthur Neiss - Who is you target audience if you have one?

Gary Keurajian– During the day a business person that has 45 minutes for lunch, or a mom out there that wants to bring her kids, we have a kids menu. In the middle of the day maybe some people who are not working anymore and want to enjoy a burger. At night we are looking for the families.

Arthur Neiss – You anticipate that there are going to be turnovers.

James Arakelian – There are a lot of offices in that area of River Edge and unless you drive somewhere or go to the Green Papaya or McDonald's there is nowhere else in the area.

Gary Keurajian– We are looking forward to becoming part of the area and paying our taxes.

James Arakelian – I would like to hear from Mr. Costa.

Bob Costa – Just the grease traps, parking was approved prior.

James Arakelian – I would like to ask the attorney, this is a total of how many store fronts? What is the square footage of this?

Timothy Corrison – 3,040 square feet

James Arakelian - How many store fronts just on this building? Any idea of what is going to be in those store fronts?

Timothy Corrison - 8 or 9. I think a Dunkin' Donuts, a small gourmet market, a workout place.

Ms. Boland – Are they limited now to no other restaurants?

Timothy Corrison – No. 20% of the total mall.

James Arakelian – Being that this is a pre-approved site, for a restaurant, that we approved in 2007 and the fact that they don't need any variances here tonight, is it even necessary for us to listen to other testimony since this is a conforming use?

Arthur Neiss – They are here for signage.

Martin Santini – I am with the firm of Michels & Waldron; architects, engineers and planners, 645 Westwood Avenue, River Vale, NJ. I am a licensed architect and a licensed professional planner in the state of NJ I have been practicing both professions for the last 40 years, I have appeared in this municipality on many occasions. The witness is sworn in.

Arthur Neiss – In what capacity will you be testifying tonight?

Martin Santini- As a planner as it relates to the variance for the sign that is being requested.

Timothy Corrison – Have you had a chance to review the plans, and briefly summarize the application.

Martin Santini – The store that is being proposed is a Habit Burger.

Arthur Neiss – The Chandler signs were marked as A5.

Timothy Corrison-- This depicts the location of where the proposed Habit Burger is going to be. There are 9 stores in here; this is the second from the right hand side. It is A1 Site Plan. A5 is sheet 2 this is the south elevation. I have enlarged this for tonight's presentation. What it depicts is the actual sign that is being requested, which is the Habit Burger sign as you see it on the drawing. We have to go back into the 2007 Resolution of this board which was approved basically with sign configurations and you will see the indication on this drawing back when it was approved the signs that were approved were 2 feet by 20 feet long 40 square feet. The sign that is being proposed is 43.8 square feet. The variance would be 3'8".

Martin Santini – When you calculate the sign, you include the whole silver portion that is called the swoosh.

Timothy Corrison – This sign comes out to be about 5.6% of the space that is being leased by Habit Burger. The sign is not a large sign in any way shape or form. It complies with the design ordinance; the sign standard is esthetically pleasing. It will promote the free flow of traffic; it will do all of the things required in order to satisfy the criteria.

Timothy Corrison -- The first condition of the ordinance is the extent of variance variations of the regulation. At this point we would talk about what was previously approved it is a minor variation less than 10%. What effect does this have on the neighboring properties?

Martin Santini – This will have no negative impact on the neighboring properties.

Timothy Corrison – How about the positioning of the sign within the architectural framework?

Martin Santini – The architectural framework is such that it is an existing building that is under construction and it is complementary and it's harmonious with the scale and character of the building. I think that the proportion of the sign to the wall that it is going to be on provides a safe visibility aspect.

James Arakelian – Are the lease holders going to be advertised on the monument sign?

Mr. Corrison – Yes.

James Arakelian – In 2007 I remember that there was going to be uniformity on the monument sign so you wouldn't have all different colors.

OPEN TO THE PUBLIC

No one stepped forward

CLOSE TO THE PUBLIC

Mayor Moscaritolo - I will move to approve the application under condition Mr. Costa reviews grease trap and trash containers, seconded by James Arakelian.

ROLL CALL

**Mr. Arakelian, Mr. Behrens, Mayor Moscaritolo, Kevin Duerr, Mr. Grasso,
Ms. Boland, Mr. Kyritz – All vote Yes.**

Motion passes.

ADJOURNMENT 9:45pm

All in favor say Aye – All say Aye.

Respectfully submitted by,

Marijane Brandau