

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.

Arthur Neiss - Total Wine & More is deemed complete for tonight's public session.

James Arakalian makes a motion to close the work session, seconded by Mr. Kyritz – All in favor say Aye – All say Aye.

Regular Public Meeting

### **Approval of the Minutes from March 20, 2014**

### **ROLL CALL VOTE**

James Arakalian makes a motion to accept the minutes, seconded by Tom Kyritz.

Mr. Acquafredda, Mr. Arakalian, Mr. Behrens, Mr. Duerr, Mr. Glass, Mr. Grasso, Mr. Monroe, Ms. Boland, Mr. Kyritz – Vote Yes.

Minutes are approved.

### **OLD BUSINESS**

### **2014-01 Canaan Korean Community Church, Block 1306/Lot 4.03, 80 Commerce Way, Hackensack, NJ**

Arthur Neiss - You will recall this application, this was the one story building down on Commerce Way that went before the Hackensack Board of Adjustment before coming to this board, that board granted site plan approval with a number of conditions and the resolution of that board is appended to our site plan approval resolution assuming you adopt it as exhibit A. Exhibit B to the resolution is the report of the Engineering Company dated February 12, 2014 so the entirety of the resolution consists of the resolution itself exhibit A

and exhibit B. This board requested and I believe I put into the resolution a number of conditions not the least of which the inclusion of exhibit A and the conditions of that board as adopted by this board so that there was continuity between the two communities. And this board voted to approve it I think that is what it is all about.

Ms. Bogert – The door on the left side, fire safety.

Arthur Neiss – I have not heard anything further about that. I think there is something in the Hackensack Resolution.

James Arakalian – If it is incorporated in the Hackensack approval because we are incorporating there approval into ours.

Arthur Neiss – As Ms. Bogert said it is really up to the board it is a safety concern, we can incorporate a provision.

James Arakalian – We should include it if they have a problem let them come back and we will discuss it. I think it is a good point Bridgett and I think we should include it.

Arthur Neiss – I will add that to the resolution and E-Mail to you all for comments.

&nbs p;

Kevin Duerr – Can I have a motion to accept with the amendment as drafted by Arthur.

James Arakalian makes the motion to accept, seconded by Mr. Acquafredda, Mr. Arakalian, Mr. Behrens, Mr. Duerr, Mr. Glass, Mr. Grasso, Mr. Monroe, Ms. Boland, Mr. Kyritz – Vote Yes.

Motion Passes.

**2014-02 Total Wine & More, Block 1404/Lot 1.04.5 and 3.01, 135 Kinderkamack Road, 1025-1077 Main Street**

Timothy Corrison, Cole Foley for the applicant Total Wine. I would like to give an overview. This goes back to October 18, 2007. Things are starting to happen Total Wine is preparing to open and an issue came up back in 2007 there was some preliminary approval given to the signs and variances given

for 3 signs and since then Total Wine has modified its signs uniformly and uses the same signs across the country and wanted to ask for a site modification. One thing that does need clarification, and when we walk you through it you will understand it. The present signs total footage is about 29 feet less than what was previously approved. The reason being that in the resolution when it was written it referred to the signs as being 3 foot by 20 foot as on exhibit A-14. When the 3 foot by 20 foot was spoken at the hearing that was the size of the lettering. We actually have the original exhibits and you will see it is Total Wine & More below it. The actual dimensions of the sign was greater than reported as you will see on A-14 which was what originally approved. I will walk you through that it wasn't an error it was saying what the testimony was regarding the lettering, but if you look at the sign Exhibit A-14 which was approved, you will see that there was additional lettering below the Total Wine and the actual dimensions were different than 3 by 20.

We are seeking a variance under the comprehensive sign ordinance and will go through the conditions. Signs are always an issue for towns this is a very large building it is the center piece of the new development and the center piece of the retail district of the town. I think given the size of the buildings and the appropriate visibility of the people traveling I hope you will find it appropriate and let us have this small modification.

I am going to hand out a small summary, what would you like us to mark A-1.

Arthur Neiss – When I do the resolution I will include all exhibits that comprise the record in the file of this matter. Who prepared this summary?

Timothy Corrison myself and Mr. Santini. I would like to call Mr. Martin Santini from Michaels & Baldwin Firm.

Martin Santini is sworn in. I am a licensed architect and a licensed planner and I have been working for Michaels and Baldwin, Riverdale, NJ. I will be testifying as a licensed planner.

Member – Have you testified before this town before tonight.

Mr. Santini – Yes I have on three different occasions.

Member – What is your educational and professional...

Mr. Santini – I have a Bachelor of Architecture from Ohio State University, I have a Master of Architecture and a Master of Urban Planning from the University of California at Berkley. I have been practicing and planning in New Jersey for the last 40 years.

Arthur Neiss – We will accept your credentials.

Direct

Timothy Corrison – Mr. Santini could you show the board what was A-14 the prior application back in 2007.

Mr. Santini – Yes. – This is a sheet that is identified as drawing #82 prepared by Michael Baldwin Architect and what it illustrates 4 sides, three of which have signs on this application. This drawing illustrates the plan which shows the outline of the retail store Total Wine, which is approximately 39,500 square feet and the east elevation illustrated which says Total Wine & More the 2<sup>nd</sup> elevation was the south elevation, which faces Main Street, which was originally submitted as well as the western elevation the one that is on the angle also has a sign that is located on the corner.

A-1 was also submitted but a smaller drawing of the retail store it doesn't have any signs.

Arthur Neiss – At the risk of confusing matters a little bit I think what we would like to do is mark these for tonight's meeting as separate exhibits and I realize it is going to get a little confusing.

Mr. Santini – A2 for the record The improved site plan it is part of the original A-14. We will mark it A-2 with today's date on it.

Arthur Neiss – It was originally 7/23/07.

Timothy Corrison - Mr. Santini – Let's start at the top at the time of the original approval the Total Wine was one was on top of the other and the sign was about 8 feet by 15 feet or 120 square feet. And the new application is Total Wine is stretched out and I will show you the actual sign which is proposed. Let's mark this.

Arthur Neiss – I received in my packet documents that look like you have on the easel I've got 3 of them.

Timothy Carriston – A-3 is the east elevation, A-4 South elevation and A-5 The route 4 sign. The resolution was based on the size of the T for the Total Wine. That sign was approved at 8 feet by 2 feet in length.

For the east facade you are going to see a copy of the new brand logo that Total Wine has embarked upon in all their stores nationally. It is "Total (with grapes) Wine Spirits Pure in Form" and these are face lite internally illuminated letters that will be mounted on the façade. This particular sign for the main entrance is 130 square feet and the dimensions are 5 foot 6 1/2 inches by 23 feet 5 inches.

The south elevation is the sign that faces Main Street, which leads to Route 4 and this sign is exactly the same in their content and description. This sign is also 130 square feet with the same dimensions. Now to the west elevation is facing the rear portion of the building that would be the back of the building and at 91 square feet. That proposed sign with the west elevation is 4 feet 7 1/8" by 19 feet 6 1/4" for a total area of 91 square feet.

The previous sign for this elevation was 6.5 feet by 20 feet or 130 square feet. The proposed sign is less than the previously approved sign.

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Timothy Corrison – Mr. Santini, Did you familiarize yourself with the comprehensive sign ordinance? Yes, I did.

Timothy Corrison – And that has a provision for variances for signs. Yes, it does. I believe that the comprehensive sign ordinance gives this board the authority to review situations like this where the design is going to be more complimentary to the architectural design of the building where it will be placed. The comprehensive sign ordinance has 4 criteria that must be addressed. (1) The extent of the variations. The signs being mentioned are larger than dimensions. All 3 signs there ar less area that we are requesting for the total sign package that we have then previously approved. I don't believe that the variation is of any great significance to what was previously approved.

The second part of the criteria for the comprehensive sign design ordinance is the effect of signs on neighboring properties. I don't believe that these signs would have any effect on the surrounding properties. The sign that faces the parking lot is really appropriately sized. Since all the commercial in nature

including the area which faces Route 4. However, there is a residential area that is way behind the subject property, I believe the signage as proposed will not have any negative impact on the surrounding properties.

The third requirement that is outlined in the comprehensive sign ordinance is that the portion of the sign area to the proportion of the wall where the sign is located.

Take for instance the south elevation, this is the façade (east) and the sign is 130 square feet, total size of this façade 6,660 square feet so the sign only represents 2% of that particular area.

The same thing with the south elevation Main Street the sign again is 130 square feet the façade area the total area is 6,255 square feet or 2%. The signs are small in comparison to the elevation. The same thing with the westerly façade, that side is 6,873 square feet and the sign is 91 square feet. It is 1.3%. The signs are uniform in content, appropriate in size and scale and visibility.

The last criteria of your comprehensive sign ordinance is the positioning of the signs within the architectural frame of the building.

Let's go back to exhibit A-1 The framework of the faced has this brick piers and I believe that is the primary entrance and exit to the store and that sign is appropriately sized. The same for the Main Avenue side.

Member – The motorist approaching on the highways is there a benefit to having signs there?

Mr. Santini – The key is the visibility of these signs for passing motorists. The very last one is the sign.

I believe all the signs are appropriately positioned within the framework of the facades they are attached to.

Timothy Corrison – The variances for the three signs on the somewhat irregular shaped building can be on the irregularly shaped property can be granted. Your ordinance calls for smaller signs, your comprehensive guide lines allows you as the planning board to base your decision on the testimony. It is also importance to know that relief cannot be granted unless it can be granted without substantial testimony that coincides with the zoning



configuration of the sign.

Mr. Santini – The only aspect of what I am concerned with is that it is 8 ½ feet wider. It is going to be the center piece of our town.

James Arakalian – I am not overly concerned about the other 2 signs because they don't effect what we are trying to accomplish down there, but this particular sign may or may not directly impact the view of what our downtown is going to be.

Mr. Santini – If you look what is on the 07 (A-2) how it is stacked the sign is a little more pleasing. If we look at A-1 and we go with the south elevation of the new retail center we spect out those signs as being 2 feet by 20. Twenty seems to be the agreed to length somewhere around there for those things. So if it is length we are talking about it fits within the building. It is a hugh building and that is why you have the comprehensive sign ordinance realizing that 20 feet is the mass on buildings 1/3 this size that have a 20 foot sign and to go with another 3 feet when it is less than 2% of the whole building I think it is appropriate for the building.

Arthur Neiss – You testimon y on A-3 the east elevation and A-4 the south elevation the signs are 130 square feet. Yet the sign that faces Route 4 where you testified about the variance requirements, safety and visibility, etc. that sign is less square footage wise then the signs on A-3 & A-4. How do you reconcile that differential?

Mr. Santini – I can reconcile the larger sign street on the Main Street façade by saying that faces Route 4 for the west bound traveling motorist and if somebody sees and identifies and recognizes that sign it is a quick right hand turn off to get to Main Street. There is a right hand lane that would provide access to Main Street and then they would be able to make a left hand turn into the shopping center.

James Arakalian – If you look at the sign you don't have enough room to do a larger sign there. My final point on this is 2 fold, one is that we spent a lot of time on these signs and we granted significant variances including the second pylon sign, etc. we also can't ignore the fact that we will have a new application coming in next month for a sign variance for CVS and anything that we give Total Wine certainly CVS is going to want to reciprocate the same way and I just don't know how prudent it is at this junction to start changing things

again.

Arthur Neiss – I have not seen the CVS and you have this envelope in front of you tonight that is the CVS application. I have not reviewed it yet. That application has to be judged on its on merits.

James Arakalian – All though it is on the same property?

Arthur Neiss – Yes. Mr. Casteel if you could get out A-2 on that easel and show the board where that pike-on sign where it is going to be right in there. Where is that west sign going to be in relations to the pylons?

Mr. Casteel – The west sign is going to be on this façade that I am pointing to.

Arthur Neiss – I know what a pile-on sign does, to me these diagrams that are being shown don't reflect what the ultimate result is going to be because that pile-on sign is going to be right smack nearby or below the Total Wine & More sign on the west elevation.

Member – If I remember correctly the pile-on sign was visibility from the highway.

Arthur Neiss – That was the rationale.

James Arakalian – If you look at that was the pile on sign 24 feet high and according to the 07 spec on A-2.

Mr. Casteel – It is an L-Shape 18 foot high.

Member – The pile-on sign is not going to be on the west elevation it is going to be on the south elevation. You have a permit for that. We are talking about 2 signs.

Kevin Duerr – I do think that the plans that the plans these gentleman have come before does make it look a little more astatically pleasing it is straight across and it is centered. I think it makes the building look more attractive.

Vito Aquafredda – This was a decision even if they had installed the previously approved sign it is safe to think they would have come in front of us to change

the sign to comply. We are looking at signs so please look at it in the context of where the sign is being placed. You can't look at it as if it was a lollipop sign. They are not going to compromise the certain architecture value that this building is bringing to our town.

Ms. Bogert – (not audible)

Arthur Neiss – Based on what Bridgette is saying I will include with this resolution the definitive and will include with this resolution the sections of the ordinance contemplated by that prior approval so that it is clearly delineated and no issue.

Kevin Duerr – Close this portion to the board and open to the public.

### **OPEN TO THE PUBLIC**

No one stepped forward.

### **CLOSE TO THE PUBLIC**

Vito Acquafredda – I move that we accept 2014-02 as deliberated and submitted. Seconded by Mr. Kyritz

### **ROLL CALL**

Vito Acquafredda, Tom Behrens, Kevin Duerr, David Glass, Tom Kyritz, Eileen Boland, James Arakalian, Lou Grasso, John Monroe VOTE YES

Motion passes.

Arthur Neiss – Historic Preservation Committee is the total responsibility of the Planning Board. Had a discussion about responsibility where it falls.

There are 2 memos from Alan one concerns the bond ordinance notification procedure and there is a bond ordinance attached to it. There is a provision. We do have some roll there is a whole article devoted to capital improvement program and project review and how that gets handled.

James Arakalian makes a motion, Acquafredda seconds the motion.  
All in favor say Aye – All say Aye.

Motion Carries.

Motion to Adjourn, 10:30PM

All in favor say Aye – All say Aye.

Respectfully submitted by,

Marijane Brandau