

**BOROUGH OF PARK RIDGE
PLANNING BOARD
JULY 8, 2020 8:00PM
VIRTUAL MEETING
REGULAR MEETING MINUTES**

The Public Meeting of the Planning Board of the Borough of Park Ridge was held virtually on the above date.

Roll Call Board:

Chairman Peter Von Bradsky	Present
Mayor Keith Misciagna	Absent
Ms. Jessica Mazzarella	Absent
Councilman Robert Metzdorf	Present
Mr. Mark Bisanzo	Present
Mr. Donald Browne	Present
Mr. Ray Mital	Absent
Mr. Donald Schwamb	Present *8:30 Arrival
Mr. Stephen Jobst	Present
Mr. Ron Epstein	Present

Also Present:

Mr. William Rupp	Board Attorney
Ms. Tonya Tardibuono	Board Secretary
Mr. Daniel Lee – Neglia Engineering	Board Engineer
Joseph Burgis – Burgis Associates	Board Planner

Chairman Von Bradsky stated that the meeting was being held in accordance with the Open Public Meetings Act. He then asked everyone to recite the Pledge of Allegiance.

Approval of Minutes

The minutes of January 8, 2020 were approved on a motion from Councilman Metzdorf, seconded by Mr. Bisanzo, and carried by all members eligible to vote.

Open to the public for non-agenda items

No members of the public wishing to speak.

Extension of expiration of minor subdivision

RESOLUTION #2020-5

APPLICATION #PB19-03

Ernest Heller, Jr.

162 Spring Valley Road Block 802 / Lot 1

Minor Subdivision

Attorney Judith C. Reilly was present as the Attorney for the applicant. The applicant is Ernest Heller, Jr.

Ms. Reilly was sworn in by Attorney Rupp. Ms. Reilly stated that that due to Covid and the closures of government offices, there was a delay in filing the deed. Mr. Rupp said this is a reasonable request.

The additional time period would be equal to the number of days between March 20, 2020 and the date of the adoption of this resolution signed on July 8, 2020.

A motion was made by Councilman Metzdorf to approve the resolution to agree to the extension of expiration of a minor subdivision. The motion was seconded by Mr. Browne, and carried by roll call vote as follows:

Chairman Peter Von Bradsky	Yes
Councilman Robert Metzdorf	Yes
Mr. Mark Bisanzo	Yes
Mr. Donald Browne	Yes
Mr. Stephen Jobst	Yes
Mr. Ron Epstein	Yes

New Application

APPLICATION #PB20-01

Ridgemont Center LLC & Lidl US LLC

199 Kinderkamack Road

Block 1406 / Lot 1, 2 & 3

Site plan approval / Sign

Attorney Bruce Rosenberg of Winne, Banta, Basralian & Kahn was present as the attorney for the applicants. The applicant is Ridgemont Center LLC and Lidle US LLC.

Proof of service is in order.

Mr. Rosenberg said they are going to amend the application to omit the 1,720 square foot restaurant approval.

Ms. Erica Alman, Real Estate Manager for Lidl US, located at 32 Avenel Drive in Morris Plains, New Jersey was sworn in by Mr. Rupp. Ms. Alman explained that Lidl's 102nd store opened today in the US. The stores are located from Atlanta to New Jersey and Long Island. All stores are approximately 30,000 square feet. Lidl stores sell 80% private label and 20% national brands. Ms. Alman stated that a typical store is open from 8:00 a.m. to 10:00 p.m. and has 10-15 employees per shift, with 3-4 shifts per day. Deliveries generally take place once a day in the morning and the truck will take away most perishable garbage back with them.

Mr. Rosenberg marked the following exhibit existing and proposed front perspective A-1. Mr. Rosenberg went over the before and after photos of the sign.

Chairman Von Bradsky asked if a restaurant is sub-leased from Lidl if they would need another sign? Mr. Rosenberg stated that they would need to follow the sign ordinance, or come to the board. The space will remain empty for now.

The applicants Engineer, Mr. Ben Crowder from Bohler Engineering, located at 30 Independent Way in Warren, New Jersey was sworn in by Attorney Rupp. Mr. Crowder gave his educational and employment history to the members of the Board and was accepted as an expert witness.

Marked as Exhibit A-2 is sign variance plans consisting of 3 pages (C-01, C-02 & C-03). Mr. Crowder commented that the previous ACME sign was non-conforming at 90 square feet. The proposed Lidl sign is 65.35 square feet and the proposed food market

sign is 61.14 square feet. Signs will be internally LED lit. They will also be changing the 7 x 1 panel sign on the main Ridgemont sign from ACME to Lidl.

Mr. Crowder was asked about the trash enclosure. He replied that it is 10 x 20 ½ feet. He also commented that most perishables will be loaded back on the truck daily. He also commented that they will have a sanitary sewer grease trap.

The Board Planner, Mr. Joseph Burgis, asked about the generator weekly testing. Mr. Crowder stated that the emergency diesel generator is tested weekly on Tuesdays at 6:00 a.m. Mr. Burgis stated that the generator should be tested between the time frame of 11:00 a.m. and 2:00 p.m. as to not disturb the surrounding homes too early in the morning. Mr. Crowder stated that they can comply with that request.

The applicants Engineer, Mr. Daniel LaMothe from Lapatka Associates located at 12 Route 17 North, Paramus, New Jersey was sworn in by Attorney Rupp. Mr. LaMothe gave his educational and employment history to the members of the Board and was accepted as an expert witness.

Marked as Exhibit A-3 is site layout plans dated 3/2/2020 (6 pages) and Exhibit A-4 is a colorized site layout plan (1 page). Mr. LaMothe explained about the current site and traffic pattern. He stated that with Lidl moving in, Ridgemont wanted to bring the entire site up to compliance. The proposed lot would consist of 4 new landscape islands, two-way parking accessibility, new LED wi-fi controlled light fixtures, new flush curbs and sidewalks. The overall traffic pattern (exits and entrances) will remain the same.

Marked as Exhibit A-5 is the fire lane layout exhibit. It was announced that the applicant has met with Chief Tom Lepore and the applicant has agreed to comply with all Fire Department / Fire Prevention requests.

The total amount of parking spaces proposed will be 365, that is a 14 space increase over what is existing today. There will be a 5,000 square feet reduction of impervious coverage. The proposed plans will reduce run off and introduce more landscape.

Mr. LaMothe commented that an e-mail from Chief Joseph Madden of the Park Ridge Police Department was received on June 26, 2020 and he stated that they have no issues with the proposed application.

Board Engineer Daniel Lee went over his application review letter dated July 1, 2020 (see attached letter). Some comments discussed:

Berths – Both existing conditions.

Engineering Comments – 4a – Applicant said they would be compliant and would be restriping.

Stop Signs – Applicant and Engineer said they would work together with the police for placement.

Landscaping – The applicant feels what they proposed is sufficient.

Parking – 101-61C Mr. Rupp believes another variance is required. Mr. Lee said the industry standard is 24 feet drive aisles, with 18 foot spaces. Mr. Lee commented that if they complied, they would lose several parking spaces. Mr. Burgis stated that they would lose at least one whole row.

It was stated that the parking in the rear of the building is available for customers, but it would be a long walk for them and it is more suitable for employee parking.

Lights – All lights will be properly shielded.

Grade Change – Short discussion.

Mr. Jobst asked if there was drainage issues on site. It was stated that there was a site remediation because of a previous dry cleaner.

Crosswalks – Mr. Burgis asked about crosswalks. All crosswalks will be ADA standard and also have the Lidl logo.

Wall – Existing wall in need of repair. New wall will have same dimensions.

Chairman Von Bradsky asked about drainage. Mr. LaMothe explained the amount of run off is now reduced. Chairman Von Bradsky commented that is an overall improvement.

A discussion took place about landscaping. The applicant believes they have the right amount of landscape. Mr. Rupp said we should have some clarification in the resolution about what is required for landscaping. Mr. Burgis stated that as Kinderkamack Road becomes more developed, he would like to see more shade trees installed. The applicant does not want to uproot the existing shade street trees. Mr. Rupp asked Mr. LaMothe to go over the tree plan. It has been agreed upon to approve 4 additional shade trees and approve the landscape as is.

Impervious coverage is now 83.4% and it will be 82%, the zone maximum is 80%.

Waivers will be required for parking stalls and loading berths. Variances will be required for impervious coverage and a sign.

There were no members of the public.

Mr. Rupp went over the conditions:

Generator times

Trash Enclosure

4 Additional Shade Trees

Truck Circulation

A motion was made by Mr. Schwamb to permit Attorney Rupp to draft a resolution. The motion was seconded by Councilman Metzdorf, and carried by roll call vote as follows:

Chairman Peter Von Bradsky	Yes
Councilman Robert Metzdorf	Yes
Mr. Mark Bisanzo	Yes
Mr. Donald Browne	Yes
Mr. Donald Schwamb	Yes
Mr. Stephen Jobst	Yes
Mr. Ron Epstein	Yes

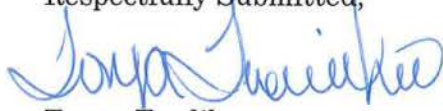
Mr. Rosenberg asked if they can apply for building permits and proceed at their own risk. Mr. Rupp commented that this board cannot answer that question.

BOARD DISCUSSION

There was no additional board discussion

The meeting was adjourned on a motion from Councilman Metzdorf, seconded by Mr. Jobst, and carried by all.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Tonya Tardibuono", written in a cursive style.

Tonya Tardibuono

Resolution #2020-5
Application #PB19-03
PB 7-8-2020

BOROUGH OF PARK RIDGE

PLANNING BOARD

RESOLUTION

* * * * *

WHEREAS, ERNEST HELLER, JR. (hereinafter referred to as "Applicant"), being the owner of premises known as 162 Spring Valley Road, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 1 in Block 802 on the Tax Assessment Map for the Borough of Park Ridge, applied to the PLANNING BOARD OF THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking Minor Subdivision Approval to create two lots, Lot 1.01 and 1.02 and ancillary variances required therefor; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on August 14, 2019 and October 9, 2019; and

WHEREAS, by resolution adopted on November 13, 2019, the BOARD approved the Minor Subdivision application and granted a variance from the requirements of lot depth as to proposed Lot 1.02 and a variance from the requirement of frontage along an improved and approved street, subject to the following conditions which shall be included in the subdivision deed::

- A. The Applicant shall remove or relocate the stone border within proposed lot 1.02 and widen the paved or gravel travel way to the northerly sideline of the Musso Lane right-of-way.
- B. The Applicant shall install a trench drain across the driveway width of Musso Lane with a 5 foot wide concrete or asphalt collar and connect said trench drain to the

existing drainage inlet in Spring Valley Road shown on the plans as Grate Elevation 332.6, subject to the review and approval of the BOARD'S Engineer.

- C. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal water service, a of a form approved by the BOARD's attorney.
- D. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal electric service, a of a form approved by the BOARD's attorney.
- E. The Applicant, its heirs and assigns, shall maintain the existing paved and/or gravel width of Musso Lane within proposed Lot 1.01 and Lot 1.02 and shall not construct, place or plant any additional structures or obstructions on proposed Lots 1.01 and 1.02, which condition shall run with the land and shall be included and recorded as a deed restriction, subject to the review approval of the BOARD's attorney.
- F. The Applicant shall submit revised plans to the BOARD showing the revised stone border along Musso Lane, proposed trench drain, and the water and electric facilities and easements within Musso Lane, which plans shall be subject to the review and approval of the BOARD's professionals.
- G. The Applicant shall be required to execute a Developer's Agreement in a form acceptable to the BOARD and the Mayor and Council of the Borough of Park Ridge, said Agreement to be prepared by the BOARD's Attorney at Applicant's cost and expense.
- H. Applicant shall secure all necessary approvals, if not previously secured, including but not limited to the County of Bergen, the Bergen County

Planning BOARD Approval, the Bergen County Soil Conservation BOARD Approval, the New Jersey Department of Environmental Protection and any other required governmental approvals. In the event any agency requires modifications to the Site Plan approved herein, Applicant shall be required to return to the BOARD for the approval of such modifications.

; and

WHEREAS, the APPLICANT received County Planning Board approval on June 9, 2020;

and

WHEREAS, N.J.S.A. 40:55D-4 provides, in part, that approval of a minor subdivision shall expire 190 days from the date on which the resolution of municipal approval is adopted unless within such period ...a deed clearly describing the approved minor subdivision is filed by the developer with the county recording officer, the municipal engineer and the municipal tax assessor;" and

WHEREAS, the APPLICANT has submitted to the BOARD for signature a proposed subdivision deed but more than 190 days have passed since the date on which the resolution of municipal approval was adopted; and

WHEREAS, the APPLICANT has submitted a request for an extension of the time period in which to file the aforesaid subdivision deed pursuant to N.J.S.A. 40:55D-47f; and

WHEREAS, a hearing on the aforesaid request does not require notice of applications pursuant to N.J.S.A. 40:55D-12; and

WHEREAS, the BOARD heard and considered such request at its meeting on July 8, 2020

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact:

1. Subsequent to the approval of the minor subdivision application, the APPLICANT made timely application for Bergen County Planning Board Approval as required by law since Spring Valley Road in the Borough of Park Ridge, on which the subject premises are located, is a County Road.
2. Subsequent to such application, a Public Health Emergency and State of Emergency was declared in the State of New Jersey due to the Covid-19 pandemic by the Governor pursuant to Executive Order 103.
3. As a result of the State of Emergency, municipal and county offices were closed to the public and public bodies were precluded from meeting in-person.
4. The result of the State of Emergency was to delay the obtaining of required government approvals.
5. N.J.S.A. 40:55D-47f provides that the Planning Board may extend the 190-day period for filing a minor subdivision deed if the developer proves to the reasonable satisfaction of the BOARD (1) that the developer was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from other governmental or quasi-governmental entities and (2) that the developer applied promptly for and diligently pursued the required approvals.
6. By reason of the foregoing, the BOARD finds and concludes that the APPLICANT applied promptly for and diligently pursued the required approvals and that, by reason of the declared State of Emergency due to the Covid-19 pandemic, the APPLICANT was barred or prevented, directly or indirectly, from filing because of delays in obtaining legally required approvals from the Bergen County Planning Board..

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, pursuant to N.J.S.A. 40:55D-47f, that the BOARD does hereby grant an extension to the 190-day period for filing the minor subdivision required by N.J.S.A. 40:55D-47d for an additional period equal to the number of days between March 9, 2020, the date on which Governor Murphy declared a Public Health Emergency and State of Emergency pursuant to Executive Order 103 and the date of the adoption of this resolution.

Ayes: 6

Nays: 0

Abstentions: 0

Dated: 7-8-2020

Introduced by: Robert Metzdorf (P)

Seconded by: Robert Metzdorf
Don Browne (P)

Peter Von Bradsky (P)
Peter Von Bradsky Chairperson

Tonya Tardibuono

From: Lepore, Tom <TomLepore@parkridge.k12.nj.us>
Sent: Tuesday, July 7, 2020 5:25 PM
To: Tonya Tardibuono; John Hansen
Subject: Fwd: 08-153 Ridgemont Shopping Center
Attachments: scan921.pdf; ATT00001.htm

Good afternoon

I meet with the project engineer yesterday at the LYDL project. He has submitted a revised parking layout which meets the Fire department and prevention needs. I have included this in the email. I appreciate the communication and working relationship between the departments. If you have any questions please don't hesitate to call.

Chief Lepore
Park Ridge Fire Department

Begin forwarded message:

From: Dan LaMothe <dan@lapatka.net>
Date: July 7, 2020 at 3:28:41 PM EDT
To: Tom Lepore <Tlepore@parkridgeboro.com>
Cc: "Bruce R. Rosenberg (brosenberg@winnebanta.com)" <brosenberg@winnebanta.com>, "Mark Gabrellian (MarkGabrellian@Gabrellian.com)" <MarkGabrellian@Gabrellian.com>, Alexander Lapatka <alex@lapatka.net>
Subject: 08-153 Ridgemont Shopping Center

Tom,

Thanks again for taking the time to meet with me at the Ridgemont shopping Center yesterday.

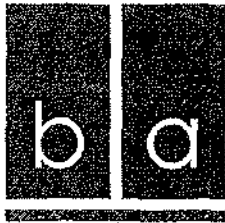
Attached is a copy of the Fire Lane Exhibit I prepared based on our meeting. The fire lanes shown on the exhibit will be added to the Site Plan.

Please review and advise if it addresses the Park Ridge Fire Prevention Concerns.

If you have any questions or additional comments please do not hesitate to contact me.

Dan LaMothe, PE

LAPATKA ASSOCIATES, INC.
12 Route 17 North, Suite 230
Paramus, NJ 07652
201-587-1600
Fax 201-587-0063
Email: dan@lapatka.net



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

B U R G I S
ASSOCIATES, INC.

MEMORANDUM

To: Borough of Park Ridge Planning Board
From: Joseph H. Burgis, PP, AICP & Thomas Behrens, Jr., PP, AICP
Subject: Ridgemont Center, LLC & Lidl US, LLC
199 Kinderkamack Road
Block 1406 Lots 1, 2 & 3
Site Plan Approval & 'c' Variance Request
Date: July 2, 2020
BA#: 3675.05

I. INTRODUCTION

The applicants, Ridgemont Center, LLC and Lidl US, LLC are requesting site plan approval and 'c' variance relief to accommodate a new Lidl supermarket in the northernmost tenant space of the Ridgemont Shopping Center at the above referenced site formerly occupied by an ACME supermarket. The site located on the northbound side of Kinderkamack Road between Berthoud Street and Wayne Street is within the B-1 Zone the former and proposed supermarket uses are permitted. The extent of required 'c' variance relief is detailed herein.

II. DOCUMENTS SUBMITTED

The following documents received for this application are as follows:

1. Application and accompanying documents.
2. Site plans (6 sheets) prepared by Lapatka Associates, Inc., dated revised June 22, 2020.
3. Sign variance plans (3) sheets prepared by Bohler, dated revise June 17, 2020.
4. Drainage calculations prepared by Lapatka Associates, Inc., dated April 22, 2020.

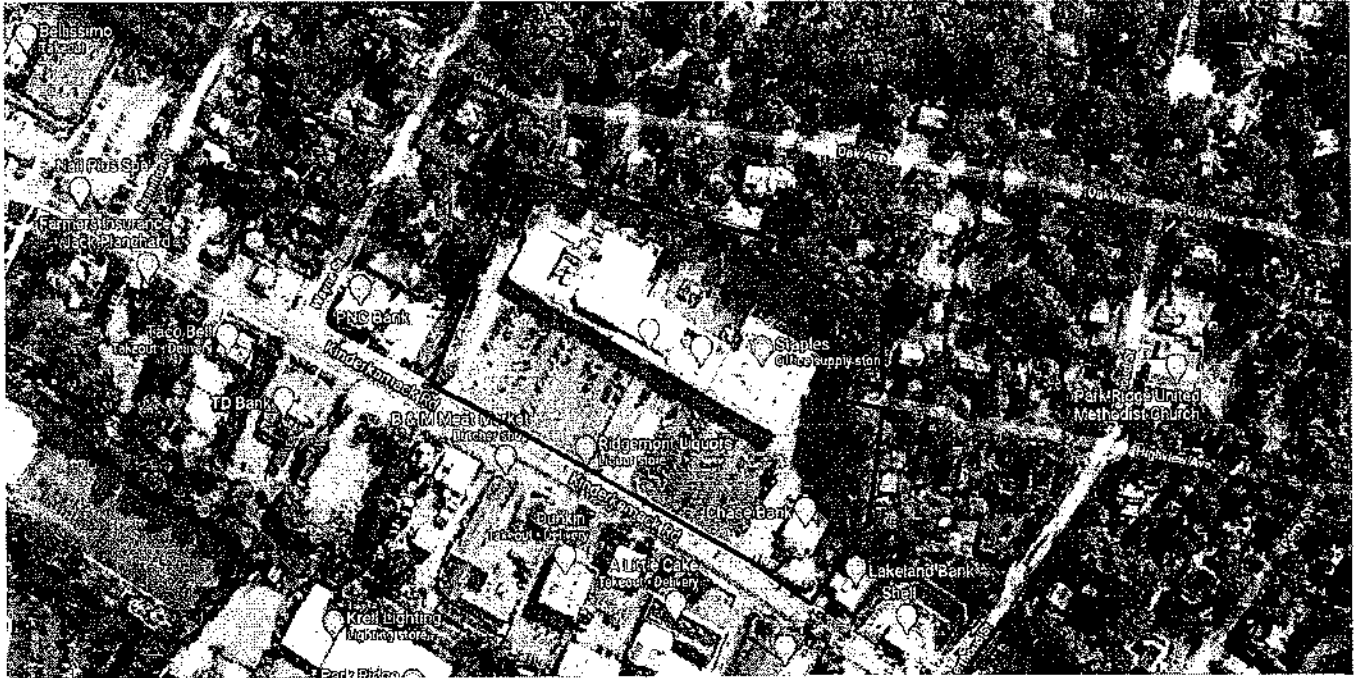
III. PROPERTY DESCRIPTION

The site, identified as Block 1406 Lots 1, 2 and 3 in Borough tax records, is an 8.2 acre tract with 607 feet of frontage on Kinderkamack Road developed with the Ridgemont commercial strip center including the 72,000 square foot commercial building with a paved parking area in front of the building and additional paved driveways and parking areas around the building, a second principal building occupied by Chase Bank with drive-thru facilities, accessory garage in the rear area of the site and landscape spaces. The center has a number of tenant spaces occupied by a variety of retail and service tenants including Staples, Starbucks, Oritani Bank, pizzeria, bagel shop, cleaners and liquor store, among other uses. Vehicular access to the site is provided via an ingress driveway in the southerly portion of the

site, two-way driveway through the center of the site at a signalized intersection and egress driveway in the northerly portion of the site.

Surround development consist of single-family development to the north, east and south and commercial development to the north, south and west along Kinderkamack Road. The site is generally devoid of environmental constraints with the exception of steep slope conditions in the undeveloped southeast area of the lot. This application will not impact those slope conditions. The following aerial image provides a general overview of the site and surrounding development.

IMAGE #1 AERIAL PHOTOGRAPH



Source: Google Maps, July 2, 2020. Note: lots lines are approximate.

IV. PROPOSED DEVELOPMENT

The applicants propose a change in tenancy of the former ACME supermarket space whereby that space will be modified to accommodate a new Lidl supermarket (28,488 sf). 1,720 square feet of the space will be separated from the supermarket to create a new restaurant tenant space with direct access to the exterior of the building. Proposed site improvements include new signage, stormwater management system upgrades, modified parking arrangement a new sidewalk providing pedestrian access from Kinderkamack Road to the center, among other changes as detailed below.

Through testimony the applicant should provide a complete overview of the existing and proposed uses and site improvements. The following is offered for the Board's consideration with respect to the various elements of the development proposal:

1. Uses. The applicant shall provide an overview of the proposed supermarket and restaurant uses including such pertinent information as to the hours of operation, number of employees, type of restaurant use, subtenant supermarket space, etc.

2. Parking and Circulation. Sheet 1 of the site plans indicates the development will require a total of 363 parking stalls. The site plan appears to comply with this requirement, including 7 banked parking spaces in the southerly portion of the site. The applicant shall provide the total number of parking spaces that will be provided and confirm compliance. The parking configuration in front of the supermarket space in question has been modified from angled 60 degree parking to a 90 degree configuration. The Park Ridge Police Department has indicated its preference for the existing 60 degree configuration to minimize traffic incidents. This should be discussed. 2 cart corrals will be installed near the center of the parking area as shown on the site plan.

There is one parking space in the rear of the site with a length of 14.5 feet which should either be eliminated from the parking analysis or redesigned to comply with the Borough's dimensional parking standards.

3. Loading. There are two loading spaces along the northerly building façade to serve the supermarket space. The applicant shall address loading operations and scheduling and the adequacy of the loading spaces provided for the tenant spaces in question and the site in general. The center requires a total of 6 loading berths where only 2 are provided. While this is an existing condition, the proposed changes to the site circulation and parking with noncompliant loading space technically would seem to technically require variance relief. A new wall and guiderail will be installed along the existing supermarket loading area, the details of which should be provided for review.
4. Dumpster Enclosure: A new dumpster enclosure will be provided at the rear of the supermarket space. The applicant should provide a detail for this enclosure demonstrating compliance with the applicable ordinance requirements.
5. Landscaping: New landscape islands will be installed in the reconfigured portion of the parking area in front of the supermarket spaces featuring a variety of evergreen shrubs and Green Vase Zelkova trees. The applicant shall provide an overview of the condition of all site landscaping including along Kinderkamack Road to make a determination as to whether any supplemental landscaping or replacement is necessary. The landscaping plan should be revised to comply with the Borough's landscaping standards in accordance with Section 101.61 or the applicant should request design exceptions/waivers as necessary. Additional trees should be installed around the parking area as required relative to the number of parking spaces and the center landscape islands shall be increased to a minimum width of 10 feet.
6. Lighting: The applicant shall provide an overview of proposed exterior building mounted and the 25 foot high freestanding fixtures and demonstrate compliance of same. Site lighting fixtures should include appropriate shielding features to minimize glare to surrounding residential properties and Kinderkamack Road.
7. Signage: The applicant proposes a 65.35 square foot Lidl logo sign and 61.14 square foot "Food Market" sign composed of illuminated channel lettering where a maximum sign area of 40 square feet is proposed requiring variance relief. New Lidl placards will replace the Acme placards on the site's two existing freestanding signs. The applicant shall address proposed signage for the proposed restaurant space and retail sub-tenant space shown on sheet 2 of the sign variance plans.
8. Generator: A new generator will be installed at the rear of the building in the place of the freezer structure to be removed. The applicant shall provide details for this generator and confirm that regular testing will occur during regular business hours so as minimize impacts to surrounding residential development.

V. ZONING

The property in question is located in the B-1 Zone wherein the proposed supermarket and restaurant uses are permitted. The Zoning Table provided on sheet 1 of the site plans indicates there will be no changes to the property's dimensions, building setbacks, height, or floor area ratio. The site's impervious coverage will be reduced from 83.4% to 82% where a maximum impervious coverage of 80% is permitted requiring variance relief.

Required Variance Relief

The development application requires the following variance relief:

1. **'c' Maximum Impervious Coverage.** While it is recognized the proposed impervious coverage will be reduced to 82% from the existing 83.4% coverage where a maximum coverage of 80% is permitted, variance relief is technically required as site modifications are proposed. The applicant should explore opportunities to further reduce the site's impervious coverage to comply with the 80% requirement or provide a justification as to why such compliance cannot be achieved.
2. **'c' Minimum Parking Stall Size.** 9 ft x 18 ft parking stalls are proposed where the Borough requires 10 ft by 20 ft parking stalls for the commercial uses. We have no objection to this proposal and defer to the Board Engineer as to the adequacy of the proposed parking configuration.
3. **'c' Minimum Number of Loading Berths.** There are 2 existing loading spaces where the site requires a total of 6 loading spaces, which is an existing condition. As improvements to the site parking and circulation are proposed, variance relief is technically required.
4. **'c' Maximum Sign Area.** The total proposed sign area of the Lidl Supermarket is 126.49 square feet including individual signs of 65.35 square feet and 61.14 square feet where a maximum sign area of 40 square feet is proposed. The applicant shall provide a justification as to the need for variance relief. The applicant shall address signage of the proposed restaurant space and subtenant space within the supermarket and compliance thereof.

VI. STATUTORY CRITERIA

The applicant shall address the statutory criteria provided below in requesting the above required variance relief.

'c' Variance

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. *Physical Features Test:* An applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

2. *Public Benefits Test:* An applicant may be granted c(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition to the above, the applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.

34 Park Avenue – PO Box 426
LYNDHURST, NEW JERSEY 07071
Tel: 201.939.8805 • Fax: 201.939.0846



200 Central Avenue – Suite 102
MOUNTAINSIDE, NJ 07092
Tel: 201.939.8805 • Fax: 732.943.7249

July 1, 2020

Via: E-Mail

Borough of Park Ridge
53 Park Avenue
Park Ridge, NJ 07656

Attn: Ms. Tonya Tardibuono, Secretary

Re: Site Plan & Sign Variance Application – Engineering Review
Applicant: Ridgemont Center LLC and Lidl US LLC
199 Kinderkamack Road
Block 1406, Lots 1, 2 & 3
Borough of Park Ridge, NJ 07656
NEA No.: PKRDSPL20.016

Dear Ms. Tardibuono:

As requested, Neglia Engineering Associates (“NEA”) performed an engineering review of the recently submitted application documents for the recently submitted Site Plan Application for the subject property. The submittal includes the following documents:

- Denial of Application Letter, prepared by Tonya Tardibuono, Zoning Officer, of Park Ridge Borough, dated April 9, 2020;
- Borough of Park Ridge Site Plan Application, dated April 27, 2020;
- Site Plan Set consisting of six (6) sheets entitled “Ridgemont Shopping Center, 199 Kinderkamack Road, Block 1406, Lots 1 thru 3, Park Ridge, Bergen County, New Jersey” prepared by Alexander J. Lapatka, P.E. of Lapatka Associates, Inc, dated March 2, 2020, with latest revision number 6, dated June 22, 2020;
- Signed Site Plan Set consisting of three (3) sheets entitled “Sign Variance Plans for LIDL US Operations, LLC, Proposed Signage Improvements for Grocery Store #1448, Tax Map 14, Block 1406, Lots 1-3, 199 Kinderkamack Road, Borough of Park Ridge, Bergen County, New Jersey, BUS-1 Zone” prepared by B.S. Crowder, P.E. of Bohler Engineering, LLC, dated March 25, 2020, with latest revision number 2 dated June 17, 2020; and
- Drainage Calculations prepared by Alexander J. Lapatka, P.E. of Lapatka Associates, Inc, dated April 22, 2020.

1. General Information

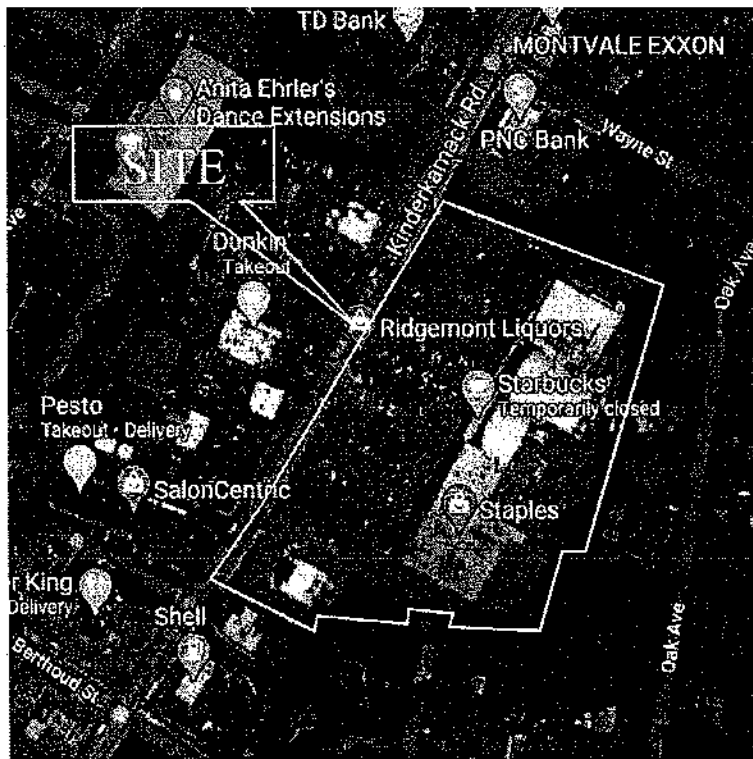
The subject property is located within the B-1 Business District and is situated on Block 1406, Lots 1-3, commonly known as 199 Kinderkamack Road. The site is situated approximately 250 feet north of the intersection of Kinderkamack Road and Berthoud Street, has frontage on Kinderkamack Road (Bergen County Route 503) and is irregular in shape. Surrounding uses include a bank and residential properties to the north, a bank and residential uses to the south, residential uses to the east and multiple commercial uses to the west (across Kinderkamack Road). The site consists of retail stores including, but not limited to a café, office supply store, nail salon, restaurant, banks, liquor store and the former ACME supermarket.

The changes to the site are associated with a tenant change in the supermarket portion of the shopping center and a future restaurant use within the existing shopping center. The Applicant is proposing a new tenant in the supermarket portion with a potential sub-tenant located within the supermarket portion of the shopping center. The future restaurant use will occupy a portion of the previously existing ACME section of the building and will be created by a new demising wall. Associated changes for the overall development include new signage and changes to existing signage, stormwater management system upgrades, parking lot layout and striping changes, as well as other site changes. The other site changes consist of a new sidewalk from Kinderkamack

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Road to the shopping center, overhead canopy, installation of a refuse enclosure, guiderails, bollards, loading dock wall, generator, lighting poles and landscaping.



2. Completeness Review

Based on the submitted Site Plan information as it relates to completeness established within the Borough Ordinance via Appendix A Checklist for Development Applications for Site Plan, the following information is missing from the application as previously indicated in our report dated May 18, 2020:

- a. B. II. General Information – Item (10): Signature blocks for Chairman, Secretary and Municipal Engineer. Whereas, the Applicant has not provided the required information on the Sign Variance plans prepared by Bohler.
- b. B. II. General Information – Item (12): Date of property survey. Whereas, the Applicant has not provided the required information on the Sign Variance plans prepared by Bohler.
- c. B. II. General Information – Item (15): Names of all property owners within 200 feet of site along with their block and lot numbers. We defer to the review of the Board Secretary regarding compliance with this item.
- d. B. II. General Information – Item (18): List of required regulatory approvals or permits. Whereas, the Applicant has not provided the required information.
- e. B. II. General Information – Item (20): Payment of application fees. We defer to the Board Secretary regarding compliance with this item.
- f. B. II. General Information – Item (23): When approval is required by any other municipal, county, state or federal agency, such approval shall be certified on the plat or evidence shall be certified on the plat or

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evidence submitted that an application has been made for such approval. Whereas, the Applicant has not provided the required information.

- g. B. IV. Man-Made Features – Item (30): Location of existing buildings and all other structures such as walls, fences, culverts, bridges, roadways, etc. on site and within 200 feet of site, with spot elevations of such onsite structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines. Whereas, the Applicant has not provided the information within 200 feet of the site.
- h. B. IV. Man-Made Features – Item (36): The proposed use or uses of land and building. Floor space of all buildings and estimated number of employees, housing units, seating capacity or other capacity measurements, as required, shall also be indicated. Whereas, the Sign Variance plans prepared by Bohler, indicate a “Sub-Tenant”. The anticipated type of business for the sub-tenant space must be provided so that compliance with the Borough ordinance requirements for parking for the overall site can be verified. **For the purposes of this application, our office has assumed the sub-tenant space to be retail use. The Applicant shall verify via testimony regarding same.**

Based on the scope of the application, the application is deemed **substantially complete** and may be scheduled for public hearing at the Planning Board. **The Applicant shall address the above noted items prior to public hearing or as noted above or waivers from the missing or incomplete items must be requested by the Applicant and granted by the Board.** This recommendation does not restrict the Board from requesting any waived items at a later date nor does it alleviate the Applicant from submitting the documents for any and all future applications to the Board.

3. Variances/Waivers

- a. We defer to the Board Planner and Board Attorney regarding the determination of variances and waivers.
- b. Parking/Loading Analysis:

Parking Standard	Requirement	Required	Proposed	Status
Table X-1	Retail	1 space for every 200 sf = 60,280 sf * 1/200 = 301.4 = 302 Spaces	363²	Complies
Table X-1	Restaurant	1 space for every 3 seats + 6 employees = 45 seats * 1/3 seats = 15 + 6 = 21 spaces¹		
Table X-1	Bank	1 space for every 300 sf or 8 for each teller window = 5 teller stands * 8 = 40 spaces		
Required		363 Spaces		
ADA Standards	301-400 Parking Spaces	8 Total (6 Standard ADA and 2 Van Accessible Spaces)	9 (of which 7 are van accessible)	Complies

¹ Applicant has not provided documents indicating floor area of both existing and proposed restaurant uses on site. Testimony regarding floor area of each existing use shall be provided. Additionally, number of anticipated employees to be confirmed via testimony by the Applicant.

² Includes seven (7) banked parking spaces along south side of site.

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Loading Standard	Requirement	Required	Proposed	Status
Table X-5	Retail	5,000 sf at first berth, 20,000 sf at each additional berth @ 60,280 sf = 4 berths	2 berths	Non-Compliant
Table X-5	Restaurant	2,000 sf at first berth, 25,000 sf at each additional berth ¹ @ 8,300 (assumed) = 2 berths		
Table X-5	Bank	NA		
Required		6 berths		

¹ Area utilized is assumed. Applicant has not provided documents indicating floor area of both existing and proposed restaurant uses on site. Testimony regarding floor area of each existing use shall be provided.

4. Engineering Comments

Engineering Comments:

- a. The Applicant is proposing a parking space in the rear of the site that is limited by the angle of the parking space to a dimension of approximately 14.5'. This space does not meet the minimum parking space dimensions and should not be included in the parking analysis for the site. Alternatively, the Applicant may want to consider revising the striping to provide a parallel parking space.
- b. The Applicant is proposing a refuse enclosure at the rear of the Lidl Supermarket. A construction detail for same shall be provided.
- c. The Applicant shall provide construction details of all site improvements applicable such as guiderail, wall, heavy duty concrete, fencing and bollard.
- d. We defer to the review of the Board Planner regarding compliance with the Borough Ordinance regarding signage requirements.

Grading and Drainage Comments:

- a. The Applicant is proposing to raise the grades of the parking lot as much as two (2) feet with associated modifications to the existing on-site stormwater management system. The Applicant shall provide testimony regarding the proposed improvements and how they relate to the NJDEP definition for Major Development. Should the proposed improvements meet the requirements for a Major Development, the Applicant will be required to comply with NJDEP quantity, quality and recharge requirements as required for Major Developments and as applicable for the proposed improvements.
- b. The Applicant shall provide top and bottom of curb elevations in the areas where the Applicant is proposing changes in the parking lot elevations. In particular, TC and BC elevations shall be provided along the curb line along the west side of the parking lot.
- c. As defined in Ordinance §84-1, a minor soil movement permit is required for between 50 and 300 cubic yards of gross total soil movement (cut + fill) and a major soil movement permit is required for the gross total soil movement (cut + fill) of 300 cubic yards or more of soil. The Applicant is proposing elevation changes to the parking lot as much as two (2) feet higher than existing elevations over approximately 1.5 acres of the existing site. The Applicant shall provide soil moving calculations and an Application for Soil Moving to the Building Department, where applicable.
- d. The Applicant is responsible for ensuring that any and all soils imported to the site are certified clean soils as identified by the current NJDEP Residential Standards, with a copy of the said certification provided to



the Building Department and NEA for all soils. No recommendation for a Certificate of Occupancy / Construction Completion will be provided without this certification.

- e. The Applicant shall revise the plans to include top and bottom of wall elevations. If the walls are excess of four (4) feet in height, the Applicant shall provide structural stability calculations, signed and sealed by a New Jersey Licensed Professional Engineer.
- f. Upon completion of construction and if granted approval, all retaining walls four (4) feet or higher will require certification by a licensed Professional Engineer in the State of New Jersey confirming that the wall was built in accordance with the plans and details, and that it will support its designed and intended loads.

Utilities

- a. The Applicant shall provide testimony regarding the adequacy of the existing utilities to satisfy the needs of the proposed use for the supermarket.
- b. The Applicant is proposing a restaurant. The Applicant shall provide testimony regarding how the Applicant proposes to provide grease removal for the proposed restaurant use. Confirmation from the Borough of Park Ridge Water and Sewer Department regarding same shall be obtained by the Applicant.

Traffic Circulation

- a. The Applicant is proposing a new sidewalk leading from Kinderkamack road to the frontage of the building on the north side of the central drive aisle leading into the site. NEA recommends stop bars and stop signs be provided on the north-south oriented drive aisle along the front of the building at the intersection of the central drive aisle to provide protection for pedestrians utilizing the aforementioned sidewalk.
- b. The Applicant shall provide a truck movement circulation plan to confirm the ability for refuse trucks to maneuver to the proposed refuse area.
- c. The Applicant shall provide testimony in response to Police Department reports.
- d. The Applicant shall provide testimony regarding the intended use of the parking spaces situated in the rear of the site.

Landscaping

- a. The Applicant has not fulfilled the landscaping requirements for parking areas as stated in the Borough of Park Ridge Municipal Code, Section 101.61 B.(1) and C. (1), (2) and (5). Specifically, the Applicant shall increase the number of shade trees within the perimeter of the parking area as required per the number of proposed parking spaces and increase the size of the center planting islands to a minimum of ten (10) feet in width. The Applicant shall revise the plan to meet or exceed the current Borough Ordinance Code or request a waiver from the requirement for same.
- b. It appears that the existing plants in the linear bed between the parking lot and sidewalk along Kinderkamack Road do not meet the evergreen plant requirements as stated in the Borough of Park Ridge Municipal Code, Section 101.61 B.(2). The Applicant shall provide testimony regarding meeting code compliance with the existing plants along Kinderkamack Road that are designated to remain or request a waiver from the requirement for same, where applicable.
- c. The Applicant shall revise Landscape Note #8 to stipulate the following: The contractor shall excavate and dispose of in-situ soils to a minimum depth of 30" in all interior planting islands and import new topsoil for those areas.
- d. The Applicant shall revise Landscape Note #19 replacing the Shredded Cedar Bark Mulch with Shredded Hardwood Bark Mulch.

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- e. The Applicant shall add the following to the Landscape Notes: All plant material shall be guaranteed to be alive and in vigorous growing condition for a period of two years after acceptance by the owner.

Lighting

- a. The Applicant shall provide testimony regarding consistency of the style of light and light standard with the architectural style of the principal building.
- b. The Applicant shall provide testimony regarding whether the lights along the property line are appropriately shielded from the adjacent properties.

Final Comments

- a. This approval is subject to all other applicable rules, regulations, ordinances and statutes of the Borough, Bergen County, State of New Jersey or any other governmental agency having jurisdiction over same.
- b. It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies and internal municipal agencies and departments in order to construct the proposed development. These agencies include but are not limited to Bergen County Planning/Engineering, Bergen County Soil Conservation District, municipal fire / police departments, Park Ridge Water, Park Ridge Electric, BCUA, NJDOT and NJDEP.
- c. Should the Board look favorably upon this application, a performance bond, maintenance bond and inspection escrow will be required for on-site / off-site improvements, in accordance with the Municipal Land Use Law.
- d. NEA recommends that a response letter be submitted that addresses each of the comments noted above.
- e. The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provide new or updated comments as additional information becomes available.

We trust you will find the above in order. Should you have any questions, please do not hesitate to contact this office.

Very truly yours,
Neglia Engineering Associates



Daniel C. Lee, P.E., C.M.E.
For the Board Engineer
Borough of Park Ridge

DCL/KT

cc: Planning Board Members *via Board Secretary*
William Rupp, Esq., Board Attorney *via email*
Joseph H. Burgis, P.P., A.I.C.P., Board Planner *via email*
Ridgemont Center, LLC – Applicant *via email* – mark@gabrellian.com
Lidl US, LLC – Applicant *via email* – Erica.alman@lidl.us
Bruce Rosenberg, Esq. – Applicant's Attorney *via regular mail* –
21 Main Street, Suite 101, PO Box 647, Hackensack, NJ 07601
Alexander J. Lapatka, P.E. – Applicant's Engineer *via regular mail* 12 Route 17 North, Paramus, NJ 07652
Ben Crowder, P.E. – Applicant's Engineer *via email* – bcrowder@bohlereng.com

Ridgemont shopping plaza parking lot changes and stripping

Below you will find comments and changes that will need adjusted before final approval is given. We have included a map with numbers for reference and clarity.

1. The area in the rear of the property they are requesting to add additional spots next to the remote garage. We are in objection to these because they encroach on the fire lane and will not provide us with the proper clearance for a collapse zone. If this is granted it could cause safety concerns for the fire department.
2. We are asking for an additional fire zone to be installed in the rear of the Lidl store. The reason for this new zone is 2-fold, the first reason is this is the only basement entrance for emergencies. This fire zone should prevent parking which could block access to the sprinklers and utilities located below grade. The second reason for the need this area is also the location for the fire department connection to supplement water to the interior fire sprinkler.
3. This location shall be stripped to prevent customers and staff from parking in the rear of the mall stores preventing access to the Fire Department connection for all the single-story mall stores and the utilities located in the rear of every building.
4. This location shall be stripped to prevent the blocking of the fire department connection for Staples and to provide the fire department access to the rear entrance.
5. Location #5 on the map is an existing fire lane and shall be replaced and originally painted.
6. We believe this fire lane will be necessary to prevent customers parking at the ends of the parking islands closest to the Lidl store front.
- 7 We have not seen the fire lane verbiage and it should read NO STOPPING OR STANDING FIRE LANE.

Chief Thomas Lepore

Park Ridge Fire Department

Fire Official John Hansen

Park Ridge Fire Prevention Bureau

Tonya Tardibuono

From: Joseph Madden <chief@parkridgepolice.com>
Sent: Friday, June 26, 2020 1:23 PM
To: Tonya Tardibuono
Subject: Re: PB - MEMO REVIEW

Tonya,
We reviewed the plans you sent via email. We have no issues with them.

Chief Madden

On Fri, Jun 26, 2020 at 12:22 PM Tonya Tardibuono <ttardibuono@parkridgeboro.com> wrote:

Good Afternoon Chief,

I put a copy of the updated plans in your borough mailbox. Have a great weekend.

Regards,

Tonya Tardibuono

Zoning Officer

Planning & Zoning Boards Secretary

Board of Health Secretary

Borough of Park Ridge

53 Park Avenue

Park Ridge, NJ 07656

201-391-5673

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