

FORT LEE PLANNING BOARD
OCTOBER 26, 2020

PRESENT: A. Pohan, M. Marshall, R. Ferris, B. Suh J. Cooney, M. Sargenti, N. Forshner, R. Kative, M. Kaplan, H. Greenberg.

ABSENT:

ALSO PRESENT: Glenn Kienz, Esq., Board Attorney; Michael Jovishoff of Phillips Preiss Grygiel Leheny Hughes LLC; M.Tiberi of Boswell Engineering; B. Intindola of Neglia Engineering Associates.

NOTICE OF MEETING:

Chairman Greenberg stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On October 28, 2019 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2020. The time, date, and location of said schedule was posted on the Bulletin Board at 309 Main Street. A copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk. A written notice of the time, place and proposed Agenda was posted on the Bulletin Board at 309 Main Street and mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk. On October 22, 2020, an updated notice with the Zoom Information was published in the Record and Jersey Journal, posted at 309 Main Street and mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk. Copies have been mailed to all persons who have prepaid the \$35.00 fee fixed for the year 2020 to cover the cost of mailing.

APPROVAL OF MINUTES – AUGUST 10, 2020:

A motion was made by Ms. Kative, seconded by Mr. Pohan, and passed on a vote of 8 to 0 by members Pohan, Marshall, Ferris, Suh, Cooney, Forshner, Kative and Greenberg, to approve the minutes for the meeting of August 10, 2020. Councilman Sargenti abstained from the vote.

RESOLUTION AUTHORIZING THE ISSUANCE OF REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES TO THE PLANNING BOARD FOR THE YEAR 2021

Chairman Greenberg stated this is to approve a resolution to authorize the Issuance of Requests for Qualifications for Professionals for the Year 2021.

A motion was made by Mr. Pohan, seconded by Ms. Kative, and passed on a vote of 9 to 0 by members Pohan, Marshall, Ferris, Suh, Cooney, Sargenti, Kative, Kaplan and Greenberg, to approve the Resolution Authorizing the Issuance of Requests for Qualifications for Professional Services to the Planning Board for the Year 2021.

RFQ SELECTION COMMITTEE

Chairman Greenberg requested volunteers from the Board to be on a selection committee for the RFQ's for 2021. The committee will include Vice Chairwoman Cooney, Mr. Ferris, Mr. Forshner and Ms. Kative.

FORT LEE PLANNING BOARD

October 26, 2020

Page 2

PUBLIC HEARINGS:

DOCKET #5-20 McDONALD'S CORPORATION

2152 LEMOINE AVENUE

BLOCK 6151, LOT 9

PRELIMINARY & FINAL MAJOR SITE PLAN – RENOVATION & SIGNAGE

Mr. Lippert stated: McDonald's is upgrading their restaurant facilities across New Jersey and the country. Their experience has been that the drive-thru's are in an upward trend and fewer people are sitting. This was found pre-pandemic. With this application what they are proposing will improve traffic flow and make the facilities more modern with signage and technology.

Alexander Lomei, of Bohler Site Civil and Consulting Engineering, was sworn in as an Engineer.

Exhibit A-1, Ariel Exhibit dated September 14, 2020.

Mr. Lomei stated: This is an ariel. We are proposing interior and exterior renovations. It will make for upgraded drive-thru conditions. Their operating hours are Sunday through Thursday – 6 a.m. to 11 p.m. and Friday- Saturday they are 24 hours.

Exhibit A-2, Colorized Landscape Plan dated September 14, 2020.

Mr. Lomei stated: New proposed site stripping is intended. The drive-thru is to remain. We will be adding ADA access and will comply with ADA requirements. There is a single lane drive-thru. We are going to replace the old sign with a digital menu and pre-browse menu board. The new menu boards are digital. They are like a large iPad. They will change between breakfast, lunch and dinner. They have the ability to change the lighting and the volume.

Mr. Lippert questioned: The sign changes three times a day?

Mr. Lomei stated: Correct.

Mr. Lomei stated: There is exterior and interior renovation proposed. We are reducing the number of seats from 92 to 81, The existing front yard setback is 46.4 feet, and we are increasing it to 53.1 feet. The canopy is being shortened causing this. The setback to the north is being decreased due to the canopy increasing but there is still no variance needed. The side yard to the residential will remain. There will be some repaving. We have 43 spaces and are required to have 43 spaces.

Chairman Greenberg questioned: There are variances for screening of parking?

Mr. Jovishoff stated: That is correct.

Mr. Lomei stated: They are existing, non-conforming.

Mr. Lippert stated: They were approved with the exiting site plan.

FORT LEE PLANNING BOARD

October 26, 2020

Page 3

Councilman Sargenti questioned: Do we need the two parking spaces on the top end of the plan. Cars are always backing up there from the Acme lot entrance and go into the street. Can we increase the drive-thru?

Mr. Lomei stated: The traffic engineer will address this but because of the pandemic the backup is worse right now.

Councilman Sargenti stated: This was pre-pandemic.

Mr. Lomei stated: There are two pull forward spaces in the new design. They will bring the order out when ready if it's a large order. We will provide the streetscape along the frontage and can accommodate the requested streetscape improvements on Hudson from the Planner. They receive deliveries on Tuesday and Thursday. Trash is removed Monday and Friday around 8 am. The trash enclosure is to remain. The grading and changes tend to mimic the existing conditions going east to west towards Lemoine. We will provide the improved lot coverage to the Planner. As for the lighting we did a study and there are one or two lights out. When we replace those lights the lighting will be adequate. We will provide new evergreen shrubs and shade trees. In terms of signage we have 3 directional signs, one on Hudson and two on Lemoine. They say "welcome" or "thank you" with the McDonald's logo.

Chairman Greenberg questioned: Are you asking for a variance for signage?

Mr. Lomei questioned: I'm not sure that a variance is required for these since they are directional. Is it necessary?

Mr. Jovishoff stated: We usually do not consider them in terms of the ordinance. The only ones I dealt with for this application is the signage on the building and drive-thru. The directional do not require variances.

Chairman Greenberg whet through the variances required for the signage that the Phillips Preiss Grygiel report contained.

Mr. Lomei stated: We retrofitted the signage to the existing freestanding sign. What we are proposing to do is put a changeable reader under the logo. It will change once per day for promotional items. There is an interior and exterior update to the building signage.

Mr. Pohan questioned: You have a lot of signs. You have three electronic messaging signs?

Mr. Lomei stated: There are two menu signs and one changeable reader below the arch.

Mr. Pohan questioned how the menus are lit.

Mr. Lomei stated: They are internally lit, LED. They are like large iPads or televisions. They have a light sensor on them and will dim at night.

Mr. Pohan questioned the free-standing signs.

Mr. Lomei stated: They are 3.75 square feet. They say "welcome", "enter", "thank you" or "exit". One by Hudson and two more by Lemoine.

FORT LEE PLANNING BOARD

October 26, 2020

Page 4

Mr. Pohan questioned: What is accomplished by the reader board? Will anyone see it while driving?

Mr. Lomei stated: It is more seasonal promotional versus advertising.

Ms. Kative questioned if the three freestanding were existing.

Mr. Lomei stated: They are not.

Chairman Greenberg questioned the 110 square feet of signage being requested.

Mr. Lomei stated: Pursuant to each façade McDonald's sign package is part of their contemporary look.

Chairman Greenberg stated it seemed excessive.

Ms. Kative questioned: Where is the menu sign located along the drive-thru? Where it is currently?

Mr. Lomei stated: Generally, yes.

Ms. Kative stated: There is a residential house wedged in between McDonald's and the Acme lot. Will the lit signs being on 24 hours be disturbing to the house since it hasn't been there?

Mr. Lomei stated: It is only 24 hours on the weekend. During the weekend they are on until 11 p.m. but it does not affect them.

Chairman Greenberg questioned: How do we know?

Mr. Lomei stated: It does not throw a lot of light.

Mr. Lippert questioned: How does it compare to the headlights?

Mr. Lomei stated it was dimmer.

Chairman Greenberg questioned if there were pictures of the signs?

Exhibit A-3, Sheet C901 of the Site Plan dated June 19, 2020.

Mr. Lomei went through the signage examples on this sheet.

Vice Chairwoman Cooney stated: You keep saying these signs are existing but if there are changes you are seeking a brand-new variance. Please stop saying existing and piggy backing off of it.

Mr. Jovishoff stated: Planning wise it is a new sign variance.

Chairman Greenberg stated: It seems like an awful lot of signage and is distracting with the reader board.

Mr. Lomei stated: We could remove the reader board and leave the existing sign only.

FORT LEE PLANNING BOARD

October 26, 2020

Page 5

Mr. Pohan stated: I think that is a good idea since it is an advertising sign.

Chairman Greenberg stated: We can agree to remove the reader board.

Mr. Lippert agreed.

Mr. Intindola questioned the existing circulation.

Mr. Lomei stated: It is a one-way circulation from Lemoine to Hudson. We are proposing two for Hudson.

Mr. Intindola questioned if you could go through to Lemoine.

Mr. Lomei stated going from Hudson is not promoted.

Mr. Jovishoff asked for additional landscaping, more complex and decorative, and 3 ½ caliper trees as a condition

Mr. Lomei agreed.

It was put on the record that the Sign & Façade Committee offered no comment to the submitted application.

Ms. Kative questioned if the lighting or wattages were changing number wise.

Mr. Lomei stated he would circle back. They would be bright up close but do not project out.

Ms. Tiberi stated: I have the same comments as the Planner in respect to the landscaping. As for the lighting, we usually ask for a one year look back to evaluate the lighting as a condition of approval in case we need to make any changes.

Mr. Lomei agreed.

It was decided that the lighting information would be a condition of approval. It would be reviewed by the Board Planner and Engineer.

Evan Scott, of URS Corporation, was sworn in as an Architect.

Exhibit A-4, Colorized Elevation, dated September 11, 2020.

Mr. Scott stated: We are proposing to screen more of the rooftop panels. There is a darker tile color. The arch logo is flat. The old bevel is gone and is now straight. The logo is internally lit. There are tucked lights in the canopy. The light strip washes the wall down and highlights the entrances which is part of code. The use of the LED lights is going to be stronger down and cutoff. It is about equal to the existing. It is a more modern building.

Mr. Lippert questioned if there would be additional impact on the neighbor's property.

Mr. Scott stated there would not be.

FORT LEE PLANNING BOARD

October 26, 2020

Page 6

Mr. Lippert asked as to the roof mounted HVAC and screening.

Mr. Scott stated: From across the street or sidewalk it would be screened from view. It will create a better condition than what is there now. The interior is getting new décor and front counter. It is digital ordering and limited contact. There will be ADA restrooms to meet the new codes and it will be more modern.

Mr. Pohan questioned: You have the arches on the South over the entrance. On the North elevation you have the McDonald's written out. What does that identify?

Mr. Scott stated: It is setback, but they are trying to get the driver.

Mr. Pohan questioned: But they would see the arch. I don't think they could even see that sign since it is setback. Why do we need this sign?

Mr. Lippert stated they might not see the arch and it is part of the new branding.

Mr. Pohan stated: I don't believe you will see it.

Ms. Kative questioned: Why do you need LED strips over the canopy?

Mr. Scott stated: It is only a bar and not LED.

Ms. Tiberi questioned: The pre-browse board is close to the residential property. What is the overall height of the sign versus the wall and fence between the property? Will the sign be above? Will they see it?

Mr. Lomei stated: The top of the board will not be higher than the fence. They won't see it, not from ground level. It is 71 inches tall.

Vice Chairwoman Cooney questioned: What kind of fence is it?

Mr. Lomei stated: It is an existing wooden fence. It is brown and appears to be 4 feet high on top of the wall.

Chairman Greenberg questioned the height of the sign.

Mr. Lomei stated: Six feet.

Mr. Greenberg questioned: What is the grade to the top of the fence?

Mr. Lomei did not have the answer.

Ms. Kative stated her concern is the house.

Mr. Lomei stated: It will not illuminate brighter than what it is. We can keep it dimmer.

Mr. Jovishoff questioned: Is it a solid or slatted fence? You could replace it with a taller fence and get a variance to alleviate it.

FORT LEE PLANNING BOARD

October 26, 2020

Page 7

Ms. Kative questioned the ownership of the fence.

Mr. Lomei stated: I believe it is McDonald's.

Chairman Greenberg stated: Then raise the height of the fence.

Mr. Lomei stated: I have limited concern with the retaining wall but can work with the Borough Professionals.

Mr. Jovishoff stated: It is a chain link fence on the retaining wall with wooden slats. I think it should be replaced with a PVC or solid fence as a condition.

Mr. Intindola questioned: With the implementation of the new equipment, what makes them move faster between the cash and pickup window?

Mr. Scott stated: The functionality of the two windows with the 40-foot minimum in between each stop, helps to move continuously and if there is a large order, they move to one of the spots.

Mr. Intindola questioned: What is the efficiency time between the cash payment and pickup?

Mr. Scott stated: I do not have the operation time frame on hand, but it was made to increase the efficiency.

Mr. Intindola stated: The Board members have cueing concerns. I wanted to show them the timing.

Mr. Lomei stated: There is 20-25 in uptick.

Vice Chairwoman Cooney questioned: You are not changing the interior footprint but removing seating. Is it greater spacing or a bigger kitchen?

Mr. Scott stated: There is an increase at each entry door for ADA and energy efficiency, ordering kiosks, new décor and ADA upgraded seating.

Paul Going, of Atlantic Traffic and Design, was sworn in as a Traffic Engineer.

Mr. Gong stated: This application helps with the efficiency, on cueing and numbers starting with the digital order board and pre-browse board, the pull forward spacing and modifying striping. McDonald's is putting in the proper cueing to show they can go through, can park and by improving striping for customers it will help the drive thru operate better. The pre browse board that shows choices, and while not ordering the person can figure out what they want. The ordering takes about a minute, paying 30 seconds and pickup 30 seconds. There is a much wider menu these days. By giving them the pre-browse menu board, it gives the person some choices before ordering. The mic and speaker are much better too where you are ordering. The digital menu allows items to be listed with every price. There is less confusion between the customer and the restaurant.

Mr. Lippert questioned: What is the width of the drive aisle and parking spaces?

Mr. Going stated: The drive aisle is 23.6 feet, and the parking spaces are 9 feet by 18 feet.

FORT LEE PLANNING BOARD

October 26, 2020

Page 8

Mr. Pohan questioned: On the north side of the building, there is no sign there now?

Mr. Going stated no.

Mr. Pohan stated: People have found this building for years.

Mr. Going stated: That's true but there are other architectural elements that indicate it is a McDonald's.

Mr. Pohan stated: I can't see needing three signs on the building.

Ms. Tiberi questioned: What is the number of existing cars that can cue and number with improvements? Have you improved?

Mr. Going stated: I don't think it has increased. It is unchanged.

Ms. Tiberi questioned: What is the number of unchanged?

Mr. Lomei stated: Nine to ten cars from the pickup window.

Mr. Going stated: Yes, that looks correct.

Ms. Tiberi questioned: You testified that the speaker system will be better but how will it be next to the residential?

Mr. Lomei stated: It is not extensive. It will reduce ambiently and we can reduce manually.

Mr. Intindola questioned: The two orphaned parking spaces in the drive-thru bay, is there a way to make the Hudson entrance way more efficient. Maybe do a porkchop island? Was this looked at?

Mr. Going stated: To extend further back, there would be less space between the driveway and drive-thru. It would operate worse.

Mr. Intindola questioned: Are these spaces worth having or can we do additional landscaping?

Mr. Going stated: They are used by employees.

Mr. Intindola questioned: Can they be designated as such?

Mr. Lippert stated: Yes.

Mr. Going went through the total trips per day at peak times.

Mr. Intindola stated: The DOT issued a no new access permit required.

Mr. Going stated: Yes.

John McDonough, of John McDonough Associates, was sworn in as a Planner.

FORT LEE PLANNING BOARD

October 26, 2020

Page 9

Mr. McDonough stated: This property is in the C3 Zone and the Commercial Nodes and Corridors Overlay District. The restaurant is permitted but there is a bundle of relief being requested, predominantly for signage. This business is stable and long standing. I did a flexible “c” balancing test. I weighed them against the detriments. There are four or five public benefits like renovations to improve the site functionality and current ADA conformance regulations. It will also enhance the operation of efficiency. There are cosmetic or aesthetic enhancements. It improves the general welfare and creates a desirable visual environment amongst others. Overall, the sign budget is going down. There are two window signs there now that are not part of this application. It gives it a clean look. It promotes safe way finding. The sign package does not violate sign controls. It will not violate sign clutter or over branding. There is setback relief. It can function safely and efficiently with the upgrade. There are landscape improvements, and it gives it a clean look in front.

Ms. Kative questioned: Can you clarify, the big wording on the north side and the arches that are illuminated, are they 24 hours and are they LED?

Mr. McDonough stated: Yes, they are internally illuminated and will be lit overnight. They do not face the residential only the business.

Ms. Kative stated: It does face the co-op across the street.

Mr. McDonough stated: It is in the distance.

Ms. Kative questioned: The illuminated letters do not project?

Mr. McDonough stated: Correct.

Ms. Tiberi questioned: The pre-browse and menu are close to the residential home. They can be relocated westerly towards the building. Is there a reason they are where they are?

Mr. Lomei stated: We can look into shifting it. The cueing is 80 feet. We can go down to 60 feet. I believe it could create some turning radius issues to pay window.

Mr. Jovishoff questioned: The increase in lot coverage. It says 83.7% in your plans. Is that the increased amount? If it is over 85% it would need another variance.

Mr. Lomei stated: With the river stone we would go over but if we switch to more landscaping, we will be less than 85%.

Mr. Jovishoff stated: Please confirm that in your revised plans.

Mr. Lomei stated: We will.

Mr. Pohan questioned: Are they revising the plans or are we having a resolution that sets conditions?

Mr. Jovishoff stated: My understanding is that these revisions will be submitted for the professionals to approve based on the conditions.

FORT LEE PLANNING BOARD

October 26, 2020

Page 10

Mr. Pohan questioned: The sign on the north side will be lit all night? It is no longer a directional sign. It is advertisement. What are the hours of the lighting of that sign?

Mr. Lippert stated: 24 hours, 7 days a week.

Mr. Pohan stated: I personally believe it is unnecessary.

Vice Chairwoman Cooney questioned: Why are the lights on 24 hours Monday through Thursday?

Mr. Lomei stated: We have it on overnight for visibility.

Vice Chairwoman Cooney questioned: Why?

Mr. Lomei stated: We can turn it off overnight.

Vice Chairwoman Cooney questioned: Are we continuing with a half an hour after close they go off?

Mr. Lomei stated: The lights will be on 11:30 p.m. to 6:00 a.m.

Councilman Sargenti stated: This was the same issue we had with the bank on the corner and we had them put timers in.

Mr. Jovishoff questioned: Under the ordinance any business within 150 feet of a residential zone is required to shut off half an hour after they close and turn on half an hour before they open. Will this pertain to the signage on the side or all of the signage?

Mr. Pohan stated: All of the signage.

A motion was made by Mr. Pohan, seconded by Vice Chairwoman Cooney, and passed on a vote of 9 to 0 by members Pohan, Marshall, Ferris, Cooney, Sargenti, Forshner, Kative, Kaplan and Greenberg, to approve this application for Preliminary & Final Major Site Plan – Renovation & Signage.

**DOCKET #4-20 DEV'S FOODS 2, LLC
FORT LEE BURGER KING
811 PALISADE AVENUE
BLOCK 552, LOT 1
MINOR SITE PLAN – DRIVE-THRU & SIGNAGE**

This application will be carried to the meeting of November 23, 2020.

NEW BUSINESS:

**DISCUSSION ON AFFORDABLE HOUSING LANGUAGE TO BE USED IN
MEMORANDUMS, REVIEWS AND RESOLUTIONS**

This will be discussed at the meeting of November 9, 2020.

FORT LEE PLANNING BOARD

October 26, 2020

Page 11

ADJOURNMENT

A motion was made by Ms. Kative, seconded by Mr. Ferris, and passed without objection to adjourn this meeting at 10:32 p.m.

Respectfully submitted,

Christen S. Trentacosti

Christen S. Trentacosti

Recording Secretary