

**BOROUGH OF NORTHVALE
COMBINED PLANNING BOARD/BOARD OF ADJUSTMENT**

October 21, 2020

7:30 P.M.

Zoom Meeting ID: 453 996 0939

Password: 4Qz3LR

Phone in Number: 1 646 558 8656

Meeting ID: 453 996 0939

Password: 785974

MINUTES

CALL THE MEETING TO ORDER

Chairman Amorosso called the meeting to order at 7:30 PM in the Borough Hall Office located at 116 Paris Avenue, Northvale, New Jersey 07647. Meeting included Board Members, and was open to members of the public using the Zoom virtual platform.

STATEMENT

Chairman Amorosso read the "Sunshine Statement" into the record as follows:

"This is a regularly scheduled meeting of the Combined Planning Board/Board of Adjustment of the Borough of Northvale. The date, time and location of this meeting has been advertised in the official newspaper of the Borough, filed with the Acting Borough Clerk, and posted on the bulletin board in the Municipal Building. All notice requirements of Public Meetings Act for this meeting have been fulfilled. Please note the fire exits as required by law"

ROLL CALL:

PRESENT: Chairman Amorosso, Mr. Giannotti,
Mr. Vollmer, Mr. Hogan (Alternate #1) Mr. Pothos (Alternate #2)
Mr. Degen (Alternate #3) Mr. Briscoe (Alternate#4)

PRESENT VIRTUALLY: Mayor Marana, Councilman Devlin, Mr. DeLaura, Mr. Guyt
Mr. Moran, Mr. Sillery,

ALSO PRESENT: Gregg Paster, Board Attorney, Chris Dour, Borough Engineer (Present Virtually)
Nicole Cowley, Board Secretary

REGULARLY SCHEDULED COMBINED WORK AND FORMAL MEETING

APPLICATION OF MCDONALD'S USA, LLC
240 LIVINGSTON STREET
BLOCK 303 LOT 11

VARIANCE APPLICATION FOR PROPOSED SIGNAGE
IMPROVEMENTS

This application began with Brian Wolfson, Attorney from O'Toole Scrivo law firm introducing himself to the Chairman and Board members. Attorney Wolfson was present at this hearing on behalf of McDonald's Corporation. Attorney Wolfson introduced Tiago Duarte, from Dynamic Engineering. Mr. Duarte is the engineer who will be testifying as to the site plan and layout. In addition to Mr. Duarte, Paul Ricci, Professional Planner, will be testifying as the C variance request of positive and negative criteria.

Attorney Paster stated for the record, he reviewed the notices and they check out in all areas of publication and notice. At this time, Attorney Paster began to swear in Mr. Duarte, following this Mr. Duarte stated for the record his professional experience and qualifications. Attorney Paster qualified Mr. Duarte as an expert in civil engineering. Mr. Duarte began his testimony by describing the location and history of the application site. The proposal this evening is for the purpose of modernization of the drive-thru facilities. Currently, the application requests modification to the drive-thru, and the menu board. Basically, the menu would be two screens that can change throughout the day for different meal options relevant to breakfast, lunch or dinner choices. The menu boards would be replaced within the same parameters as what exists now. Existing boards are 43 square feet each and the proposed boards are reduced to about half of that, at 19.3 square feet each. In addition to this, there is a proposal for a smaller version of a menu board to be included, about 9.8 square feet. This can be found at the entry lane of the drive-thru. This allows for the opportunity to browse the menu in the drive-thru, and provide for further efficiency of the ordering process. Mr. Duarte proceeded to explain the process and details of what work would need to be done, describing a minimal amount needed. In addition to this, the only other site improvement would be the installation of two new, more modern signage added. These signs are about 5.75 square feet each. A variance is needed as this is larger than the current 2 square foot signs this would replace. This signage is also helpful to the traffic on this busy street, providing better visibility at each access point. Attorney Wolfson confirmed with Mr. Duarte this would be a positive prospect to increase safety at the Mc Donald's development. Mr. Duarte continued to explain the application's details by referring to his visual board located on the easel for the Board to have a better visual idea of what was being proposed.

Next, questioning for Mr. Duarte from Board members began. Mr. Giannotti asked about certain aspects of the visual plan the Board was being referred to and questioned the entrance/exit signage and confirmed they would be located in the same vicinity. There was conversation and

clarification regarding signage size that continued. Chairman Amorosso questioned the plan for the green area and asked if the site plan was approved for the existing green area. Mr. Duarte responded, not that he was aware of. He explained, while comparing aerials from 2011 the survey showed 18.7. This is something the applicant is very happy to comply with per the Board's request for the approval of further needed variances. At this time, Mr. Briscoe asked a question about the fire hydrant and confirmed its location. Mr. Duarte confirmed its whereabouts on the plans provided to the Board. Next, Mr. Moran asked about the proposed directional sign and how they would be lit. Mr. Duarte explained they are internally illuminated with LED fixtures within. Mr. Moran asked further questions regarding visibility of the proposed signage pertaining to color and contrast. In addition to this, Mr. Moran spoke of some ideas pertaining to the landscape of the property as it is now largely mulch and mound. Attorney Paster followed up on Mr. Moran's comments, for the record, he stated the illumination on the signs would be less than or equal to the Borough maximum and Mr. Duarte replied yes, they would be. Attorney Wolfson confirmed with Mr. Duarte the menu boards were programmable and Mr. Duarte stated they were.

Chairman Amorosso **opened the meeting** to the public for questions

With no questions for the Engineer, Chairman Amorosso **closed the meeting** to the public.

Paul Ricci Professional Planner for this application was called upon next. Attorney Paster swore in Mr. Ricci and asked him to state his qualifications and professional experience. Mr Ricci proceeded to state this information while noting he has been before this Planning/Zoning Board in the past. Attorney Paster confirmed Mr. Ricci was qualified as a Professional Planner. It was then asked of Mr. Ricci to explain only positive and negative criteria pertaining to this application. Mr. Ricci responded, from a planning standpoint, he wanted to be to the point. He stated this is a sound application resulting in solid land use planning. Mr. Ricci noted this application calls for a reduction in size of the existing signage. This is basically a continuation of what is occurring nationwide. Mr. Ricci confirms this plan is within the Master Plan requirements of the Borough. The purpose of these improvements are to provide for a quick, efficient experience while allowing for customers to see what is being offered and what is for sale. There are plenty of positives within this application. In terms of negative, variances can be granted without substantial detriment to the public good.

Chairman Amorosso proceeded to ask members of the Board if they had any questions. Mr. Giannotti commented he felt this was a good idea, the traffic at this location can back into the street at times and any improvement in regards to that aspect is a positive in his eyes. Mr. DeLaura asked how many total signs were being proposed. Mr. Ricci responded there would be 10 and that included the sign on the flag. Chris Dour added any questions he had were mentioned in the comment letter of the application's correspondences. One question was pertaining to the extension of the Livingston street scape. Mr. Dour asked if the applicant was willing to do that. Attorney Wolfson confirmed for the record, they would be willing to do so. Mr. Dour also asked if there was any relighting being proposed and Mr. Duarte responded there was not. Mr. Ricci stated for the record if there was any intention of upgrade to lighting, the applicant would

comply with any and all Borough ordinances. Chris Dour also asked about the area in the site plan that shows grass area that is primarily stone; Mr. Dour wanted to know if the intention was to change this area to grass. Mr. Duarte responded the applicant agrees to add any landscaping deemed appropriate for the area. Attorney Paster stated for the record, the applicant would comply with the engineer's comments as part of any condition for the Resolution.

Attorney Paster also asked for clarification pertaining to the current eight signs and the proposal is for nine and that creates a variance. However, the applicant is going for ten signs including the flag. Attorney Wolfson confirms that is correct. Attorney Paster added, this is arguably not a sign but with an abundance of caution, this will be noted as a sign. Following this, Attorney Paster stated a summary of the expectations pertaining to the application and its proposed variances.

Chairman Amorosso **opened the meeting** to the public for questions.

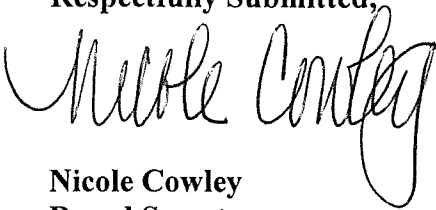
With no questions from the public, Chairman Amorosso **closed the meeting** to the public.

A motion to **approve** the application was made by Mr. Giannotti, seconded by Mr. Vollmer

ROLL CALL: Mr. Giannotti, Mr. Vollmer, Chairman Amorosso, Mayor Marana, Councilman Devlin, Mr. DeLaura, Mr. Guyt, Mr. Moran, Mr. Sillery, Mr. Hogan (Alt #1) Mr. Pothos (Alt#2) Mr. Degen (Alt#3) Mr. Briscoe (Alt#4) – **YES**

A motion to **adjourn** the meeting at 7:28 PM was made by Mr. Vollmer, seconded by Mayor Marana. All present in favor.

Respectfully Submitted,



**Nicole Cowley
Board Secretary**

Approved: 11/4/20