

BOROUGH OF RIVER EDGE  
LAND USE BOARD  
MEETING MINUTES  
COUNCIL CHAMBERS  
AUGUST 15, 2018

MEMBERS PRESENT:

James Arakelian, Chairman  
Lou Grasso  
Ryan Gibbons  
George Siderias  
Chris Caslin  
Eileen Boland  
Brian Chewcaskie, Board Attorney

MEMBERS ABSENT:

Dario Chinigo  
Richard Merhman  
Mayor Edward Mignone  
Dr. Jeffrey Gewirtz  
Michael Krey

ALSO PRESENT:

Charles Heydt, Applicant, 282 Taft Court

Chairman Arakelian starts the meeting with the Pledge of Allegiance.

Chairman Arakelian - Adequate notice of this meeting is provided by posting on bulletin board at borough hall by email to the news, the record into submission by all parts of the town, the same as provided by law scheduling, including the date and time of this meeting. I'd like to remind all members of the public that we have three fire exits, one here behind me over here one behind you. In addition, we're being recorded both audio and video for purposes of creating a record during the public portion, any member of the public wishing to speak, all they need to do is identify themselves for the record and give their name and address and you can make a formal statement.

Roll call please:                    James Arakelian, Chairman, Present  
    Lou Grasso, Present  
    Ryan Gibbons, Present  
    George Siderias, Present  
    Chris Caslin, Present  
    Eileen Boland, Present  
    Brian Chewcaskie, Board Attorney, Present

Mr. Arakelian - So we're going to go month by month on what we have in front of us here for approval of the minutes. So 1/17/18 any comments? No comments. Can I have a motion? Accept Second. Neither one of them of them are eligible to vote. Those who are eligible to vote are Mr. Caslin. Mr. Grasso and yourself. There are only three that can act on this. Do I have a Motion by Mr. Caslin - do I have a second; second. Okay. Mr. Arakelian. yes Mr. Grasso yes and Mr. ? yes Approval of minutes for 2/7/18 You have the eligibility, Mr. Arakelian, Mr. Grasso and Ms. Bolan and Mr. Caslin are eligible to vote. Do I have a Motion, Ms. Bolan Second. Minutes for 2/7/1818

There is a correction to be made on the first page. I think the reference to Mr. Burns actually should be Mr. Behrens? Yes, that's correct. We can do attorneys on here. Anybody else? Okay. Now it's up to motion as corrected and we'd have a motion as corrected from Ms. Boland from, Second Mr. Arakelian, Mr. Caslin, Ms. Bolan yes.

Next approval of minutes 4/4/18 Now eligible to vote Mr. Arakelian, Mr. Grasso are eligible to vote and Mr. Gibbons correcting spelling of Chairman Arakelian name on the second page. Chewcaskie just to clarify the exhibits. Unfortunately, there are no page numbers so on page three references made to exhibits A10, A12, A3 and A15, but I didn't see referenced 11 or 14. So I want to make sure we didn't miss an exhibit somewhere.

Mr. Chewcaskie I don't think it was missed. That's the way they were marked. I don't have the resolution in front of me and acted on the resolution which would have been indicated all evidence. That's fine. Just want to make sure that the records were correct. The following page, the second paragraph there, I believe Timothy Core is incorrect. I believe it should be Couristan; a similar change,

again, on the top of the page because building an answer was yes, and there's another reference to Core in that paragraph as well as the paragraph at the bottom of the page. I guess the easiest thing to do would be to do a search for Cora where it appears and just change it to Couristan, In the secretary's defense, sometimes its difficult to hear you - understood.

This is in the MCG realty application Brigitte Bogart's name is represented as Janette that just has to be corrected. What page was that it's the third to last page. Also incorrect is licensed professional engineer. ok - I think you picked up the misspelling already for Brian's last name is spelled incorrectly or correctly? My name is also spelled incorrectly its Sedieerias. Okay so we need a Motion and a second as corrected . Mr. Caslin, second Mr. Siderias yes; Mr. Arakelian yes; Mr. Grasso yes; Mr. Gibbons yes; and Mr. Caslin.

Lastly, approval meetings of 4/18/19 Comments Mr. Grasso I just noticed on page one, it should be 738 Bogert not Bogart. Mr. Grasso - My name, George's name on that page as well. My name gets spelled wrong a lot of times I get Givens, I get Brian Gibbs, so I get plenty of that. I have a couple of comments on the page following that ok - five lines down sentences; there was a question from the attorney. I think we just want to make references to the board attorney and then there was a sentence 11 lines up on the bottom. The sentence begins with Mr. Merman isn't the storm system as it currently reads probably should read Mr. Merman asked if - -

Chairman Arakelian asks anything else? ok eligible are Mr. Arakelian, Mr. Grasso, Mr. Gibbons, Mr. Siderias, Mr. Caslin Motion, Second, Mr. Arakelian, yes Mr. Grasso, yes Mr. Gibbins yes, Mr. Siderias yes and Mr. Caslin yes.

Chairman Arakelian - Okay. We're onto the memorialization Krey 879 Park Avenue, Block 209 lot 9 with a property additional front yard setback, impervious coverage and variances and any other variances that are required. I want to thank counsel again for getting these done. I know it's tough during the summer, but we're very fortunate to have such good representation and everyone here is eligible to vote. Can I just ask the question? Item 9 on page three it states Mark Gerwitz the Board Planner no it says PP the borough zoning officer. I'm sorry maybe I'm looking at an old version. He's actually a licensed planner as well. I think those plans are for a residential application, but it refers to him as being the board planner. The one that I have is Mark Scerbidge PB borough zoning officer duly sworn - - so it might have been an earlier version. I know that there were a couple revisions. Okay. Anything else? I'm good. We would need a motion on resolution the second. Mr. Arakelian, yes; Ms. Bloand, yes; Mr. Grasso, yes; Mr. Siderias, yes; Mr. Caslin, yes and Mr. Gibbons yes.

Next up is Charles Height 282 Taft Court, Block 1108 lot 25 he is doing an addition, front porch, covered patio, driveway expansion and front walkway. Everyone that is here is eligible to vote on this Resolution. Resolution was passed by all.

Last but not least, this is Mr. Scott Yoon, 183 Van Saun Drive, Block 1209, Lot 2. He was getting two side yard setback variances. one rear yard setback and lot coverage. And again, Mr. Chairman everyone here is eligible to vote - - any questions, comments. Resolution was passed unanimously.

Chairman Arakelian - - Just a couple of pipelines to throw out to you guys real quick. It looks like someone is coming in to take the old Francesca spot. So they'll be coming in for a site plan and food license but I don't know what exactly they're planning on bringing in, but something is supposed to be coming forward. Kress as you can see is just about ready to be an operation again over there. They've been working hard to try and get that done I understand that that may be coming back for new signs and colors, whatever, so if they do, we will try to expedite them and get them going. Um, and that's it. Motion to adjourn. (Not yet)

Brian Chewcaskie and the board speak about site plan approvals in a general sense i.e. . issue is it comes up as in when if they're taking over a building which needs freshening up etc. So you know, there is a process for a site plan waiver in some communities and usually that is like part of a change but it speaks to food handlers licenses and what it meant was, is that if you're a restaurant or food service, use you need to come in for a site plan approval because it was only to look at the part that was impacted and you could probably provide in that section, a waiver if there is no significant change. Maybe that's a bad word - no substantive change to what's being done because if somebody comes in and says this was an Italian restaurant and I'm making it a Mediterranean restaurant, it had 20 seats and it will continue to have 20 seats what are we going to look up. But if it was under the same scenario and said we're changing the inside, we're going to have bar with five stools and still maintain 20 seats maybe that's different. Just for instance with Francesca if we carve that original piece up for the Pet store, they are now going to expand to what I believe the Tortilla place. So that is going to make a whole new store front.

Chair Arakelian - Somebody told me what's going in there and I can't remember. I just want to let the board know it's coming down the road. I think what along the lines maybe what you are saying, where their profit margins are slim maybe there could be something in the code that if somebody is going for food handlers license, they wouldn't have to seek approval possibly if there's there's no seating. I mean if you have seating, that's what's really going to impact the parking. If it's somebody that's opening something strictly take out, I think the probabilities are less. Go back to an example, with New York market, if that were the case, they would have been able to come in here and we really wouldn't have had any teeth into making them fix up that building, which of course is still, in my opinion, not very good. In the past there had been some talk that the owner of the building, may decide to redevelop it, but it's nothing specific in the pipeline.

So we just want to be careful because we do want to be able to make our building owners, you know, conform to what we were looking for in River Edge and I understand your point, so we want to expedite it if we going to get them open and we don't want to have a vacancy for three and four months waiting for us to approve it. And meanwhile everybody's losing money, you know, and understand the landlords want to make money and they deserve to and business owners want to make money they deserve to so

that gap in between the application process and the approval process, hopefully we can just keep moving things along as we have been. Right I would think at some point I'd be curious what the procedure is in other municipalities in Bergen County when someone goes for a food handlers license is it typical in municipalities that they have to appear in front of the board and the site plan.

Brian Chewcaskie - There are a lot of municipalities that require what they call a change in occupancy or a change in tenancy, a change in use where it would be reviewed by the Board and some of them call them site plan waivers where you don't need to give us full site plan but we will come in and tell you what we are doing. I don't necessarily agree with that, I believe that if there's a change, it should come before the board, if there isn't a change whether it's restaurant or retail no. Rochelle Park does a tenant review on everything. So, if I moved my office building to an office building in Rochelle Park, I will be subject to a tenant review. Chairman Arakelian - We're actually, from what you know - - of course I'm a commercial real estate broker so I have a lot of dealing with different towns and were actually one of the more lenient of the towns out there, our zoning seems to be a little bit broader than others where the town is carved up into different zonings.

We basically have two commercial zones and maybe Eileen can help me on this point, but I view it this way. If there's an existing building and it's being used somebody coming, to use it again whatever it is again, it should be evaluated what the impact on parking would be because what could the Board possibly do when they come in and its retail to retail and it's underserved, there's nothing you can do if it goes from retail to restaurant it kind of exacerbates it then it should be taken and looked at. We're River Edge the bottom line is there's always going to be parking nobody's going to come in and say, Oh yeah, I've got plenty parking, there's always going to be a parking issue so of course there are buildings in town that do require a lot, a lot more leniency by the board. But I think the Board generally speaking has been pretty good at understanding that its River Edge and with the exception of the River Edge Diner that has plenty of parking, you're not going to usually see somebody come in with that kind of request. So I've been very proud of the things that we've done on this board and I have stated that more than once, simply go down to the south end of town and I have had many public officials from other towns asked what our secret is to getting these people to do these wonderful things with the buildings that they're doing so far, I think what we have in place for food licensing and, and just general code and the town is very conducive to our commercial building owners being successful again with the way this board treats those people.

Uh, and I've treated them in the past. I think its very positive reflection on the Borough of River Edge. I think it's very important if there's a food establishment, the restaurant takeout business with high volume business, parking is stuff we definitely need to look at, like grocery store could have a negative effect on an entire block if the other business don't survive. I've had friends and have seen things posted on different websites and so forth about River Edge, trying to come up with a new tenant over here and some of the things that they've talked about that no way do we have parking for them so you want them to be successful, but you also don't want a line of cars trying to get in on the weekends, so of course as a Board we look at that and fortunately we have some great professionals here that know what they are talking about and could always help us along and if you look at it the Board should be looking at that

more experience retail and certainly those that are chains like the CVS's of the world the Seven 11's they're not going there if they don't have their code they don't care what your code says your code could say only 10 spaces they want 20 spaces and that's the way they want it. It's sort of like Starbucks, Starbucks will not build anything today without a drive through – that's their model - you look at WaWa in Oakland - WaWa left Oakland because the county was not going to let them make a left turn and that was after they got their approval - it was to the point where they were going to finish so they spent \$300,000.00 and they said this is not our model so if we don't have a left hand turn we're gone. So of course, that is the challenge we are always going to have down at Hackensack Avenue. I can't image ever having a left hand there.

A motion to adjourn - who made the motion - Mr. Siderias Second. All in favor? Any opposed? No - meeting adjourned

