

BOROUGH OF RIVER EDGE
LAND USE BOARD
MEETING MINUTES
COUNCIL CHAMBERS
August 5, 2020

Zoom - Meeting called order at 7:30 p.m.

Roll call please:

Mayor Papaleo - here
Chairman, James Arakelian - here
Vice Chairman, Dick Mehrman - here
Lou Grasso - here
Ryan Gibbons - here
Michael Krey – here
Eileen Boland – here
Chris Caslin- Absent
Alphonse Bartelloni - Present
Dario Chinigo – here
Gary Esposito – here

ALSO PRESENT:

Marina Stinley, Esq.
Thomas Behrens, Planner

Chairman Arakelian made the required announcement concerning the Open Public Meetings Act: Adequate notice of this meeting has been displayed on both the bulletin board at Borough Hall, by the Bergen Record and people who are interested in this meeting. No flag salute. No fire exits to worry about.

- Approval of minutes 7/1/20 – No comments were made as to the minutes. Motion to accept made by Mr. Mehrman; Second – Mr. Gibbons. All in favor – aye; any opposed any obtained (no)
- **Completeness review for 3 New Bridge Road, LLC, Block 1303, Lot 4**

Board Attorney gives the Board jurisdiction to proceed with the application. Everything is good from the legal prospective with the notice.

Mr. Arakelian asks applicants attorney if they received and reviewed the review letter from Mr. Costa regarding the site plan. They attorney acknowledged receipt along with the professionals.

Motion to move to completeness – Mr. Mehrman – second – Mr. Bartelloni. Roll call – Mr. Mayor – yes; Mr. Arakelian – yes; Ms. Boland -yes; Mr. Bartelloni-yes; Mr. Mehrman- yes; Mr. Grasso – yes; Mr. Krey- yes; Councilman Chinigo – yes; Mr. Gibbons – yes; and Mr. Esposito – yes.

- **ILBJ, LLC 335 Johnson Avenue, Block 1405, Lot 3**

Approval given to this application approximately two years ago. Unfortunately they have not be able to move forward for what they were approved for partly because of Covid-19 and partly because they just weren't ready. Attorney Devito gives the Board an update as to what happened. They had posted the bonds, the developer's agreements have all been signed so everything the applicant needed to do has been done. Unfortunately Covid has halted the project. He requested an extension so they could pull their permits at this time and start the project which he believes will be a massive improvement to the area and to the Borough. No substantive changes have been mad to the plan. They will submit the plans into the extension. The Town Engineer has signed off on everything. Tom Behrens has made recommendations, Mr. Costa has made recommendations. Mr. Devito believes the plans have been signed off by Mr. Costa at this time.

Mr. Mehrman requested an explanation of what changes have been made. He requests Mr. Behrens give a summary of said changes.

Mr. Behrens – He explains that most changes were minor in nature, he believed there was a transformer was added to the side yard, there was another utility feature added to the front yard. So there were those utility changes and some minor landscaping but the major components of the plan are the same as to what the Board approved.

Motion to approve applicants request for a one year extension. Mr. Krey – So moved, second – Mr. Grasso. Roll call – Mr. Mayor – yes; Mr. Arakelian – yes; Ms. Boland -yes; Mr. Bartelloni-yes; Mr. Mehrman- yes; Mr. Grasso – yes; Mr. Krey- yes; Councilman Chinigo – yes; Mr. Gibbons – yes; and Mr. Esposito – yes. Extension approved.

- **3 New Bridge Road, LLC, Block 1303, Lot 4 – Food Handler's License**

Chairman Arakelian addresses Mr. Costa's letter with applicant's attorney and if he saw the pieces that were in that. Applicants attorney reviewed the letter and also forwarded it to the applicant's professionals. The site is about 1.3 acres, 57,000 square feet and its on the west side of New Bridge Road. The building is an existing building and they are not looking to expand the footprint of the building other than the porch area. The building consists of three components; (1) the table tennis facility located on the south end (10,000 square feet) consisting of 18 table tennis tables; (2) the middle is the restaurant which is about (2,500 square feet); on the north side is the larger area (15,000 square feet) consisting of 28 simulators or golf screen stations. 51 parking spaces on site. Hours of operation 9:00 a.m. to 10:00 a.m.; five to ten employees. The land area meets all the C1 requirements this is in the C1 zone so there's no use variance involved here. Access to the site is somewhat difficult because if you are coming from the south traveling north you have to go to New Milford, make a U-turn and then come back south on Hackensack Avenue to access the property. The entry to the facility is on the north side and the exit is on the south side.

Steven L. Koestner, engineer is sworn in to testify on behalf of the applicant. Goes through the plans with the Board. Confirms what the applicants attorney has just explained to the Board. Points out one change tot he building – a porch which will be enclosed. Confirms 51 parking spaces. They also have some landscaping and lighting proposed. 15 lighting stations are proposed throughout the site. Landscaping along the front of the building and along the perimeter of the property. The property is located in a C1 commercial district. Retail space requires 10,00.00 square feet of land area we provide 57,464 square feet which is well over an acre – the lot with required 100 feet, they have 318 feet, the lot depth 100 required, 158 feet is

proposed. The maximum building height in feet and storage is 35 feet and 2 ½ stories required the applicant has a 21 foot building of 1 story. Maximum lot coverage allowable for the building is 40% presently there is 49.5% so there is a pre-existing non-conformity there; the maximum impervious coverage permitted 80% and presently there is 94.57% pre-existing non-conformity; rear yard coverage 60% permitted, the applicant has 131/2% so they conform. Front yard retail use 30 feet, existing condition 23.66 feet another pre-existing non-conformity; side yard one side 15 feet combined on both sides 35 applicant has 4.69 north side (right) of the building. Combined left and right side yard setbacks 27.92 and again both are re-existing non-conformity; Rear yard 20 feet is required, 18.5 is in existence, pre-existing non-conformity. Applicant provides 51 parking spaces, the engineer understands that the zoning official has required 1 space for each play station, applicant is proposing 46 total play stations (18 table tennis and 26 golf simulators) for a total of 46 spaces, they have 51 spaces. Trash location – best place back right hand corner of the building. Private carting service.

Storm management plan was raised in Mr. Costa's report. The engineer states that nothing is to change on that and that presently the site has drainage structures within it, there are several inlets, catch basins scattered throughout the parking area. They are not proposing any increase in run off in terms of hardscape no further enhancement to the storm water management. Attorney asks if there is any aspect of the report that they cannot address today. Engineer – Sanitary sewer flow calculations can be done; sanitary sewer flow calculations can be done; sanitary sewer lateral location and abandonment if any, they can do; grease traps should be proposed; he would like inspection of the sewer lateral by t.v. Inspection, there is no problem with that. Streetscape design they would conform to that. No issues to utility service to the site.

- Board members questions for Engineer.

Ms. Boland had a comment wherein she believed there was opportunity on this site to increase landscaping, she was wondering if the applicant would be willing to widen the islands along Hackensack Avenue to allow more landscaping. Applicant sees no problem with that it would make for a more attractive entrance to the site. She also inquired as to signage.

Mr. Grasso also had a question regarding signage. The engineer stated it would be regulation signage – no left turn into the site on New Bridge Road.

Mr. Mehrman – inquires as to the sewage disposal 4 inch main being storm or sanitary. Engineer – sanitary sewer. Questions dumpster location not being shown on the plan-applicant will correct that. Wants dumpster screened/enclosed. Signage question but applicant does not know what they are intending to do at this time but would stay in conformance with the Borough ordinance.

Mr. Krey questions parking spaces and potential parking overflow. Mr. Behrens explains that he came up with the 56 parking space standard and says it seems to be fair.

Chairman Arakelian – States that the property taxes are behind on this property. He wants the clothing bins on the property removed. Chairman Arakelian would like the record to reflect that the owner is not behind in his property taxes and he apologizes for that. Would like the Board to waive the street scape requirement at this time. He asks the Board if anyone does not agree – same is acceptable to the Board.

Mr. Behrens requests clarity on the streetscape improvements because ultimately there will be a compliance review. Is the Board talking about the paving, lighting and landscaping? Is the

landscaping still included - what is the Board's sense? Chairman Arakelian - personally feels that the lighting and the paving can be waived for now maybe have them do the landscaping as Ms. Boland suggested and that will be a nice give and take. Mr. Behrens asked about the dumpsters in the rear of the property as to the ability of a truck doing a full circulation on the site widening up on lot 3 – wants to know if that is how the site currently works. The engineer states it can be navigated the way it is. Mr. Behrens also requested proper shielding of lights where there is residential property.

Mayor Papaleo discussed concerns about the location of the dumpsters for the property. The Architect is sworn in – Hojoon Chung to discuss the interior of the building. The building is divided into three different spaces. He goes through the measurements of the building i.e. ceiling height, talks about the entry of the building, etc. Left side of the building is the table tennis which is 10, 882 square feet, he goes over seating area, discusses employee area with a locker room, north side of the building has 28 golf simulator systems, total renovation square footage is 20,490 will be renovated into a new indoor facility. HVHC are roof mounted and will be properly screened. No change in elevation of the building it will stay at one story. They will try to relocated the trash to the southern side if possible they will confer with Mr. Costa on that.

Mr. Behrens – Inquires as to what the color will be on the outside of the building. (I believe the architect stated tan stucco). Wanted to know who the actual operator of the business will be. Mr. Jon Kim joins the meeting introducing himself as the owner/operator of the building, golf and table tennis. He has been a business man for over thirty years in the cosmetic business this is first endeavor with golf and table tennis. He tells the Board thank you for their positive comments and that he will try to accommodate all the legal requirements that are needed.

- Chairman Arakelian asks the Board if they have any questions.

Councilman Chinigo asks if there is an appropriate number of ingress and egress points given the number of possible patrons that might be in these buildings. The architect responds and then Mr. Behrens confirms that there are actually six including the front door. Chairman Arakelian asks if the Board can make this subject to the building standard codes and fire codes that its built in accordance to. Ms. Stinley to put that in a resolution. Ms. Stinley advises that this is standard procedure the applicant must comply with all of the Borough's other departments requirements for any application. Mr. Bartelloni asks the owner what the proposed named is for the business. The name will be Ready to Golf. Mr. Krey asks what are the anticipated hours of operation. Mr. Kim responds 9:00 a.m. to 11:00 seven days per week. Chairman Arakelian asks Mr. Behrens if these hours are acceptable and also about Sunday requirements. The Board will allow those hours so long as they comply with the Borough Ordinance. They will look into the blue laws regarding Sunday. Mr. Gibbons has inquiry regarding the parking he believes that if and when the business does well there may be parking issues. Chairman Arakelian feels it will probably be a self-correcting situation as people come in to park and there are no spaces, there certainly is no off street parking that they can avail themselves to so they will have to go back onto Hackensack Avenue and continue on their way. Mr. Gibbons can see them going to New Bridge.

Motion to open to the public – Mr. Gibbons, second – Mr. Krey – all in favor aye – any opposed any abstained. No one is there for the public. Motion to close to the public – Mr. Gibbons, second Mr. Grasso. all in favor aye – any opposed any abstained.

Chairman Arakelian will entertain a motion for approval on this Motion. Mr. Mehrman makes a motion that the Board grant the food handlers license and that the pre-existing variances be recognized and granted that the site plans concerns and comments regarding Mr. Costa's August 5 letter be addressed, that sign requirements will conform to the Borough standards, the size, location illumination will be shown on the revised drawings, dumpster location and access will be resolved with the design professionals, all rooftop HVHC units will be totally screened and the hours of operation will confirm to the Borough standards. Streetscape is waived at this time with the exception of landscaping and the parking requirements. They are providing 51 and the request is for 56 parking spaces, the variance. Mr. Mehrman – the approval of the parking variance also be approved. The potential for the increased island and landscaping be coordinated with the Planner – accepted Mr. Mehrman – Second Councilman Chinigo. Roll call – Mr. Mayor – yes; Mr. Arakelian – yes; Ms. Boland -yes; Mr. Bartelloni-yes; Mr. Mehrman- yes; Mr. Grasso – yes; Mr. Krey- yes; Councilman Chinigo – yes; Mr. Gibbons – yes; and Mr. Esposito – yes. Application approved.

Memorialization of the one year extension for ILBJ, LLC the memorialization must include that the applicant must pay any deficient taxes it was discovered that they are behind in some tax payments so in order to get the one year extension they must pay all of their property taxes. Chairman Arakelian advises that ILBJ, LLC assured him that they will catch up on their payment expeditiously. Mr. Mehrman makes a suggestion that the signatures of the Board Chairman and the Board Secretary be held until confirmation of all tax payments are received. Motion to approve the one-year extension based on them catching up on their taxes, Mr. Merhman – so made, Mr. Grasso, second. Roll call – Mr. Mayor – yes; Mr. Arakelian – yes; Ms. Boland -yes; Mr. Bartelloni-yes; Mr. Mehrman- yes; Mr. Grasso – yes; Mr. Krey- yes; Councilman Chinigo – yes; Mr. Gibbons – yes; and Mr. Esposito – yes. Application approved.

Meeting adjourned.