



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

B U R G I S
A S S O C I A T E S , I N C .

LETTER OF NONCOMPLIANCE

SENT VIA EMAIL

July 8, 2020

Club Feathers
Paul Binetti, Owner
77 Kinderkamack Road
River Edge, NJ 07661

Re: Borough of River Edge – Zoning Review
Club Feathers – Change in Ownership
77 Kinderkamack Road

Dear Mr. Binetti,

As previously discussed, the recent change in ownership of Club Feathers located at the above address requires a site plan application before the River Edge Land Use Board as the use involves a food handlers' license. Please note the following with respect to the applicable Borough ordinance provisions and site plan application requirements:

1. In accordance with §350-4E of the Borough Code, *"notwithstanding the provisions of § 350-5B(3), site plan approval shall be required for any building or structure (regardless of its previous use) which is to be used as a restaurant for sit-down service or take-out service or as a fast-food establishment, or any other intended use where a beverage or food handlers' license is required."* **A site plan application to the River Edge Land Use Board is required given the need for a food handlers' license (and certificate of occupancy).**
2. In accordance with §416-37 and §350-25 of the Borough Code, the parking requirement for restaurants and eating and drinking establishments is 1 parking spaces for each 2.5 seats. The total number of parking spaces as indicated on the site plan shall be provided. The application should describe the extent to which the maximum occupancy and/or indoor seating of the club has changed since its previous ownership. Any proposal for permanent outdoor seating shall be illustrated on the site plan which will likely require variance relief for those number of seats.
3. Any site plan application to the Land Use Board should include a description of all proposed site uses for all buildings including, but not limited to, hours of operation, number of employees, special events, if any, all proposed site improvements and a floor plan including all building floors and spaces. Any proposal to store commercial vehicles on the site will require variance relief as such approval has never been granted for the site.
4. Compliance shall be demonstrated for any proposed sign improvements in accordance with Chapter 416, Article X, Signs and Signage in the Borough Ordinance and any prior resolutions of approval for the site.

5. The site plan shall include the location(s) of facilities for the storage of garbage and recycling which shall be properly screened in accordance with §350-36.
6. Provide an overview of the condition of existing and proposed onsite landscaping and streetscaping to confirm whether the existing conditions are acceptable and in compliance with the applicable requirements of Chapters 416 and 350 of the Borough Code.

You may appeal this decision to the River Edge Land Use Board should he believe that his proposal does not violate the aforementioned Borough Ordinance provisions. Alternatively, you may submit a site plan application to the Land Use Board per the aforementioned food handler's license requirement, including a request for any variance relief, and/or design exceptions, as determined to be necessary. If you wish to appeal and/or apply for a variance, please contact the River Edge Municipal Land Use Clerk at 201-599-6307.

Should you have any questions about this matter, please do not hesitate to contact me at 201-666-1811.

Sincerely,



Tom Behrens, PP, AICP