



October 12, 2026

VIA EMAIL ONLY

Members of the River Edge Land Use Board
Borough of River Edge
705 Kinderkamack Road
River Edge, New Jersey 07661

RE: Food Handler's License & Proposed Signage
Block 206, Lot 3
101 Midland Avenue
Borough of River Edge
Bergen County, New Jersey

Dear Board Members:

Our office has reviewed the application and site plan in connection with the above referenced application for a food handlers license. The subject property is located in the Commercial Retail (C-2) Zone, where the current use is a restaurant. The property is bounded by Johnson Avenue to the east, macadam parking lot to the north and residential apartments to the west and south. The site is currently developed with an existing one-and-two-story stucco building, macadam parking lot, seasonal canopy, concrete and paver walkways, planting areas and site lighting. No interior or site improvements are proposed as part of this application, only a food handlers license and a proposed wall sign and freestanding sign. Based upon our review of the materials submitted, we offer the following comments below for the Board's consideration.

Aerial Photograph



Materials Reviewed

1. Site Plan, entitled “Proposed A.D.A. Chairlift & Outdoor Dining Area, 259 Johnson Avenue, Borough of River Edge, Bergen County, New Jersey”, consisting of one (1) sheet signed by Michael J. Hubschman, P.E., P.P. and Robert J. Mueller, P.L.S. of Hubschman Engineering, P.A., dated May 6, 2020;
2. Survey, entitled “Location Survey, Borough of River Edge, Bergen County, New Jersey”, consisting of one (1) sheet, signed by Robert J. Mueller, P.L.S. of Hubschman Engineering, dated October 29, 2014 and last revised November 2, 2014;
3. Proposed signage schematic drawings;
4. Zoning Review Letter of Noncompliance from Stephen Depken River Edge Construction Official / Zoning Officer dated August 19, 2026;
5. Notice of Appeal Land Use Board Borough of River Edge;
6. Borough of River Edge Land Use Board Check List – Site Plan;
7. Borough of River Edge Municipal Land Use Board Resolution granting amended site plan approval to increase the number of restaurant seats; granting variances for minimum front yard setback, accessory structure setback, accessory structure dimensions, and number of parking spaces; and granting a parking design exception for Patdom, LLC, 259 Johnson Avenue, Block 1417, Lot 3, River Edge, New Jersey

Application Completeness

Given that the proposed application does not involve any interior or exterior improvements to the existing building or site, the site plan checklist items that have not been submitted may be considered for waiver, as applicable. The final determination regarding the granting of any waivers shall be at the discretion of the Board.

Zoning Analysis

Zoning Requirements Commercial: Retail (C-2) Zoning District				
Description	Required	Existing	Proposed	Variance
Permitted Uses	§416 Attachment 2	Restaurant	Restaurant	None
Minimum Lot Area	10,000 S.F.	14,275.75 S.F.	No Change	None
Minimum Lot Width	100 Ft.	169.00 Ft.	No Change	None
Minimum Lot Depth	100 Ft.	144.50 Ft.	No Change	None
Minimum Front Yard Setback	30 Ft.	0 Ft. (EN)	No Change	None
Minimum Side Yard Setback	15 Ft.	22.00 Ft.	No Change	None
Minimum Combined Side Yard Setback	35 Ft.	44.40 Ft.	No Change	None

Zoning Requirements Cont'd Commercial: Retail (C-2) Zoning District				
Description	Required	Existing	Proposed	Variance
Minimum Rear Yard Setback	20 Ft.	74.07 Ft.	No Change	None
Maximum Building Height	35 Ft.	< 35 Ft.	No Change	None
Maximum Number of Stories	2.5 Stories	2 Stories	No Change	None
Maximum Building Coverage	40%	23.72% (3,386 SF)	No Change	None
Maximum Lot Coverage	80%	83.58% (EN) (11,931 SF)	No Change	None
Buffer Zone (between parking areas and streets)	5 Ft.	0.00 Ft. (EN)	No Change	None
Accessory Buildings and Structures				
Description	Required	Existing	Proposed	Variance
Maximum Height	15 Ft.	12 Ft.	No change	None
Front Yard Setback	15 Ft.	> 15.00 Ft.	No change	None
Side Yard Setback	15 Ft.	2.00 Ft. ⁽¹⁾ (EN)	No change	None
Rear Yard Setback	15 Ft.	> 15.00 Ft.	No change	None
Aggregate Ground Cover	25%	< 25%	No change	None

(EN) – Existing Nonconformity; N/A – Not Applicable

Note(s):

(1) Variance previously granted.

Off-Street Parking Requirements		
Description	Required	Provided
Restaurants, eating and drinking establishments and on-site catering	1 for each 2.5 seats 165 seats / 2.5 = 66 spaces ⁽¹⁾	16 parking spaces (V)
Parking Stall Dimension	9 Ft. x 18 Ft.	Non-conforming (V)
Handicap Parking Space	1 accessible space 1 van accessible space	Non-conforming ⁽²⁾ (Waiver)

(EN) – Existing Nonconformity; (V) – Variance required; N/A – Not Applicable

Note(s):

(1) The required parking has not changed since the previous approval.

(2) The existing handicapped parking space does not have an accessible aisle.

Signs & Signage		
Description	Required	Proposed
Prohibited Signs and Lighting	Ground signs, freestanding signs, except as specifically permitted in § 416-56 and 416-57.	Freestanding Sign (EN)
Main sign: other retail and commercial uses	No larger than 16 square feet: All signs painted (silk-screen, decal, etc.) on boards (metal, wood or plastic). The area will include all lettering, wording and accompanying design and symbols, together with the background, whether open or enclosed, on which they are displayed	16 SF

Signs & Signage		
Description	Required	Proposed
Main sign: other retail and commercial uses	A total exterior design treatment must be presented showing a complementary and harmonious relationship between the signage of the building frontage and the architecture of the building itself.	Complies
	Each retail or other permitted establishment may have one sign and a second sign on the building if located on a corner lot. The main sign shall be located on the wall surface of the building's principal frontage or façade. The second sign shall be located on the wall facing the other street.	One (1)
Location and placement of signs on building	The top of each sign shall be no higher than whichever is the lowest: 18 feet above the average grade of the façade; six inches below the lowest point of the roofline; six inches below the sill of a second-story window	Not provided; The Applicant shall confirm compliance
	No sign shall extend more than eight inches beyond the face of the building or fascia to which it is attached, and it shall have a minimum ground clearance or eight feet.	Projection: 1.5 inches Ground Clearance: 8 Ft. ⁽¹⁾
	No part of any business sign shall project above the top of beyond the end of the wall surface upon which is placed.	Not provided; The Applicant shall confirm compliance
Lighting	Permitted lighting for illuminated signs shall be limited to that concentrated upon the face of the sign. If any such sign is situated within 20 feet of a street, the direct source of light shall not be visible from the street or any neighboring lots or uses	Not provided; The Applicant shall confirm compliance
	all business signs and all spotlights and floodlights used to illuminate any sign shall be extinguished by 11:00 p.m. or upon the close of business serviced by the signs or lighting, whichever last occurs.	Not provided; The Applicant shall confirm compliance
Colors	Maximum number of colors permitted in the sign shall be four; black and white colors are included.	Complies Three (3) colors proposed (black, white and yellow)
Construction	Every sign shall have its top designed to prevent the roosting, nesting or standing of any bird or animal. The use of spike, screens or any other such device will not be accepted. This design requirement must be satisfied within the framework of the sign, as constructed	Not provided; The Applicant shall confirm compliance

(EN) – Existing Nonconformity; (V) – Variance required; N/A – Not Applicable

Note(s):

(1) The Applicant shall provide testimony addressing any item that is not provided.

General Comments

1. The Applicant shall confirm the variances sought and provide testimony in support of all requested variances from the off-street parking requirements and signage requirements.
2. Per Borough Code §350-4E Site Plan Approval for Retail Food Establishment. 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 a retail food establishment.
3. The Applicant shall provide testimony regarding the hours of operation and the number of employees.
4. The Applicant shall provide testimony confirming how the signage will be illuminated and confirm compliance with the §416-38(1).
5. The Applicant should confirm the nature of deliveries to the site for the proposed restaurant, including the typical delivery schedule and type of vehicles used given the lack of a proper loading space. All deliveries should occur in a manner which does not disrupt the surrounding residential development outside of normal business hours.
6. The Applicant shall provide testimony addressing garbage pick-up, including but not limited to the typical schedule.
7. The Applicant shall stipulate that all lighting for business signs will be extinguished by 11:00pm in accordance with Borough Code §416-48B.
8. Our office has reviewed the FEMA mapping data for the subject property. According to the Flood Insurance Rate Map (FIRM) panel 193 of 332, map number 34003C0193H, a portion of the site is located with the regulatory floodway, Zone AE of the Coles Brook.
9. The Applicant shall clarify whether the proposed sign will be located in the same location as the existing freestanding sign.
10. The Applicant shall address the existing nonconforming off-street parking conditions and clarify whether the parking agreement referenced in the prior Resolution will remain in effect. The Applicant shall also confirm whether valet parking services are proposed as part of the application.
11. The Applicant shall comply with all requirements of any prior approvals on the Property.

Approvals Required

It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies in order to construct the proposed development. Including, but not limited to, the following:

- **Bergen County Soil Conservation District (Not required)**

General Comments And Requirements

1. Sufficient escrow funds shall be posted to cover all engineering review and inspection costs, legal review expenses, and Department of Public Works (DPW) review and inspection fees associated with the application.
2. All construction activities shall be conducted only during the hours permitted by the applicable Borough Ordinances.
3. Any adjacent structures or site improvements, including but not limited to retaining walls, landscaping, curbing, utilities, pavement, fencing, and other appurtenances, damaged as a result of construction activities shall be repaired or replaced to the satisfaction of the Borough.
4. The plans shall include a note stating that all construction activities associated with the project shall be performed in accordance with all applicable Occupational Safety and Health Administration (OSHA) requirements, the New Jersey Uniform Construction Code, and accepted engineering and construction practices pertaining to public and worker safety.

The foregoing comments are based on the review of the application and plans submitted. At this time, we recommend the application be deemed **complete**. We have attempted to make this review as complete as possible. However, any new submission depending upon the nature of any revision may require additional review and comment.

Should you require additional information or have any further questions please do not hesitate to contact our office at (201) 487-0015.

Very truly yours,

COSTA ENGINEERING CORPORATION



Robert L. Costa, P.E., P.P. & C.M.E.
Borough of River Edge Land Use Board Engineer

cc: Jessica Hall – Municipal Land Use Clerk (*Email only*)
Stephen Depken, River Edge Zoning Officer (*Email only*)
Thomas Behrens – Board Planner (*Email only*)
Marina Brown, Esq. – Board Attorney (*Email only*)
Thomas Scuderi (Applicant) (*Email only*)
Thomas J. Barrett, Esq. (Applicant's Attorney) (*Email only*)