

BOROUGH OF RIVER EDGE PLANNING BOARD MINUTES
May 15, 2014

ROLL CALL PRESENT: Vito Acquafredda, Tom Behrens, Kevin Duerr, David Glass, ~~Pom Kyritz~~, Eileen Boland, James Arakalian, Lou Grasso, John Monroe, Ms. Bogart, Mr. Costa also present Arthur Neiss Esq.

Absent: Mayor Moscaritolo,

CALL MEETING TO ORDER 800PM

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.

OLD BUSINESS

2014-02 Total Wine and More, Block 1404,5 and 3.01, 135 Kinderkamack Road, 1025-1077 Main Street Approval for 2 Signs.

Arthur Neiss – I drafted up a resolution and I sent all of you a copy of a proposed resolution. Since then, however, there have been a number of changes to the resolution. You can see those changes. Page 4 We are noting the name of the project New Bridge Landing and that comes from the historical side of town from the train station.

This Total Wine signage is really not standing on its own. The Total Wine Company nationwide had to change their branding as well and so we wanted to reflect in the resolution that the branding that will appear in the Borough of River Edge is the equivalent of the branding that will appear as part of the overall total wine signage.

On page 8 I added in the total from the May 1 meeting and on the last page I changed to accommodate tonight's vote.

James Arakalian – I have a question for our engineer. In passing by tonight I notice a new configuration of the curb cut toward the back of the building at Bogert Road and Marginal Road, which appears to me to be a very dangerous situation. I drove there an hour ago and happen to make it around the curb almost directs me into a line of traffic across the street. Can you address how that happened?

Mr. Costa – At that point in time I was not the engineer for the board. The board had a traffic expert, the applicant has a traffic expert. This does not work. The back entrance is going to have 2-way traffic. People are going to come down Bogert to make the left.

What are people going to do, the entire back of the mall connects to Kinderkamack Road so you are going to have a cut through.

Member – What are our options?

Arthur Neiss – It is an improved project and that approval stays in place. I think they are going to have to come back because the circulation is not going to work.

James Arakalian – Can we approve a project that has them encroaching on public property?

Kevin Duerr – Do we have a motion to approve this resolution?

Vito Acquafredda – So moved, seconded by James Arakalian.

ROLL CALL

Mr. Acquafredda, Mr. Arakalian, Mr. Behrens, Mr. Duerr, Mr. Glass, Mr. Grasso, Mr. Monroe, Ms. Boland – All vote Yes.

Motion passes.

Kevin Duerr – We need a motion to close this portion of the regular planning board meeting to go into a work session.

James Arakalian – Notion, seconded by Vito Acquafredda.

ROLL CALL

All in favor say Aye – All say Aye.

OPEN WORK SESSION

ROLL CALL

Vito Acquafredda, Tom Behrens, Kevin Duerr, David Glass, Tom Kyritz, Eileen Boland, James Arakalian, Lou Grasso, John Monroe, Ms. Bogart, Mr. Costa also present Arthur Neiss Esq.

Absent: Mayor Moscaritolo

2014-03 CVS Pharmacy, LLC, Block 1404-Lots 1.04 and 5 Kinderkamack Road and Main Street. Seek approval for comprehensive sign design and bulk variance pursuant to the comprehensive sign design section 416-55 of the Borough of River Edge zoning ordinance.

This is an informal to give the board a basic understanding as to what CVS is proposing for signage. No vote tonight we are just going to listen.

Josh Vandenhento – I am with the Law Firm of B. Pitney we represent the applicant in this matter CVS. CVS is looking to move into the existing Total Wine Building and the scope of this application is only to replace the Total Wine signage with signage for CVS Pharmacy. Our application papers the signage is essentially the same size as is on the building. This is Bob Olenzloger he is CVS's sign consultant he can give you a general background the size, the locations and why this locations are necessary.

Bob Olenzloger – The signs that we are proposing are basically the same size as what is there. There appears to be 36 inches letters on the building and it is exactly what we are proposing for CVS. We are proposing to have these in the same locations as it is right now. I believe that is needed for the simple fact that if you are traveling east on Main Street near the one from the west elevation, which will now be facing the new liquor store. The front elevation, which is facing Main Street that one is needed when you are traveling east down Main Street, you don't

see that until you are almost on top of it. If you see when you are right on top of it that is why the one on the west side is needed. They have to make a left turn you can't make a left turn into the rear, there is no left turn there. The right elevation, which is the east side you need that for the motorists traveling west on Main Street. Also, for the ones traveling west on Kinderkamack Road to see that sign.

We believe the way signs are now laid out, whoever has done them before had them in the correct locations. All we are saying is we would like to put our signs right where their signs are. Same size no bigger.

We also proposed a couple of directional signs, I am going to remove them from our application. I took a good look at the site, we were told to purpose those signs and I don't believe they are needed. CVS has given me the authority to sign decisions for them. We have two enter signs out there and we are going to remove them. I think they would be a hindrance to be out there because I think automobiles will be hitting them.

The building is so close the the highway, I don't think they are needed. We know we are over on the signage, as far as the variance, because we are only allowed two signs. We are not asking to go anything bigger then what is there.

It is a unique layout for this site. It is one of the few CVS Pharmacy's that we are not going to have a drive-thru. In a lot of strip malls we won't have them only in the stand alone buildings.

James Arakalian – You are removing to two signs that say enter? What you do want is the three signs that appear on page 2 of 3.

Bob Olenzloger – Correct. The 3 main identification signs, and as you can see there are 2 small signs there are not meant to be seen from the highways. One is a store hours plaque, which has the information.

James Atakalian – We are removing the sign on Kinderkamack where the right turn is. That will be an entrance only whose responsibility will it be to say entrance only?

Arthur Neiss – Is that two-way on the main street, there is a double yellow line out there. You are talking Kinderkamack.

Member – Coming from the parking lot to exit who is responsible for signage that says Entrance only? And does it have to be a free standing sign? Does it only need to be painted on the asphalt? What is the recommendation for that? We don't want people driving through the parking lot to exit that area to make a right on Kinderkamack because they don't want to deal with the traffic flow.

Arthur Neiss – There was a Do Not Enter.

Member - If you look at the end of where Total Wine is there is going to be a big painted Do Not Enter I think we said it was going to be like a speed bump.

Ms. Bogert –I have 2 concerns. (not audible)

Arthur Neiss – I have a copy of the transcript from 07 from the hearing for the site plan so I will review that so that everyone is clear about the nature of the variances.

James Arakalian – I was just talking to Bob about his opinion about the size of the signs in comparison to the side of the side of the building facades and distance.

Bob Costa – (not audible)

Arthur Neiss – My feeling is that Total Wine is Total Wine and CVS is CVS.

Member – I noticed in the review letter you called out quite a few sections of the ordinance with or without conformities. Would we be requesting variances from all those sections?

Ms. Bogert – (not audible)

Arthur Neiss – Are you suggesting if this applicant were to come before the board under the comprehensive sign design ordinance those separate sections would be applicable?

Ms. Bogert – If that is what the ordinance says.

Member – Because you have that parking lot right as you enter off of Kinderkamack. You make a right into the parking lot off of Kinderkamack Road is there anything as you come out of the parking lot that says Right Turn Only so they don't make a Left?

Arthur Neiss – I don't know the answer to that Robert do you know?

Kevin Duerr – If you are coming down Kinderkamack and you turn into that same section that we are talking about that little parking lot that is north of the Total Wine and then you are leaving that section would there be anything to indicate that you could not go left and go back out?

Bob Costa – There is a Do Not Enter. I met with the engineers from CVS about a month ago, he didn't know at that time if he had to come back before this board for site plan approval, he didn't know if he was going to make any changes to internal circulation. Some changes have to be made because you will see the curb in front the way it is right now, they are going to put a 6" curb create a mote around the store, which is not going to work the grade is the grade. By the middle of next week they are going to start stocking the new store and by June 6th they want to be completely out of where CVS is going. If what I am told it is going to be the same kind of traffic. Outside there is going to be a different contractor to finish up the rest of the site work. The only question I had was there is a Developers Agreement, there are Building Permits in play, how is that transition to a new gentleman to start the site work.

Bob Olensloger – No improvements or changes have started on that Total Wine site.

Bob Costa – Those piles of dirt because that whole parking lot is raised up. Maybe CVS want to take this back to their people and look at it very closely and say you know what gentleman maybe we need to modify this.

Member – The way it is designed now that's going to go to a place that is not very well used to everyone using it to avoid going on to Main Street to enter the facility no matter what store you are going to go to. Everyone living in River Edge coming down Kinderkamack will now make that right. The entire traffic pattern is going to change.

Bob Costa – That driveway is 30 feet wide. The other driveways are 24 feet that is actually the bigger one that is a one-way. The two way driveways are smaller.

Bob Olensloger - We also configured that, if you look on the blueprints we also considered having angled curb cuts so it would be more difficult to go out. We have eliminated the parking that was 4 spots and with the cut outs being curved in.



Member – There are people that are going to come up Kinderkamack, park there and run in and get their scripts and tun out and say I don't care what the curb cut demonstrates.

2014-04 HRS Consulting Group, Block 804/9, 10.01 and 12.01, 480 Kinderkamack Road – Seeks approval for food handlers license for grocery store.

Lawyer (for applicant), 45 Essex St., Hackensack, NJ. This company is a small closely held LLC by Ms. Romeka Seockie and her husband. The purpose of this application is a site plan application for a retail grocery store. Normally, we would not need a site plan application, but because this application involves a food handlers under your site plan ordinance any application that involves of food handler's permit is required to come before the board on a site plan application. We delivered 20 copies of the application on May 6th. It is in a strip mall slightly south of River Edge liquors we are going into where the Scoops Ice Cream Palor was. Nothing is changing on the outside of the building, except the lettering on the sign.

On the inside some minor changes. The use is permitted in the zone. No variances requested. There will be no cable service, no good being served, it is strictly a grocery store. Most of the sales are done through the Internet. The total size of the store is 708 square feet, plus the basement for storage. The total building is size is 8,651 square feet. There has been msny applications before the board in the past so I am sure you are familiar with the site. The size of the sign is 1 ½ foot by 14 feet. The architectural plan was attached to the application. It describes the interior layout.

James Arakalian – My understanding from the past was that if the property had a food license granted store front and the use didn't change to a non-food and another food wanted to go in where that food license already was that they wouldn't even have to come before the board to do it because it wasn't issuing a new food license, because the license was already existing.

Arthur Neiss – I think the way the borough has handled these in the past if they are personal to the applicant.

I just wanted to basically have this testimony tonight for just what you are planning on doing and saving the details until the advertised meeting.

Member – When we had the back lot with the parking somewhere in the vicinity of parking space 26, 27 & 28 aren't there now garbage dumpsters.

Lawyer (for applicant), I don't know I will do a review before our next meeting and make sure we know the site.

Member – I am looking where is says key map and it shows that you are occupying three buildings can you give me an explanation of how that relates to where Scoops was now. Are you occupying more space?

Lawyer – Let's stay with the key plan that you are looking at if you took the furthest to the left the largest square and divided it in half we are the half on the right side.

Member – The ones that are all shaded you are not using all three buildings? It is #12 the one that you will be using?

Lawyer – And if you were to divide 12 in half $\frac{1}{2}$ of 12 is ours. Any other questions?

Member – What is the percentage of delivery business you are going to do as opposed to a pick-up business? As I am looking at this you are now occupying 2 parking spaces adjacent to the front of the store. How many people are going to be picking up things. Is it going to be dinner, a nightly thing, is there going to be a flow of traffic in and out of that parking lot?

Lawyer – I think we just wanted to table that.

James Arakalian – I just have a question for Arthur I live in this town and I know for a fact there have been quite a few food places that have taken over food places that have not come before this board and Mark is going to decide who comes and who doesn't I think the board should send a note to Mark saying one way or the other because I know there are a number of pizza places that went into existing pizza places or barbeque places that were barbeque at one time that have not been before this board. I know that for a fact.

Ms. Bogart – (not audible)

James Arakalian - Is there any mechanism within URL that if we approve a project

And we make a mistake, let's say that we approve something that is dangerous is there a mechanism for us or the borough or the Mayor & Council to turn around and fix that problem.

Arthur Neiss – Once you guys approve an application, the applicant has rights that can't be interfered with unless you want to take them to court.

Bob Costa – Not audible. The bottom line is you can't have an intersection where you turn the corner over a double yellow line, hopefully nothing will happen, but I think it is a recipe for disaster.

Vito Acquafredda – I am the liaison to the council and I will bring this up at our next meeting.

Adjournment 10:30PM James Arakalian makes a motion seconded, seconded by Vito Acquafredda – All in favor say aye. All say Aye.

Respectfully submitted by,

Marijane Brandau