

Borough of River Edge/ Municipal Land Use Board

Meeting Minutes
September 28, 2017

PRESENT:

Chair	James Arakelian
Vice-Chair	Richard Mehrman
Board Member	Eileen Boland
Board Member	Lou Grasso
Board Member	Chris Caslin
Attorney	Steve Muhlstock (For Brian Chewcaskie)
Planner	Tom Behrens
Zoning Official	Mark Skerbetz

ABSENT:

Mayor	Edward J. Mignone – Excused
Board Member	Councilman Vito Acquafredda - Excused
Secretary	Dr. Jeffrey Gewirtz - Excused
Board Member	John Monroe
Alt. Board Member	Michael Krey
Engineer	Robert Costa

Opening

The Work Session Meeting of the Borough of River Edge/ Municipal Land Use Board was called to order at 7:34PM on September 28, 2017 by Chair James Arakelian.

Salute to Flag – Board Member Eileen Boland

Sunshine Law (Open Public Meetings Act)

Adequate notice of this meeting has been provided by sending notices on December 23, 2016 to The Record and The Ridgewood News, by posting on the bulletin board in the lobby of the Borough Hall, and filing a notice of the same with the Municipal Clerk.

Roll Call by Attorney Steve Muhlstock - A quorum was established.

Work Session

Approve the Minutes of September 14, 2017 – Motion by Mr. Mehrman, second by Mr. Caslin.

All in favor 5-0

Memorialization

**A. Kelm - Application #
175 Lozier Terrace - 1210/08**

Attorney Muhlstock stated that he had asked Mr. Kelm, at the last meeting, to provide a revised plan. Attorney Muhlstock said that he did not get the revised plan until right before this meeting; therefore, there was no resolution prepared for this application tonight. He stated that he will have the resolution ready for the next meeting.

Chair Arakelian said that this memorialization will be tabled until the next meeting.

**B. Kontak - Application #
343 Howland Ave. - 1108/5**

Attorney Muhlstock said that aside from the one correction on the secretary's certification, on page 6, were there any other changes.

Chair Arakelian said no.

Motion to memorialize this application – Motion by Mr. Caslin, second by Mr. Mehrman.

All in favor 5-0

Completion Review:

**A. Thomas Behrens
733 Williams Ave. - 411/4**

Mr. Behrens stepped forward.

Attorney Muhlstock stated that he had spoken to Mr. Behrens and that he had reviewed his proof of service, including the 200 foot letter and the publication in the Record on September 18, 2017 and the Board has jurisdiction to hear this application.

Zoning Official Skerbetz stated that he had no issues and deemed the application complete.

Motion to deem this application complete – Motion by Mr. Mehrman, second by Mr. Grasso.

All in favor 5-0

B. Kang

381 Kinderkamack Road – 1004/8.02

Mr. Barrett, the attorney for Mr. Kang, came forward.

Chair Arakelian reminded the Board that this was the application that was tabled at the last meeting and that they have the revised plans with them.

Attorney Barrett stated that they had met with the Site Plan Review Committee and incorporated their recommendations and he has the revised plans with him. He stated that originally they were looking for a rear yard variance of approximately 13' and now it has been expanded to 20'. They also asked for relief of a condition that was imposed on the original subdivision in 1991 - with respect to not permitting any construction north of the east west line of the existing home; in order to withdraw that request they are required to request a front yard variance at the northerly side - they are providing a front yard of 25'2", so they would need a variance for the 4'10" from the required 30 foot setback. On the southerly side of the home the setback is about 36" that has to do with the angle of Kinderkamack Road. They are now south of that existing east west line – all other aspects comply with the ordinance.

Planner Behrens stated that at the Sub Committee meeting it was agreed that this was a better alternative and that the application can move forward.

Attorney Barrett handed out the plans and stated that it shows the meets and bounds. The small portion of the house encroaches into the required front yard.

Motion to deem this application complete – Motion by Mr. Mehrman, second by Mr. Grasso.

All in favor 5-0

Attorney Muhlstock asked Attorney Barrett to come forward. He asked him now that they have a revised plan submitted tonight does he feel members of the public have had sufficient opportunity to review the plan in its revised form – are the changes significant.

Attorney Barrett stated that he does not feel that the revisions are significant even though they are now required to have a front yard variance. He notified both homeowners, who were at the last meeting, about the changes that were made and he spoke with the former Mayor and his wife about the changes that were made before this meeting – so they would have to speak for themselves if they have had sufficient opportunity.

Attorney Muhlstock said that he doesn't have a problem with it, if the changes are de minimis.

Attorney Barrett said that he believes they are because the only change is the increase in the provided rear yard and a small decrease in the front yard.

Attorney Muhlstock reminded the Board that this was the case, at the last meeting, where the public was informed that the application would be heard tonight. He also stated that they would hear from the public if there were any problems.

Eileen Boland stated that she noticed that they did not change the date on the plans, so they need to put the corrected date on the plans.

Attorney Muhlstock said that the Board already voted on completeness, but if any member of the public wanted to step forward and speak they could now.

Mr. Sandy Moscaritolo came forward.

Attorney Muhlstock asked Mr. Moscaritolo if he felt he had sufficient opportunity to review the revised plans, and did he feel that the revised plans are significantly different that he feels he would be somewhat prejudice.

Mr. Moscaritolo stated that he does feel prejudice because he saw the last plans and he would comment on them if they were before the Board but they are not. As far as the revised plans, he would comment if he had an opportunity to see them, but he has not. There are changes on them that he has issues with. He was a little more comfortable with the original plans. It involved removing a restriction which he was in favor of. This application has new variances and still requires the condition that was imposed in 1991, which he thinks should still be removed (regarding where the house sits on the lot). He hasn't had an opportunity to look at the revised plans, and he would like an opportunity to do so. He also said that if an application is made and notice is sent within 200 feet and within the notice it lists the variance and conditions it seeks to change and then there is a subcommittee meeting and there is recommendations and the applicant complies with the recommendations and they require 3 or 4 more variances and there is no additional notice to the public then it does become an issue.

Attorney Muhlstock asked Attorney Barrett to come forward to address these issues.

Attorney Barrett stated that it is one more variance and it's for the front yard. He stated that Mr. & Mrs. Moscaritolo's concern is that the home will be about 7 ½' or 8' from the property line which is where it was with the original application and that has not changed in any way. He also stated that it did say for any other variance that is required – it was in there.

Chair Arakelian asked Mr. Moscaritolo if he had time to review the plans and then had the opportunity to cross exam the attorney and owner of the property would that be enough time to move this application towards a hearing tonight, or would he need some extensive time (a month, 15 days, 30 days) to review the plans.

Mr. Moscaritolo stated that he would like to have the opportunity to show the plans to a Land Use Attorney and/or get a professional's opinion on the plans and then the application can go forward.

Attorney Muhlstock stated that his opinion is that de minimis or substantial is in the eyes of the beholder. He thinks that the next door neighbor is entitled to take the plans to an attorney or a planner or an expert and prepare his opposition, if any. He doesn't think the Board should be setting this kind of precedent. As a homeowner (neighbor) he is entitled to have the revised plans 10 days before.

Attorney Barrett asked if they could proceed at the next meeting, and that he would give Mr. Moscaritolo a copy of the revised plans tonight.

Attorney Muhlstock said absolutely and asked if the Board agreed with that.

Vice-Chair Mehrman said yes especially because the Board is in the same position.

Chair Arakelian stated that the Board deemed the application complete, so they don't have to deal with that, and that Attorney Barrett will deliver the revised plans downstairs tomorrow to the Board Clerk. It will allow Mr. Moscaritolo and anyone else to pick up their copy.

Attorney Barrett stated that he would give Mr. Moscaritolo his copy tonight.

Attorney Muhlstock said that for anyone who was at this meeting, concerning this application, there will not be any further notice, this is the public notice. This application will be heard in two weeks at the next MLU Board Meeting which is October 12, 2017.

Chair Arakelian stated that he will not be at this meeting.

Attorney Muhlstock stated that there will be no further notice, it will be heard on October 12, 2017.

Vice-Chair Mehrman asked if the applicant agrees with everything.

Attorney Barrett said yes.

Chair Arakelian asked for a motion to close the Work Session – Motion by Mr. Caslin, second by Vice-Chair Mehrman.

All in favor 5-0

Chair Arakelian called to order the Regular Meeting of the Municipal Land Use Board at 8:00PM.

PRESENT:

Chair	James Arakelian
Vice-Chair	Richard Mehrman
Board Member	Eileen Boland
Board Member	Lou Grasso
Board Member	Chris Caslin
Attorney	Steve Muhlstock (For Brian Chewcaskie)
Planner	Tom Behrens
Zoning Official	Mark Skerbetz

ABSENT:

Mayor	Edward J. Mignone – Excused
Board Member	Councilman Vito Acquafredda - Excused
Secretary	Dr. Jeffrey Gewirtz - Excused
Board Member	John Monroe
Alt. Board Member	Michael Krey
Engineer	Robert Costa

Roll Call by Attorney Steve Muhlstock - A quorum was established.

**A. Thomas Behrens
733 Williams Ave. - 411/4**

Mr. Behrens came forward.

Attorney Muhlstock stated for the record that he reviewed the publication and the notice that Mr. Behrens's had published in the Record and it is in order, compliant with the statute and the Board can proceed.

Mr. Behrens stated his name and address – Tom Behrens – 173 Beach Drive North, River Edge, NJ (temporarily residing at 17-23 11th Street, Fair Lawn, NJ). He further stated that he is a licensed Professional Planner in the state of New Jersey (License #6323); a member of the American Institute of Certified Planners and on occasion he sits on the Board for various matters and thanked the Board for their time.

Chair Arakelian stated (for full disclosure) that Mr. Behrens is the Borough Planner but he is acting, right now, as a member of the public for the Borough of River Edge and a citizen.

Mr. Behrens stated that while he is the applicant, this is a family owned property, owned by his parents who reside at 173 Beach Drive North, River Edge. His parents bought the property in 1986, it is the house that he grew –up in. His parents then moved to 173 Beach Drive North, which is the house that his mother grew-up in. The house has been vacant for a number of years, and now that he and his wife are starting a family it became an opportunity for them and they are looking to move back into the Borough. The property is identified as Block 411, Lot 4 in Borough Tax Records, it is in the R1 Zone, located at 733 Williams Avenue. Originally, when they first moved there, the block was developed with only 4 houses on it, as a results of 2 subdivisions, it was elongated and now has 7 houses on it and that is only on the west side of the street. On the east south side of the street there is Pascack Valley Commuter line, a patch of woods, and the Hackensack River. The house itself is located about 2 blocks south of the River Edge Train Station and it is in an older part of the Borough with smaller lots. The property is rectangular in shape and it is undersized (50'x103'); it has 2 preexisting nonconforming – conditions (1) the lot width of 50' where a minimum lot width of 75' is required in the R1 zone. (2) the lot area of 5180 square feet were a minimum of 7500 square feet is required. It is a 2 ½ story dwelling of about 1100 square feet and has a gravel and paved driveway with 2 curb cuts with a deck and a shed. What they are proposing is to remove most, if not all, the development on the property. They would develop a new single family home and it would include reducing the number of driveways from two to one and it would also eliminate them having side by side driveways with their neighbor to the north. They plan on keeping the existing shed, and they will need to clear a few trees (one is in the way and some are unhealthy and pose a safety hazard). The footprint of the new dwelling will be approximately 1219 square feet and a paved driveway to the left of the dwelling which connects to the proposed garage. There will be a retaining wall in the back to help with the drainage issues (there have been some drainage issues as the property is near the river and toward the bottom of the hill). They do plan on installing some fencing and will apply for the proper permits when the time comes. They intend to have a full landscape plan. They are seeking 2 “C” variances for the 2 preexisting nonconforming conditions of the lot width and lot area and also requesting a front yard setback variance of 26' where a minimum of 30' is required; also, a maximum lot

coverage variance of 38.82% where 35% is required. In addressing the statutory criteria and the basis for the impervious coverage variance the C1 criteria or, physical features test, applies. The lot is undersized with a lot width of 50' and an area of 5180 square feet. It comes down to the need for a wider driveway. The reason for this is because cars are not allowed to be parked on the street certain hours of the day (this is to discourage train commuters who don't live there). If they could have helped it, they would have avoided variance relief all together, but this seemed liked the best way to develop the property in keeping with the neighborhood and it is consistent with 3 other homes on the block. With regard to the front yard setback the C2 criteria states that the granting of the variance will advance the intents and purposes of the MLUL (Municipal Land Use Law) and that the benefits will substantially outweigh the deterrents. They are proposing a front yard setback of 26' where a minimum of 30' is required. This will bring the property into greater conformance as the current front yard setback is only about 10 1/2 square feet and the 26' setback proposed is actually greater than the block average of 23.4' and it's even greater on the reverse of the property (Center Street) where the average is a 15'-17' front yard setback. There are no sidewalks, so functionally from the point of the curb to the house is actually 36' (so it will almost serve as the 30' buffer that is required in the R1 Zone). The figure of 4' is so that they can stack 2 cars with a little bit of room in the front of the driveway and it also provides some relief to the property's on the block with nonconforming front yard setbacks so that they don't stick out, as Mr. Behrens's house does now. They feel this is a more balanced approach to the development of the property, it's consistent with the established character of the neighborhood. As far as the negative criteria the variance relief can be granted without any substantial deterrent to the public build and it will not substantially impair the purposes of the Master Plan or the Borough Zoning Ordinance. It started out as a rehab project, but all they could save were the studs and the brick foundation. It was a total gut job and got to be just as expensive as building a new home. The development proposal does advance several purposes of the MLUL including Purpose A (to guide the appropriate use of development of all lands in the state) Purpose E (to promote the establishment of appropriate population densities) and Purpose I (to promote a desirable visual element). It is also consistent with the Borough's 2009 Master Plan Reexamination Report, which has the goal of maintaining the viability of established neighborhoods. It is a major improvement to the property and it is being welcomed by the neighbors. They have all given their support in one way or another over time. It brings the property to greater conformance with respect to the front yard setback; it is consistent with the surrounding development pattern and in his opinion the criteria for variance relief has been satisfied.

Zoning Official Skerbetz said if they push the house back further then you are going to increase the driveway which would increase the impervious coverage. The original house is only a 10' or 11' setback, so they would be coming more into compliance.

Mr. Behrens said that is correct and they are reducing two curb cuts to one. The new home will be considerably smaller than some of the neighbors' homes. It is sort of modest, and Mr. Behrens's father-in-law will be moving in with them, and he has a handicap situation which is the need for a first floor bedroom. The reason why they went for the narrow and deep as opposed to the deep and shallow was that it would give a little more space to the neighbors. It is about 2/3's conforming.

Eileen Boland said that the application seemed very thorough and she had no questions.

Mr. Grasso had no questions.

Vice-Chair Mehrman stated that the lot width is what is really driving the impervious coverage and that it is a true hardship. He also said that Williams Street is a Cul-de-sac, and there is no thru traffic. There are 7 houses on the block and Mr. Behrens would be moving the building further in and it would be closer in alignment to the houses that are currently there.

Attorney Muhlstock asked how many total square feet will the new home have. The footprint is 1219.

Mr. Behrens said it is 23 and change.

Mr. Mehrman said it is definitely a modest house.

Chair Arakelian asked for a motion to open to the public – Motion by Mr. Caslin, second by Vice-Chair Mehrman.

All in favor 5-0

No one from the public came forward.

Motion to close to the public – Motion by Eileen Boland, second by Mr. Caslin

All in favor 5-0

Chair Arakelian asked for a motion to approve – Motion by Vice-Chair Mehrman, second by Mr. Caslin.

All in favor 5-0

Mr. Behrens wanted to thank Zoning Officer Skerbetz who made himself available, and also Ed Alter, who Mr. Behrens stated, is a great addition to the Borough Staff as the Land Use Secretary.

B. Broderick

65 Route 4 East – 1417/1

Chair Arakelian stated that the Site Plan Review Committee met with the applicant and his attorney last week (Chair Arakelian, Vice-Chair Mehrman and Attorney Chewcaskie and also the MLU Board Planner). There were some revisions on the sign and some requests that were made that will be addressed by Mr. Barrett.

Attorney Muhlstock asked Attorney Barrett if this was the first notification for the public hearing.

Attorney Barrett said no, this application was tabled at the last meeting and the notices were sent out at that time. Certain suggestions were made when they met with the Site Plan Review Committee, which included the elimination of one of the proposed signs and that would have been on the westerly facade (the one you would see if you were traveling eastbound on Route 4). After much discussion Mr. Broderick has agreed to eliminate that sign. The sign on the northern side, as originally proposed, as shown on the plans, will be removed (current pre-standing sign). It was also pointed out that there were two addresses on the stair shaft, the lower numerals will be removed, and they were about 10' above grade. The other ones, which were at a higher elevation, will remain. There also was a determination that was made that those don't count towards the total signage. The existing tenant sign will also remain, which is above the address. They have reduced the application to almost half in terms of the size of the signs that are being proposed. Attorney Barrett called upon the property owner to go over some testimony and he also brought the sign person and the planner.

Mr. Broderick was sworn in and stated his name (Brandon J. Broderick). Mr. Broderick stated that he has many clients traveling all over the northern part of the state and to access the building (especially coming from the east heading west), they would need to observe the building prior to the exit. There is a Grand Street exit that is at least 1000' from the building and the exit is on the right. They feel that both the height and size of the sign is best for visibility. Also, the building is not only on the highway, but it is setback by a service road.

Attorney Muhlstock asked traveling west on Route 4 will his sign be seen.

Mr. Broderick said yes, heading from the bridge to the malls.

Attorney Muhlstock also asked if someone wanted to get to Mr. Broderick's office off of Route 4 where would they turn.

Mr. Broderick said it is the River Edge/Grand Street exit, which is prior to the building.

Attorney Muhlstock said so you have to see it because you are traveling at a fairly decent rate of speed because it is a highway.

Mr. Broderick said yes, you are going at a speed of 55 +, the idea is that you have to see the building before you hit the exit. Mr. Broderick said that you would have to make the decision to turn off of Grand Avenue thousands of feet before the exit. Probably 2,000 feet, if not more. If you miss it then you are traveling another 2 miles so that you can turn around.

Attorney Barrett stated that he and Mr. Broderick had the opportunity to discuss landscaping and the re-striping of the parking lot. He asked Mr. Broderick, in the spring, would he be willing to take care of the landscaping and re-striping of the parking lot.

Mr. Broderick said yes, and that he has already been in touch with a landscaper (a different one than the one used by the prior owner).

Chair Arakelian said that he did a sight visit today and what he saw towards the back end of the driveway needs a good cleaning up. He asked Mr. Broderick if he would be willing to take care of it.

Mr. Broderick said that he would be cleaning up the building as well as the property.

Planner Behrens said that the westerly facing sign was basically relocated to be in a more visible location, and is consistent with what is already there. The other sign needs to be the size that it is so that it can be seen in order to make that turn (more for a safety reason). These seem to be better alternatives. As far as the stair shaft signs go, there would be two (the address, and then the existing law firm). The Broderick sign will be where the temporary sign is now. Planner Behrens said that there was a question about the illumination – the proposed channel letter with the LED back lighting.

Attorney Broderick said that they have the sign person at the meeting and he would be better able to answer those questions.

Vice-Chair Mehrman asked to hear from the expert witnesses about the traffic safety and the illumination. He also asked if the Planner could testify to the traffic safety.

Planner Behrens said that he believed so.

Chair Arakelian asked the Board if anyone had any more questions for Mr. Broderick, and no one did.

Chair Arakelian stated that since no one is in the audience the meeting will not be opened to the public and the meeting will proceed.

Attorney Barrett called up his Sign expert, Mr. Delford Hesener from JHM Signs located at 1593 Springtown Road, Alpha, NJ. - He was sworn in. Attorney Barrett asked Mr. Hesener to explain how he arrived at the proposed signage.

Mr. Hesener said that he worked with the branding (logo) Mr. Broderick has established and scaled it up to the size they felt appropriate. He said that they are constrained with having only one spot on the building where they felt the sign should go. When you start to expand it you hit the vertical limit you can go and how big you can make it. That ended up with a total maximum letter height of just under 22" (at that point he checked it against the general guidelines he has for the US Sign Council). He said that the ideal letter height would be 30" (this is for the sign heading west bound on Route 4) – they are quite a bit below that at 22".

Attorney MuhlstocK asked what those standards are based on.

Mr. Hesener said it is based on the number of lanes of traffic, the lateral offset to the building and what they call a legibility index (the readability of the sign). The sign will be a LED illumination, but as far as the exact level of illumination it is hard to determine until it is built and then measured with a light meter.

Attorney Barrett asked Mr. Hesener to describe how the sign will be lit.

Mr. Hesener explained that the sign is internally illuminated channel letters, they use LED illuminated - as far as the exact level of illuminated it is hard to tell until the letters are built. For the Borough of Hillsborough (Starbucks) he had to go out and measure one of the signs and they specify that it can't be more than 5' candles and the Starbucks sign came in at about 2.9 - that sign is almost identical to the Broderick sign.

Mr. Grasso asked if it would be keeping with the others signs that are in the area.

Mr. Hesener said yes and that all the channel letters you see these days are done the same way.

Mr. Grasso asked about the sign that was on the building now (that said 65 E Route 4) was that the same kind.

Mr. Hesener said no it is not, that's a pin letter that is not illuminated.

Mr. Grasso asked how the height of the Broderick sign compares to the "65" sign that is there now.

Mr. Hesener said he would look.

Chair Arakelian asked Planner Behrens to see if there was a candle power within our ordinance. He believed there was.

Mr. Hesener said that it looks like the “65 East” part that is there now is significantly larger than the maximum letter for the Brandon J. Broderick sign,

Mr. Grasso asked what the height was for the Brandon J. Broderick sign.

Mr. Hesener said the first letters of each word is larger than the rest of the letters and those larger letters are slightly shy of 22”. The “65” is at 26 ½”, which is really close to the actual size it should be. He said if he had his way they would all be at that height just to make it more readable.

Mr. Grasso said that if the Brandon J. Broderick letters would all be at 26 ½” it would be too much.

Planner Behrens asked if the intensity of the lighting is adjustable.

Mr. Hesener said no, not with these signs, with these signs it’s all or nothing.

Planner Behrens stated that the Borough does have a provision in Section 350-28 – it talks about the intensity of a 1’ candle. It should be noted that this property is located in a unique location in the Borough and that may pose some flexibility – the Board may want to take that into consideration. Also, at the Site Plan Review Committee they did talk about alternative light sources – are there any other types of lighting that could be used at this location.

Mr. Hesener said in this particular case there are no other ways to illuminate this sign. In some cases you could use gooseneck lighting, but not in this case because the sign is right at the roof line so there’s not any place to put them. They also try to stay away from the inverted ones because the light turns up toward the airplanes and you don’t want to do that. You can also try and spotlight it from the ground, but then you’re running into the same kind of issue. So in this particular case the internal illumination is really the only viable way to light the sign.

Eileen Boland asked if the sign needed to be lit; what the hours of operation are. If the office is closed, does it need to be lit.

Mr. Hesener stated that he is probably not the right person to speak to that.

Mr. Grasso asked Planner Behrens if the ordinance applies to Route 4 - that there is no illuminated of signs after 11:00PM.

Mr. Broderick stepped forward and stated that his hours of operation vary. They have 1/3 of the staff that are there until 7:00-7:30PM and they make themselves available to their clients who work all day. They have been there as late as 8:00 or 9:00PM. He has concerns with the seasons changing.

Chair Arakelian asked if there were any Sunday operations.

Mr. Broderick said no (although he does work Sundays).

Planner Behrens stated that in Section 416-48 subsection B – all business signs and all spotlights and floodlights used to illuminate any sign shall be extinguished by 11:00PM or upon the close of business serviced by the signs or lighting, whichever last occurs.

Attorney Muhlstock asked if this sign would be on 24/7.

Mr. Hesener said that it does not have to be, usually they are on a timer.

Attorney Muhlstock asked if it really matters.

Vice-Chair Mehrman said it doesn't seem like it matters, and that it doesn't seem like the client needs it.

Attorney Muhlstock asked could it be regulated.

Chair Arakelian said that he would like to see it conform to the ordinance.

Mr. Grasso asked Planner Behrens if the ordinance says that lighted signs have to go off at 11:00PM or the close of business.

Planner Behrens said whichever is later.

Chair Arakelian stated that it's safe to assume that 11:00PM would be the time the lights would be out.

Mr. Grasso said he thinks that was done to coincide with the 24 hour ordinance that nothing is allowed to be open after 11:00PM.

Chair Arakelian said that is not true at the other end of town they are allowed.

Mr. Grasso said is it because it is south of Main Street.

Chair Arakelian said yes.

Planner Behrens was wondering about the other properties along Route 4.

Chair Arakelian said he sees no reason why the sign should be on after 11:00PM.

Vice-Chair Mehrman said he agreed.

Mr. Broderick said he wouldn't be seeing clients at 11:00PM.

Attorney Muhlstock asked Mr. Hesener if he could regulate the lighting.

Mr. Hesener said that it can be arranged that it runs on a timer.

Chair Arakelian asked to go the professionals.

Planner Behrens said that all his questions were answered. It represents a modern form of illuminated.

Eileen Boland said she is very uncomfortable with the size of the sign especially when it is lit. She would want to restrict it as far as hours of operation – preferably close of business.

Vice-Chair Mehrman said he believes the applicant agreed to 11:00PM.

Eileen Boland said she is uncomfortable with the size of the sign.

Chair Arakelian said that he believes that it's the color of the sign – would there be a different color - a softer option than the bright white.

Mr. Hesener said that the color is more in line with Mr. Broderick's branding.

Chair Arakelian said that Mr. Hesener stated that it wasn't a branding issue it was a safety issue, so the branding shouldn't really matter.

Mr. Hesener said that the branding is important to Mr. Broderick as he would like to stay consistent – for him to have his name suddenly appear in red –

Chair Arakelian said he wasn't saying it has to be red, but the sign is there for safety reasons. The branding is not as important as the safety issues. He is good with what they are discussing, but it is his first time seeing the white against the brown building and he feels it is overpowering. He believes that is what Eileen Boland was getting at, and is there a softer lettering – maybe not as bright a white.

Mr. Hesener said he doesn't know that any other color will be noticeably softer – if it's dead of night and it's really bright it will have the same effect; except if you use blue

lighting and that is the worst color to use – it maybe softer but it is disorientating to see blue lighting at night – your eyes don't really adjust to it.

Chair Arakelian asked Eileen Boland if she had any suggestions.

Eileen Boland said she is not really buying it. It is very loud, even in the picture.

Chair Arakelian said he agrees, even at the Site Plan Review Committee it didn't seem to be as bright as it is now.

Eileen Boland said that LED lights are very bright.

Chair Arakelian asked Mr. Hesener to help them out, give them something.

Vice-Chair Mehrman asked what other colors are available.

Mr. Hesener said they are not limited on the colors. It can be any color.

Chair Arakelian said that what they are proposing is like putting a flashing light up, it is very overpowering.

Vice-Chair Mehrman asked if a buff (a very light brown) would be better.

Mr. Hesener said that part of the problem is that you need a contrast. If you are looking at it at night it's a bright white, but if you're looking at in the day and its red in color you're not going to see it and then you do run into a safety issue where it is not visible. The white strikes it as being visible at night and having the contrasted in the daytime. He doesn't know if trading in one for the other is necessarily better.

Planner Behrens asked with the LED lighting is there various levels or grades of LED lighting, or is it more like a one size fits all.

Mr. Hesener said no it's pretty much just LED's.

Mr. Grasso said he feels that the issue the Board is having is the intensity of the LED lighting. LED lighting as compared to candescent or fluorescent lighting is considerably brighter. When you're driving down Route 4 it is going to completely knock you over. Because the size of the lettering is fairly large maybe not having these lights backlit might be a better idea. Have something like a gooseneck or maybe a long fluorescent fixture where the light illuminates that way as opposed to a backlit – sort of like these new cars with the LED lights and when you're driving they are blinding (you need sunglasses). How many cars would that be equivalent too, some new BMW's with the LED lights it might be like 10 cars -

Chair Arakelian asked what the candle power is on these lights.

Mr. Hesener said 2.9.

Chair Arakelian asked what the ordinance is.

Planner Behrens said 1 at the property line.

Eileen Boland stated that it's hard to measure straight out, but they know that the LED lights are bright.

Mr. Grasso said if there were gooseneck lights or fluorescent lights that weren't backlit.

Mr. Hesener said unfortunately that won't work because of where the sign is located on the building.

Chair Arakelian said he has an A and B - (A) would be a lighter light on the lettering or (B) darker lettering for the light. He doesn't want to be driving down Route 4 and see this big bright name sticking out.

Eileen Boland said or if they keep the lettering, but don't illuminate it.

Mr. Hesener said he would leave it to the Board, but he wouldn't change the color – they would be trading off safety during the day against the most amount of traffic. Having that contrast color is ideal because it is readable. The solution might be to not have the illumination as late.

Chair Arakelian said he would have it eliminated. He doesn't see these options being viable for him.

Mr. Broderick came forward and asked if they could hear from the other witness (his Planner) about the lighting issue.

Chair Arakelian said he doesn't have a problem with it, but he wants to finish up with the sign person first. He said as your driving down the road and you see this sign popping out at you with that color sign and the brightness it is not going to fit with anything even some of the chains on Route 4.

Mr. Broderick said that he disagrees because the brightness is based on the candle color and not the color.

Mr. Mehrman said that the foot candle measurement at the property line is meant more for parking lots rather than signs.

Eileen Boland said that the sign is so far up.

Vice-Chair Mehrman asked to go back to the sign color. He asked rather than have a white-white, which this appears to be is it possible to go with an off white.

Mr. Hesener said that he supposes it could be changed, but not sure that it would help anything.

Chair Arakelian said right now it couldn't get any more contrast as there is right now, unless you want to go silver or gold. He is asking to dim down the contrast, and that as a professional Mr. Hesener must come across it all the time.

Mr. Hesener said he disagrees, he see this type of sign all the time, it's not a special sign. It may not look like it in the rendering, but it's the same sign as all the rest you see, and if it was that big of a change they would have noticed it already.

Chair Arakelian said he did, driving down today, when he went there. It was different then he thought it would be, and different then what he sees in the rendering. The one on the building he saw today he could live with, because the coloring of the letters were more in line with the ceiling color then what he is looking at in the picture.

Mr. Hesener said that the color he saw today (in the vinyl on the building) is more in line with what the sign will be as opposed to what is in the rendering.

Vice-Chair Mehrman asked if it included the color.

Mr. Hesener said absolutely. He said they could make it an eggshell color, but he is not sure how it would illuminate. He could change the color to off white.

Eileen Boland said that they wouldn't know what that would look like, and they could be in the same situation.

Attorney Barrett said if they make the sign the same color as the temporary sign that is there now would that satisfy the Board.

Chair Arakelian said he couldn't speak for the Board he could only speak for himself. He would probably be more comfortable with it.

Attorney Barrett said that they would be willing to stimulate that that's the color it will be.

Mr. Grasso asked how much of a variance are they seeking for the length of the sign.

Attorney Barrett said that if they enclose the sign it is 147 square feet, however, the way the ordinance is written it is 20 square feet and it goes on to state further the lesser of 20' or 1 foot for every 2 feet of frontage. If you use the formula it comes to 110 or 130 square feet, but the Planner has that information and she will testify to it. The ordinance is really meant for the properties on Kinderkamack Road because on the west side of Kinderkamack Road it is mostly residence. This property is on Route 4 and there are no residence within sight. The closest one is more than a few 100 feet away, and because of location that lends itself to the application for a variance and for the safety reasons that have been pointed out and the ability for people to know where they have to go, because it is on the other side of Route 4. It is in an isolated location, there are 5 or 6 River Edge businesses on that side of the highway, most of which have already received a sign variance.

Vice-Chair Mehrman asked from the standpoint of safety for westbound traffic is there a better location on the façade for the sign.

Mr. Hesener said no, that's the best location for that sign. He also said the sign is just visible, if you're traveling westbound, there is a large traffic sign and as you reach that point that is about the first point where the sign is visible.

Mr. Broderick's Planner stepped forward and stated her name and was sworn in – Mia Petrou on behalf of Kenneth Ochab Associates – 12-16 Fair Lawn Ave., Fair Lawn, NJ (License #5694). She has appeared before the Zoning Board previously. She is a licensed Professional Planner in the state of New Jersey; a member of the American Institute of Certified Planners and has been a planner for about 19 ½ years. She stated her schooling and her qualifications.

Attorney Muhlstock asked if the Board was satisfied with Ms. Petrou's qualifications.

The Board said yes.

Ms. Petrou said that she has reviewed the plans before the Board, Board correspondence, and also reviewed the ordinance and the Master Plan of the Borough and has done on-site inspections. She also has photos as a result of those inspections and an aerial exhibit.

Attorney Muhlstock marked Exhibit A-1 (revised 9/25/2017) as the handout from JHM Signs "Sign Package Proposal"; Exhibit A-2 is the handout from Kenneth Ochab Associates "Photo Exhibit 65 Route 4 East – River Edge NJ"; Exhibit A-3 is as handout also from Kenneth Ochab Associates "Aerial Exhibit 65 Route 4 East – River Edge, NJ".

Ms. Petrou said that she would begin with the Exhibit marked A-3 which shows where along Route 4. The property is located on the eastbound side of Route 4, it is located on

the service portion of the road. It is centrally located in the aerial exhibit and has a very faint 65 NJ-4 taken from the google aerial map. Eastbound is running left to right across the top portion of the map and westbound is below the divider heading towards the right out of the exhibit. The site is currently improved with an existing two story office building above a grade level parking and it contains the existing signs as can be seen in Exhibit A-2 photo A. This photo is taken from the westbound direction from Route 4 just where the exit comes in off of Route 4 to get off for Kinderkamack Road. You can see the existing address numerals of 65E and the existing tenant sign just above that location. Photo B shows the existing westerly elevation, which is what you would see if you were standing across the street on Grand Street, the location is a corner lot with frontage on Grand Street which goes one way northbound onto Route 4 at that location. Photo C shows a view taken from just outside the westerly elevation of the property looking towards Route 4 with a bus stop (this is towards the west) and you can see the pedestrian overpass from that location. Photo D shows a view right across Route 4 towards the north - two other existing commercial buildings with frontage along Route 4. To get into some numbers the applicant is proposing to retain the existing tenant sign as shown in photo A, which is the white box and has a dimension of 45.2 square feet – the applicant is proposing to remove the existing ground sign that is on the premises and is planning to retain the existing address numeral signage - to that 45 square foot sign they are proposing the proposed 147.4 square foot wall sign. The total sign area minus the address numeral is 192.6 square foot. The variances requested for the proposed sign can be found in Section 416-47A(1) - requires that the top of the sign be no higher than 18' above the average grade or the façade and they are proposing at 32.7' above grade and that is at the top row above the windows on the second story. The second variance is for the total area of signs. The total permitted is 1 square foot of sign area for every 2 square feet of the building street frontage with a maximum (corner lot) of 30 square feet. There was a third variance noted for the number of signs, but because they removed the second proposed sign the total number of two does comply. Also the area of the second sign - one sign will be proposed at 147.4 the other sign cannot exceed 50% of the area of the first sign and they will comply with that section because the area of the existing sign will remain less than 50%. These variances are classified as “C” or “Bulk” variances pursuant to the MLU Law. “C-1” variances can be granted in cases where there are practical difficulties in the application of the zoning requirements to the particular characteristics of the property in question. “C-2” variances can be granted in cases where the benefits of granting the variances outweigh the benefits and in so doing promote the purposes of zoning and MLU Law. This property is located in the “C-2” commercial office zone. In looking at the reasons that support the granting of the requested variances in particular looking at the sign height above grade the building in question is two stories above a grade level parking. When driving along and looking to identify a building the proposed location is reasonable given the context of the Route 4 location especially

because you are approaching it from the westerly side. It is at the top location of the building – you can see a little bit in the corner of Photo A. You can see when you're driving, or at least right across the street - when you're traversing that street your eyes aren't going to go to the top of the building. Also, in staying consistent with the neighborhood Photo D shows a building that also has signage above the top row of windows above a second level right across Route 4. It is consistent with the signage pattern along Route 4 for having signage above the 2nd story of windows.

Chair Arakelian asked in Photo A is that the banner he is looking at on the left end.

Ms. Petrou said yes that it is right by the light pole.

Ms. Petrou stated that the proposed wall sign being at the top part of the building really is a traditional method of identification that is going to be carried over at this location. Ms. Petrou said that in looking at the total sign area, because this is a corner lot, they are permitted to have a maximum 30 square feet, but when measuring in accordance with the linear frontage requirement of the alternate method of measurement in the ordinance the linear frontage of the building along Route 4 is about 135' resulting in 67.6 square feet of total sign area whereas the linear frontage of the building on Grand is 108.6' resulting in 54.3'. So those combined result in 121.9 square feet of permitted sign area, but they are again forced to use the 30 square feet. Notwithstanding this is a very unique building, a uniquely designed façade so when taken into account all the different visual aspects of the building the proposed signage in terms of sign area is reasonable. The existing tenant and numeral signage will serve as means of identification from the Route 4 eastbound direction, but to identify from the westbound the applicant needs to identify himself in a reasonable and distinctive manner. As far as the sign itself it is a very clean sign, it's not a boxed sign where you light up a whole box. By having wall mounted letters there are several voids within the sign that doesn't amount to one huge sign area and the sign is 2 lines and the gap to the left of Attorney at Law takes up about 1/3 of the total sign area. You have 147 square feet but the actual sign area is actually closer to 107 square feet when you don't count that void to the left of Attorney at Law. Also the Board heard from the sign expert that the lettering of this size is appropriate in terms of public safety in order for someone to have a line of sight and visual time to make that exit. It's not directed to any other neighboring property just to motorists. It is consistent with sign ordinances to provide for adequate identification in advance of a site to help people find their way and thereby promote public safety.

Chair Arakelian said you keep mentioning safety (this came up at the Site Plan Review Committee) if this was strictly a safety issue and not an advertising issue then why not just put up the number of the building instead.

Ms. Petrou said because you are identifying

Chair Arakelian said what are you identifying, you are identifying the number of the building, not the participants that are in it.

Ms. Petrou said she doesn't agree with that. she believes when you're looking to go someplace you're not thinking I'm going to 65 Route 4 East, you're thinking I have an appointment with Mr. Broderick.

Chair Arakelian said he disagrees because it is a professional building not a retail building. This is not a Dunkin Donuts or a Lazy Boy. If it had been one of those then he would agree, but this is a professional building. It is very rare to find someone's name splashed all over the building. The argument that this is a safety issue is not one he is willing to accept. Let's call it what it is it's an advertisement, not a safety issue.

Ms. Petrou said she agrees that it is an identification sign which in order to promote public safety should be easily identifiable and if there is an advertising element to it the overall condition and the market of office space in the region is also a cause for concern. The Master Plan and Ordinances do talk about investing and improving on properties in the Borough.

Chair Arakelian said he is 100% for investing in the Borough and helping the Borough business owners to be successfully within reason, but this is an advertisement. He wants to get off the safety part of it and work on making this sign appear to be more than just something crazy standing out there on Route 4. If you look at the picture where the banner is, he is fine with that because you can see it, but if you look at the picture that was supplied to the Board it looks different.

Mr. Broderick said that the residents and the people driving by will not see this sign.

Chair Arakelian said he saw the sign when he was driving by today and he thought it was a little big, it wasn't overwhelming and he could live with the color of the sign. But when he sees the rendition (Exhibit A-1) he sees a billboard.

Mr. Broderick said this is not what you will see, what you see here is when you're looking at a piece of paper with white lettering on top of it.

Mr. Hesener said you are 270' away from this sign when you will see it. When you're looking at it on the piece of paper the perspective is gone from it.

Mr. Broderick said that this picture was taken 20' from the building. When you're a motorist 2,000 to 3,000 feet away from it you don't see that, what you do see is more along the lines of the temporary banner that is up.

Attorney Barrett said that they did stipulate that if approved it would be the same color as the banner that is up there now.

Eileen Boland said that they still don't know what that would be.

Mr. Broderick said that Chair Arakelian had seen it today. The applicant would guarantee along with the sign company that the sign would not be the color that is shown in Exhibit A-1.

Eileen Boland said it is hard to approve something that you don't see.

Chair Arakelian asked Ms. Petrou if this concept was approved without the lighting what would the problem with that be.

Ms. Petrou said that it comes down to identification – if there is no illumination the sign will not be visible.

Chair Arakelian said that this is an attorney's office that may be taking 1 or 2 clients in an evening.

Attorney Barrett asked if they could stipulate that the timer could be set for 8:00PM.

Chair Arakelian said so you're only talking about illumination for a couple of hours.

Attorney Barrett said and part of the year not at all.

Eileen Boland said if it is offensive, even for those few hours, it is still offensive.

Attorney Muhlstock said what is offensive, is it the size of the letters.

Eileen Boland said it is the brightness of it being illuminated. She looks at it and sees advertisement.

Ms. Petrou said that as a planned professional she sees it as a standard type of fixture.

Chair Arakelian said you should know that Eileen Boland is a licensed professional.

Eileen Boland said that she is talking as a resident and hearing the rest of the town asking who approved that crazy sign on Route 4.

Chair Arakelian said that is exactly what happens.

Mr. Broderick asked if anyone has said anything about the banner that has been up for the past 2 or 3 months.

Eileen Boland said it's not lit is it.

Mr. Broderick thought that Eileen was asking about the size.

Eileen Boland said her concern was the illumination.

Mr. Broderick stated that during the winter months at 5:00PM the sign has zero effect for motorist and they often hold depositions in the evening. He knows that Chair thinks that this is advertising but he has never traveled down a highway and counted numbers to see if he was going to get to 68 or 112. He understands what Chair is saying.

Chair Arakelian said when you are differentiating between a retail establishment and a professional establishment -

Mr. Broderick said he agrees with him 100%, but he doesn't think that anyone has traveled down a highway and counted numbers.

Attorney Muhlstock stated that he understands what Mr. Broderick is saying that because it is on a highway it should be treated differently.

Mr. Broderick said that the idea is that it is a professional building - and not only is it on a highway, but it is on a service road as well and a corner lot.

Eileen Boland said that is why they are considering this size of the sign.

Ms. Petrou said that she would take it a step further and say that it is this location on Route 4 apart from the other portion of the C-2 zone with all the other office buildings. This is a very unique site with very unique signage needs that wouldn't apply.

Mr. Broderick stated that he spoke to the sign guy and it would be no brighter than the Total Wine Sign, he also told him that a big white box would be brighter than the sign. It does fit in with the highway area. It is not a special sign made for his big ego. He is not disagreeing, he is just presenting another component.

Attorney Barrett said that they were talking about a couple of hours. In the winter it starts to get dark around 4:45PM so it would be 3 hours.

Chair Arakelian asked Mr. Broderick if he was going to a disposition at his office what time would he be going.

Mr. Broderick said 5:00 or 5:30PM.

Chair Arakelian said maybe we could turn it off at 7:00PM and have a fair resolution.

Mr. Broderick said that he has clients coming from all over in the evening hours.

Chair Arakelian asked would many be showing up after 7:00PM.

Mr. Broderick said not many.

Chair Arakelian said so if 7:00PM was approved it really wouldn't hurt you.

Attorney Muhlstock said of the people coming to Mr. Broderick's office, how many wouldn't know what they were looking for or have never been there.

Mr. Broderick said it would be a huge percentage, because it would be doctors, other lawyers, clients, especially if they are coming from other areas. He said that of all the clients who visited his downtown Hackensack office today about 10% have been there before.

Eileen Boland asked how everyone on the Board feels.

Mr. Caslin said he still doesn't buy that it is a safety issue he believes it is blatant advertising. He does however understand the need to have some form of identification out there.

Mr. Grasso said his biggest objection is with the LED lighting. The LED's are very bright and when you're driving down the road he feels it will be overpowering.

Mr. Broderick said that Mr. Grasso mentioned the headlights, but this is not a situation where there is a car coming at you.

Chair Arakelian stated that if the Board did allow the lighting the arbitrator would be the Borough Planner and if he thought it was too bright it would have to come down and new lighting would be put up that would be within the area type lighting.

Planner Behrens said that he was about to suggest that condition. One of his thoughts was if they were allowed the illumination, give them a period of time to review it and see if it works or not. If it doesn't then consider alternatives – either shut it off – or at a cost to Mr. Broderick replace the sign with something with less intensity or no illumination at all.

Chair Arakelian if Attorney Barrett wanted Planner Behrens to be the supervisor of the sign.

Attorney Barrett said what if it was the same intensity as Total Wine.

Chair Arakelian said if they keep it at the same intensity as Total Wine then he doesn't think Planner Behrens would have a problem with it.

Attorney Barrett said at least we have a standard.

Chair Arakelian said that's a good standard.

Attorney Barrett stated that Planner Behrens would be reasonable.

Chair Arakelian said it is his opinion that if the lighting is reflective of Total Wine then Mr. Broderick will never hear him complain, but if he goes down there and thinks it's too bright then he would have a problem. He thinks that it would be good to have Planner Behrens as the arbitrator. He also stated that the Board is a reasonable Board, they are just looking for some clarity.

Planner Behrens asked the sign guy, comparing apples to apples what would the measure be which to go by – if comparing to the Total Wine sign.

Mr. Hesener said he was unfamiliar with the Total Wine sign.

Chair Arakelian told him he will make himself familiar with it. If they keep the lighting within those boundaries he personally feels that the 8:00PM time would be fine. He is getting his advertising in and he is getting his clients in the building. He asked to hear what the rest of the Board had to say.

Eileen Boland asked that the boundaries would be that Planner Behrens would decide.

Chair Arakelian said 100% - he has total control.

Eileen Boland said because the Board can't see how the sign will look ahead of time, they need time to say this was a big mistake and we can't have it, and if that doesn't happen then that's great.

Mr. Grasso asked if anyone on the Board was familiar with the Total Wine Sign – the background to it, is it white or ivory.

Chair Arakelian said he was familiar and it is colored.

Mr. Broderick said that he was in agreement with it and he understands their concerns.

Chair Arakelian said that he wanted to welcome Mr. Broderick to River Edge in the proper way and that the Board doesn't want people driving down Route 4 talking negative about the sign. The Board wants his presence to be positive in town.

Mr. Broderick stated that he appreciates that. He also asked for clarity – there would be a honeymoon period – some kind of extension on only the lighting.

Chair Arakelian said that is correct.

Eileen Boland said being that it's winter time perhaps a 6 month period.

Planner Behrens said whatever time the Board determines to be fair once the sign goes up and is illuminated - some review period - and if there is an issue then some amount of time that it has to be corrected.

Chair Arakelian said that once it gets past that honeymoon period it won't change after that honeymoon period without Mr. Broderick coming back before the Board – meaning Mr. Broderick can't say it's not bright enough and turn it up.

Mr. Broderick said he can't.

Chair Arakelian asked Planner Behrens if he was ok with it.

Planner Behrens said yes.

Mr. Grasso said that he does think that an ivory would be softer on the eyes than the white.

Chair Arakelian said that he thought they said that they were going to stay in line with the ivory color. He asked it's not going to be a bright white, it will be softer.

Mr. Hesener said that the banner they are looking at is white, it may look off-white.

Chair Arakelian said but it not going to be as white as in Exhibit A-1.

Mr. Hesener said no it won't be that white.

Vice-Chair Mehrman said as a planner is the Brandon Broderick sign at the best location for the westbound traffic.

Ms. Petrou said certainly.

Vice-Chair Mehrman said let's move on to the Doherty sign – that sign is going to remain. Is that internally lit.

Mr. Hesener said no.

Vice-Chair Mehrman asked and it will not be lit.

Mr. Hesener said that is correct.

Vice-Chair Mehrman said so the poor people going eastbound they are on their own. They are going to rely on the 65 E Route 4.

Chair Arakelian said that for the record Mr. Barrett's client has agreed to re-landscape and clean the property up. He has also agreed to re-strip the driveway and make the driveway look appropriate.

Chair Arakelian stated that the Board does not need to go to the public because there is no public at the meeting.

If there are no further questions from the Board Chair Arakelian stated that he would entertain a motion.

Vice-Chair Mehrman said he wanted to piece it together – (1) The number of signs, the existing Doherty sign will stay - the only thing that will change on that sign is the wordage at some point in time because it is a tenant sign; (2) The proposed Brandon J. Broderick sign is going to go where it is proposed on the north wall and the existing monument sign (or ground sign) is going to be removed; (3) From the standpoint of the Broderick sign the color will be what is now displayed on the banner (or very very close) leaning more towards an off-white as opposed to a bright white which is the Boards intent; (4) It will have the LED lighting with almost 3' candles (2.9 to be exact) measured at 5' away; (5) The timing for the sign will be dark until 8:00PM. (6) The intensity of the sign and the timing of the sign illumination will be reviewed by the Board Planner in the first 6 month period and he will report back to the Board; (7) If there are any suggested alternations or changes, the applicant will come back to the Board and they will review it collectively.

Attorney Muhlstock stated that with respect to the illumination intensity it will be guided loosely by the Total Wines signage in accordance with Planner Behrens directives. He said Vice-Chair Mehrman nailed it - those are the conditions Attorney Muhlstock wrote down.

Chair Arakelian asked Attorney Barrett if he was good with it.

Attorney Barrett said yes.

Motion to approve with conditions – Motion by Vice-Chair Mehrman, second by Mr. Caslin.

All in favor – 5-0

Attorney Muhlstock stated that the application was adopted.

Chair Arakelian asked for a moment with Attorney Barrett concerning Kinderkamack Road – the Board will be tight on attendance (Chair Arakelian will not be at the first October meeting) and Kang will be the only thing on the agenda.

Attorney Barrett said that the other thing is that his clients will be away and they wanted to know if they had to be here. He stated that he would talk with Mr. Moscaritolo and his wife. His clients don't care if they go a little bit north, but he knows the Board does.

Chair Arakelian stated he wanted to entertain a motion to adjourn.

Motion to adjourn the meeting – Motion by Eileen Boland, second by Mr. Caslin.

All in favor 5-0

Meeting was adjourned at 9:45PM

Minutes submitted by: Carol Byrne

Approved on: Thursday, October 26, 2017