

REGULAR MEETING

Salute to Flag: 8:00pm

OPENING STATEMENT:

This is the Regular Meeting of the Wanaque Board of Adjustment and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends on January 19, 2020 and June 14, 2020 (Zoom Meeting) and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque and a copy thereof has been on file with the Borough Clerk

ROLL CALL: Vice Chairman Bruce Grygus, Members Frank Covelli, Don Ludwig and Helena Aumenta and Attorney Ronald Mondello and Engineer Christopher Nash

ABSENT: Chairman Jack Dunning, Members Bridget Pasznik, Michael Levine, Larry Malone and James Minogue

Attorney Mondello: Mr. Chairman, if I may suggest that Chairman Jack Dunning apparently has some type of illness so I would suggest that the Board make a Motion to excuse his absence due to this illness.

MOTION TO APPROVE CHAIRMAN DUNNING'S ABSENCE DUE TO ILLNESS: made by Member Covelli, seconded by Vice Chairman Grygus. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig, Levine and Aumenta.

ZBA2020-05 – Sahanas, Charles – 5 Humbert Place (Block 200.22/Lot 13)

Attorney Mondello: I've had had an opportunity to review the notice, and I know that Jen will confirm this that the Applicant has in fact, filed a Notice of Publication in the newspaper, has served residents within 200', so I would deem the application complete from a notice perspective and that jurisdiction is vested in the Zoning Board to hear this application.

Who is going to be testifying just you Mr. Sahanas?

Mr. Sahanas: Yes, sir.

Attorney Mondello: Okay, would you please raise your right hand? Do you swear or affirm the testimony about to give be the truth, the whole truth and nothing but the truth?

Mr. Sahanas: I do.

Attorney Mondello: Please state your name spell your last name and give us your address.

Mr. Sahanas: Charles Sahanas, 5 Humbert Place, Wanaque, New Jersey.

Attorney Mondello: Mr. Sahanas, Why don't you tell the Board what you want to do and why you want to do it.

Mr. Sahanas: I am looking to put basically a one story addition, with a full basement, on the back of my home. It's roughly a 23X23 addition. My mother-in-law is moving up from down the Jersey Shore area. We're not adding any bedrooms. We're actually just giving her one of the bedrooms and we're adding a family room on the back just for her to join us in our home.

Attorney Mondello: What are the variances that you are seeking?

Mr. Sahanas: I believe what we're seeking is a front yard setback. Although we're going off the back of the yard, it is a front yard setback. I'm not sure if there's a side yard setback. I don't believe there is. But it's a front yard setback.

Engineer Nash: There is a side yard variance, Mr. Chairman.

Vice Chairman Grygus: Yeah, I'm just looking at the zoning chart now that's on your report. Just so it's showing a side yard is required, and also lot depth and lot area. Of course, lot area is pre-existing and so is the depth.

Engineer Nash: It's important to note that this property is located in the R-40 District. The R-40 District is problematic with the way it was set up. Zoning was set up and created variances for every home that was in the R-40 Zone, so there's a built-in hardship, which may or may not be the right word. The homes weren't built, you know, prior to the zoning. Like the zoning was created around these homes and really put them in a bad spot, so that's why he's here. He has a very unusual variance because he's putting an addition on the rear of the house, and it's a front yard setback violation. That explains it right there.

Member Ludwig: That's kind of something that makes you scratch your head.

Mr. Sahanas: Thank you, Don.

Member Covelli: I think that in fact, Chris, your words were very accurate that this is a hardship in that the zoning postdates the construction of the house and the compliance of the house and now is before us for something as bizarre as a front yard setback in the rear of the house. I think it absolutely is a hardship created by the zoning.

Vice Chairman Grygus: Well, if we ever get our Ordinance Committee back up, maybe we can address that. Charlie, you said it's going to have a full basement.

Mr. Sahanas: Yes, sir.

Vice Chairman Grygus: Is it going to be finished or just left for storage?

Mr. Sahanas: It's going to be storage Bruce. I'm going to cut a doorway in from my existing garage on the home. There's a small little window in the back right now there. I plan on cutting a doorway in through there and it's going to be storage.

Vice Chairman Grygus: Okay. You are not adding a bedroom so the septic is not an issue.

Mr. Sahanas: No, absolutely not.

Vice Chairman Grygus: Any of the Board Members have any questions?

Member Ludwig: None at all, except why was the zoning change in the first place?

Mr. Sahanas: Don, I've asked the Mayor this for two years now. I've been trying to get him to change the zoning there because quite honestly, I spent a lot of money for this, which I feel is ill spent because my neighbor just spent it about a year ago. And Mr. Hafner understands this and I believe it is ill spent. I spoke to him for about two years now because I knew this was coming and they failed to, at least, address this. And I have a big problem with this but it is what it is at this point right now. For me to go for a front yard setback out the rear of my house pretty much explains it all. I don't have to say anything more. I think it's a unique situation, but it is what it is. I'm willing to spend the money and I have to do what I have to do for my mother-in-law at this point.

Attorney Mondello: Mr. Sahanas, it may be a good idea to show up at one of the council meetings?

Mr. Sahanas: Yeah, well I just retired 25 years in the police department in the town of Wanaque so the Mayor has been my boss for 25 years, and I've been a silent person since February 1st. It is not going to happen anymore. I'm trying to be the nice guy, quite honestly, and I like the man. However, I've been doing this for two years now telling him about the zone problem, and how every single lot there is undersized and it's been done well before these houses were built. It's a bad situation. It's a lot of money I've spent for nothing. Unfortunately, like I said, at this point, it is what it is and I'll deal with it. I appreciate your concern, but I will deal with it in the end, and I'll have to go to the council meetings to get to change for the next person

Attorney Mondello: Fair enough. Any other questions?

Vice Chairman Grygus: The only question I would have is the three measurements that Chris had wanted clarification on. Are they on the last final revised plan?

Board Secretary: They were on a letter that was in the packet. I think he wrote it in response to Engineer Nash's letter.

Vice Chairman Grygus: Yeah, I saw the letter from Charlie to Chris. I just want to make sure that we're covered as far as what's going to be submitted, that's all.

Does anyone from the audience or that's in on the meeting, have a question and question only, right at this point for this application?

Attorney Mondello: Mr. Chairman, I'm going to unmute everybody, sometimes chaos results, but here it goes.

Vice Chairman Grygus: Does anyone have any questions at all for the Applicant in the audience? Seeing and hearing none, at this point, does anyone that is on the meeting from the audience have any comments or statements to make about this application? All right, seeing and hearing none.

Vice Chairman Grygus: So Chris, we're talking about the four variances.

Engineer Nash: Yeah, and you know some are pre-existing.

Vice Chairman Grygus: Exactly, but we still list them anyway.

Vice Chairman Grygus: Ladies and gentlemen, can I get a Motion on this application?

MOTION TO APPROVE APPLICATION: made by Member Covelli, with the noted variances as referenced in our Engineer's Letter of April 27, 2020, seconded by Member Ludwig. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig, Levine and Aumenta.

Motion Carried.

ZBA2020-06 – Chabad Jewish Center, 815 Ringwood Avenue (Block 306/Lot 12)

Vice Chairman Grygus: Who do we have that's on for that application?

Board Secretary: There is Rabbi and Authorized Agent Robert Moshman, Esq.

Attorney Mondello: I do see that notice was sent to the newspaper, and I have received from Attorney Moshman an indication with the affidavit of proof that residents within 200' were in fact served with notice, so jurisdiction is vested in the Zoning Board to hear this Application. Good evening Mr. Moshman, would you please enter your appearance for the record?

Attorney Moshman: Good evening. I am here tonight with a very experienced gentleman who has great background in signage, Chris Fetchik.

Attorney Mondello: Why don't you just very quickly tell us what your client would like to do?

Attorney Moshman: My client's primary ambition is to have some signage on the side of the building. It's actually the front of the building that faces the parking lot. The signage consists of lettering that would go on the, I believe the engineer called it a porte cochere, but it's the overhang that comes out from the building. That would have lettering that would greet the people who are parking and entering the building. While we're applying for that, we are also looking for variances that apply to some existing signage on the property. One of the signs is actually a Menorah, which qualifies as signage under the Wanaque Ordinances. So even though it qualifies as signage, it's really a symbol that has no lettering, but it meets the definition, so therefore, we need potentially some variances, although the Engineer thought possibly not. Then there's an existing ground sign, which a future project would enlarge that sign, put some decorative stone around it, and that needs some variances due to its location and possible increase in size. Also because there's an ordinance that requires either a sign pole or ground sign, but not both. So in this case, we are looking to have both for various reasons.

Attorney Mondello: Fair enough. Thank you for that, and appreciate that. Who is your first witness?

Vice Chairman Grygus: Before we go on with that, I think we should make it clear and it may have been cleared up already, but on the first page of one of the attachments here, and at the bottom of it, where it shows the zone bulk requirements, where it start starts off 815 Ringwood

Avenue Signage Variances Application. I just want to make sure we're clear on this in just that. Ron, correct me if I'm wrong. I don't think our Board has the jurisdiction to waive fees or escrows.

Attorney Mondello: No, we don't.

Vice Chairman Grygus: That's something that the Applicant would have to address with the Mayor & Council.

Board Secretary: They paid the escrow fee.

Vice Chairman Grygus: I just wanted that to be clear before we go forward on it.

Attorney Moshman: Okay, and that's a separate application to the Mayor & Council.

Vice Chairman Grygus: I don't know the process of it. I believe it's been done in the past. I'm going to say I think it was done for the shelter. Ron, were you with us then or was that Ralph?

Attorney Mondello: Bruce, I cannot recall that. But having been a Board Attorney for 28 years, and having had all kinds of religious institutions appear before Planning Boards, Zoning Boards, never once have I seen an applicant request a waiver of the fees. I'm guessing they certainly could ask. It doesn't hurt. But we don't get involved with that.

Vice Chairman Grygus: Yeah, I just wanted it to be clear that we that we didn't have the authority to do that. That's all

Attorney Moshman: Okay. I'll redirect that to whoever it is appropriate to apply to.

Vice Chairman Grygus: Okay, Ron, I'm sorry.

Attorney Mondello: No problem. So who is your first witness Mr. Moshman?

Attorney Moshman: I would like to call Mr. Fetchik

Attorney Mondello: Welcome Mr. Fetchik. How are you?

Mr. Fetchik: Very well, thank you.

Attorney Mondello: Okay. Please raise your right hand. Do you swear or affirm that the testimony about to give be the truth, the whole truth and nothing but the truth?

Mr. Fetchik: I do.

Attorney Mondello: Please state your name, spell your last name and give us your office address. Christopher?

Mr. Fetchik: Christopher Fetchik. My office address is 582 Fairfield Road. Wayne, New Jersey.

Attorney Mondello: Mr. Fetchik, I personally have not had the pleasure. I don't know if any of the Board Members have had the pleasure of listening to your testimony before. Could you briefly give the Board your qualifications?

Mr. Fetchik: I've been in the industry since 1990. I was at my first variance board hearing in 2006. I'm a member of the United States Sign Council Membership and OSHA certified. I've appeared before countless variance hearings. Just to rattle off a few, I've been in Clifton, Teaneck, and Lyndhurst.

Attorney Mondello: Mr. Fetchik, they have accepted you as an expert in the field of what?

Mr. Fetchik: Of signage.

Attorney Mondello: That's a new one for me, Chris. I have never come across an expert in the field of signage before.

Mr. Fetchik: Well, it's good to have some experts around because some people do need them. I've seen some bad signs and I'm happy to be an expert to make them look better.

Attorney Mondello: So I'm curious, is there a particular series of courses, degrees, certifications that one must obtain in order to become an expert in the field of signage?

Mr. Fetchik: Generally speaking, it comes with experience when you start getting involved with larger projects and have to go before Planning Boards. It is something that is acquired over time, so it really is experience. I welcome any questions that you may have to certify that further.

Attorney Mondello: How many years of experience do you have in this field of signage?

Mr. Fetchik: I've been in the industry since 1990.

Attorney Mondello: Since 1990, how many applications for signage have you been involved with?

Mr. Fetchik: I've lost count. I mean, we're talking 100 I don't know. I've been to a lot of boards, some for variances and some for planning.

Attorney Mondello: I know you already mentioned several boards. Have those boards accepted you as an expert in the field of signage?

Mr. Fetchik: Yes. Had one in Rochelle Park, which was very specific to electronic message centers.

Attorney Mondello: Well, when was that?

Mr. Fetchik: That was seven, eight years ago.

Attorney Mondello: Because I am their Zoning Board Attorney and I have not had the pleasure. I bring it back up to the Board. If the Board has any objection to this somewhat unusual expertise, but apparently this particular witness does have some extensive experience in the field of signage. Hearing none Seeing none. Your witness Mr. Moshman.

Vice Chairman Grygus: Ron, should we have sworn in Mr. Moshman?

Attorney Mondello: No. He is an attorney. We don't do that. Attorneys are expected to tell the truth. All right then, so your witness, Mr. Moshman.

Attorney Moshman: Mr. Fetchik, good evening and thank you for being here. Did you have some opportunity to be at the premises of 815 Ringwood Avenue?

Mr. Fetchik: I did several times.

Attorney Moshman: And did you take some pictures that you then supplied to the Board Secretary to be circulated?

Mr. Fetchik: I did.

Attorney Moshman: Could you explain the significance of the pictures that you took and how they relate to the signage that we're proposing?

Mr. Fetchik: Sure. I'm sorry. Is there a screen view or share?

Attorney Mondello: Thank you, Mr. Fetchik. I was just about to say, I can give you the capability. You are now the co-host. You can now pull up those pictorials so that the Board can see.

Mr. Fetchik: I'm sorry, it's a night shot, but by the time I got out there on the day of doing the initial survey, this is the ninth shot that we were looking for, for the placement. So clearly, this is the overhang to identify where the sign was going. This is the overall plan and you guys should have this, and is what we're proposing. This is after a series of revisions in trying to maximize the best use of the space. Now in trying to maximize best use of the space, here's a distance shot of what we're looking at. This picture actually served as a couple of purposes in being able to see all three signs, or sign areas, that we're looking at. Now the distance that we're looking at is roughly 200'. The initial presentation, or the way this was presented to me, was not that we're looking to have advertising signage for drivers passing by, but more as a presence upon entry into a parking lot. Clearly this only comes from one direction, but it's a very strong and defining direction. We're trying to get something that is welcoming and at the same time very defining for what the facility is. Considering that it is a religious center, we wanted to have something that has a monumental presence. We've gone back and forth to finally end up with the plan that you have just seen a moment ago. One of the problems that we had with our initial plan was, while the size of the letters were good at this distance, it was actually very difficult to read. so we had to add spacing in between the letters. The spacing at this distance actually makes it appear as if the lettering is properly spaced, not over spaced. So if you're looking at the plan, it looks like the letters might be a little bit distant, but from a distance it looks as the way it should read. We're confident with the plan in moving into this and I believe all around, everyone was happy, which is why we're here today. I guess we're 2-1/2% over square footage. My personal opinion, I wouldn't have minded going just a little bit wider just to center it in the facade area where this is going. The concern that we have is a drain pipe so we have to be careful with the installation that we're not puncturing drainage because that would, of course, create a larger problem. This is where we know we have a few extra inches so that if a hole gets drilled a little bit too far over from one side, we're not going to have any issues with any water leaks dripping internally, which would cause issues with the structure. While we would like something just slightly larger, this is the happy resolve to it.

Attorney Moshman: You mentioned that it was 2-1/2% over the required percentage, how does the percentage relate to the overall scope of the building when you look at the facade as part of the overall building?

Mr. Fetchik: This is a little bit of an interesting take on it. I have this listed as two and a half square feet over because the notice that came back says that the facade area is only the protruding part of the overhang. When we look at a set of blueprints, the calculations come from the total width of the building so in that regards we're way below the square footage. It's almost like saying that if we took this sign and moved it to the right and put it above the windows, we can get a sign twice the size over there and still be in the square footage. I honestly, from looking at countless plans over the years, I don't actually calculate the square footage on there, but if the Board is calculating that way, then that's where I have to look at two and a half percent, which is two and a half square feet.

Attorney Mondello: Anything else Mr. Fetchik?

Mr. Fetchik: Well if it helps, one of the areas that we take into consideration is letter height and the readability of the letter height based on the distance that it's viewing at. If the sign area was taller, we would look to make the letters taller. We have a very simple calculation that we follow. As a starting point for every inch of letter height, your perfect readability, or your maximum readability, is at 10'. So the second line being 8", your maximum readability is at 80'. While it's still readable at 200' away, it's not your easy read. However, we can gain a little bit of readability by spacing out the letters and adding breathing room in between. The fact that this is on an overhang and it has a framed area, which a framed area will help increase the readability as well. Without actually doing the math, the general rule of thumb is that framing out a sign in a big mass would increase the readability by 10%, but since we have common colors in the surrounding area, I would say we're probably like a 7% or 8%. Again, without doing math to color calculations and all that, it's more expensive than I thought necessary.

Vice Chairman Grygus: What about illumination?

Mr. Fetchik: This one does not have illumination. I do believe that there is a thought to have ground fixtures to spotlight the front, but it is not in our scope of work.

Attorney Moshman: Do you have measurements for how wide the overhang and how wide is the overall building?

Mr. Fetchik: The overall building is 110' in length and the facade is 26'. I don't have the exact measurement but it's somewhere in that 26'. It might be 26.3'

Attorney Moshman: Did you have other pictures that you took of the site?

Mr. Fetchik: I did but most of the other pictures were related to the ground sign on. I don't know where you want to put more focus. I'm looking at little thumbnail so I don't get to see all the pictures and my apologies for scrolling through so quickly. So this is just taken from across the street trying to get the perspective, but I think this is the main photo that that we should be looking at for the distance. If we would like to toggle back to how this looks on the side, granted a little bit dark, the print is actually even worse.

Attorney Moshman: If you could toggle through the pictures, I'd like to ask you a few questions about them.

Mr. Fetchik: Sure. Is there one in particular based on the ones that you've seen?

Attorney Moshman: Let's go through all of them. In this one, we're looking at here what direction?

Mr. Fetchik: This is on the opposite side of the building. There's no visibility to the canopy. My primary reason for taking this photo was because there was a concern about overlapping of the two signs; the Menorah as well as the ground sign. With the curvature in the road, the overlap is just not there. If I step out into the street even farther than it separates even more. So this picture was taken just to be able to have the answer to that question of does one sign overlap the other and create a disturbance between the two. I would also venture to point out that the color scheme

on this kind of blends into the building where it's not a very intrusive sign. My opinion is it's a great symbolic type of sign to put up where it's people who would be drawn to this will recognize this, but it's not so outstanding that people driving by are forced to have to pull recognition to this. Normally when I design a sign the purpose is to grab your attention for sure to look at it and, I mean, it is part of my job to do. In this particular doesn't so I tried to get as close to this as I can to make sure that was visible, still being able to see the monument sign off in the background.

Attorney Moshman: The pole sign in the foreground, the Menorah, is there any lettering or numbering on the pole sign?

Mr. Fetchik: No, there's nothing at all.

Attorney Moshman: Is the Menorah solid or are you able to look through it?

Mr. Fetchik: It's basically 2x2 aluminum, so there's not a whole lot of weight to it. For all intents and purposes, it's what we would consider a cut out. Meaning that there's no background to hold in front of it, so it's about as minimum as it's going to get.

Attorney Moshman: Do any Board Members have questions on this sign before we move on?

Vice Chairman Grygus: Well, which one are we talking about right now? We were talking about the building and now we're talking about the Menorah. So did we switch?

Attorney Moshman: Right. I'm just going to run through all the photos and talk about each one as they come up because they're in this particular photo of both the ground and the pole signs are in the same frame.

Vice Chairman Grygus: Okay. Well, I guess as we talk about each individual one, we can address the questions for each individual one.

Mr. Fetchik: Should we go back to the first one; the building letters.

Attorney Moshman: I would just go through the rest of your pictures.

Mr. Fetchik: These next three photos are in direct relationship to the proposed signage that we're looking for.

Vice Chairman Grygus: Before we go on to the ground mounted sign, do any of the Board Members have any questions about the proposed building mounted signage? Okay.

Attorney Moshman: Mr. Fetchik, you showed us several signs are those signs from the immediate vicinity of 815 Ringwood Avenue?

Mr. Fetchik: I did. So let's go the farthest away, east to our neighboring property, which is Atlas Paving. In taking a look at their sign, I ran up and took a couple of measurements and their sign hits at 30 square feet. They're 4' in height, 7'6" in length, so we're looking at a 30 square foot sign. This is one of those I assume that they sign went before you guys based on the size and everything that I'm looking at. This is honestly a sign that, when I look at it, I feel it is appropriate in size. It fits with the property because their building is setback, so it was a reasonable size to put there and I felt like it was a very sensible decision in putting this particular size. Right next door to it is Crete Concrete. Crete is actually 15 square feet, which is well within means, but what makes this picture a very attractive picture for me to look at is the proportion of how the sign looks to

someone driving by, in relationship to how close it is to the building to the overall size of the building as a visual perspective. I'm ignoring all measurements and looking at this and saying this takes up in my visual perspective, roughly 25% of the visual, maybe just a little bit less than 25% of that, so when I drive by and I look at this, it's a very fitting size for the space that it's trying to represent. When I go back and take a look at the existing monument sign at the façade of the Chabad Center in relationship to the overall size, (referring to photos not submitted which will probably help out a little bit more because you can see more of the building) the building still continues farther off to the side. So this is a good close up since you get nice and close to the building, and it helps to maximize it, but the building is so far away from this it's diminishing its value. The sign doesn't look like it belongs to this building and it's a little bit of an issue. Even I as the first time going there, I actually passed the building and I ended up going up the side street missing the driveway. It just it doesn't define it to me. However, coming the opposite direction now that I know where I'm going, obviously I can in a very easily. Here is another good perspective. The idea is to try to find something a little bit more substantial for the building. Again, we don't need to really overpower the building, but when you look at something like Crete I'm trying to create that same visual perception. I don't think it really needs to go too much bigger. We started off with a couple of concepts, our first concept that was here. I asked my Art Department to increase the height of this because there's an issue with a berm blocking part of the sign. I felt this wasn't perfectly fitting so we added a little bit more structure and have this to blend into the building a little bit better. The gray stone will match the gray on the building and it has that monumental appeal. We started with Option C, which is the same overall height, but now I still want to get a little bit higher, add the decorative planter base into that to try to spruce this up a little bit, and ultimately what we end up with is the difference of, I'm using the original picture, if we increase it we can actually get the address from both directions, not just one. Still overall square footage on this roughly is 30 square feet.

Vice Chairman Grygus: Where are you coming up with that calculation, because if I look at your Option A and Option B, I don't see how either one of those are coming up to 30 square feet?

Mr. Fetchik: Option A and B on this page.

Vice Chairman Grygus: Yes.

Mr. Fetchik: I'm sorry. I was looking at this one as your 30 square feet taking the overall structure.

Vice Chairman Grygus: So you're taking the brickwork around it also.

Mr. Fetchik: Yes, I was taking the largest size,

Vice Chairman Grygus: I don't think we have that in our package with the bricks around it. If I could just go back. I have a question on Zone B on the bulk requirement table. Let me go back to that property line setback if I could for one minute on the Menorah, what is the 18 and 10 that you're proposing on a property line setback? Is that the difference between the arms of the Menorah and the pole of the Menorah?

Attorney Moshman: I think 18' is from the sideline from the neighbor, and 10' might be a mistake. 10' depends on whether the sidewalk is part of the property or not.

Vice Chairman Grygus: Okay. So then my next question is your proposing 8' on the setback. Have you provided any drawings with any kind of sight lines?

Attorney Moshman: On the Menorah?

Vice Chairman Grygus: No, I'm sorry. I'm back to the freestanding sign now.

Attorney Moshman: No. The free standing sign would be in its same location, just with decorative border and maybe a little higher.

Vice Chairman Grygus: Because right now you're at 10, but you're proposing to go down to 8, and I think the reason why the requirement is 10 is to try to update any potential sightline issues.

Engineer Nash: Mr. Chairman, I was out at the site, and, you know, I was positioning my car pulling out, and we really don't want to have the sign closer to the road. I don't care about the dimensions of the sign. I'm more concerned about the sight distance. I would rather not be closer to the road.

Vice Chairman Grygus: You would rather see that maintain the 10 foot?

Engineer Nash: Yes.

Vice Chairman Grygus: Mr. Moshman, can you make that happen?

Attorney Moshman: Actually I think the chart that I provided is erroneous because Boswell Engineering measurement is existing 8'. So I think it's already 8', and it's supposed to be 10, but the existing is 8.

Engineer Nash: The existing is 8, and the new sign would have to be setback at 10 in order to avoid a variance. If they moved it closer than 10, a variance would be required.

Attorney Moshman: Right. If you took it where it is now, then it'd get a variance for the current location. I'm not asking to move it closer, but it's currently in conflict with the requirement of 10. According to the Board, as well, it's 8 feet, so I'll take that as a measurement.

Member Covelli: Does the County have any requirements with respect to, Chris, the sight distance when you talk about this being on a county road?

Mr. Fetchik: If it's existing location, this should predate.

Member Covelli: This is not a pre-existing location. It's only been there a few years.

Engineer Nash: The County would comment on it anyway. Have you submitted to the County Planning Board?

Attorney Moshman: Not yet.

Member Covelli: Though any favorable action we were to grant would be subject to the County's approval considering it's their roadway,

Attorney Moshman: Correct.

Member Covelli: If I can ask another question as a point of reference and referring to this sign, the existing sign we see there is approximately 15 square feet and this one goes to 20?

Vice Chairman Grygus: 30, according to the chart, and that's why I asked him the question. He said that that includes the brickwork around it, because we don't have that drawing in our plans that he has on the screen.

Board Secretary: That was sent in an email today. Attorney Moshman, you did send that to me this morning:

Engineer Nash: You sent it out this morning Jennifer.

Board Secretary: Yeah, so then I got it this morning and I sent it out. I think it's the last small sheet of paper before the printout of the Menorah and the other business signs. That's where it's in my packet.

Vice Chairman Grygus: Okay, so the Board would need you to pick an option. You would have to tell us you want to do C or you want to do D.

Mr. Fetchik: That is up to Rabbi Mendy, but my recommendation is D so that the street address can clear the berm that's obstructing the address currently.

Member Covelli: If I may, for a point of clarification in looking at option D the existing one row of Belgian block would be replaced by this Belgian block or brick system we see here where there's a planter of three rows and then the side columns and then a larger sign? Or is that sign actually the same size as the existing sign, it's just the enclosure in the in the brick façade?

Mr. Fetchik: The sign itself is the exact size. The one thing that is different is where the 815 is. It just extends the full width as opposed to

Member Ludwig: Basically you're just lifting up the sign.

Mr. Fetchik: Yes.

Member Ludwig: The sign looks the same size but it's lifted up off of the planter.

Mr. Fetchik: Yes.

Member Covelli: That's the single row of Belgian block I'm referring to.

Mr. Fetchik: Yes.

Engineer Nash: Chris, can you flip back to the picture that shows the existing ground mounted sign from back further? Do you own the property with that berm in the foreground?

Attorney Moshman: I believe so. Yes. I believe it goes all the way

Engineer Nash: Because it appears you're trying to create a sign height that's above that berm, which is making the sign larger. Why don't just lower the berm?

Member Covelli: The berm is actually rock. That's my recollection but I never studied it. I believe it is rock.

Member Ludwig: Yeah, I thought so too.

Vice Chairman Grygus: So just getting back for one minute to the setback. If you're going to keep the 8' setback, you would have to start the brick enclosure where the edge of the existing sign is, which would mean that it probably would not center in that current Belgian block, rectangular or whatever that is that you have there now.

Attorney Moshman: Yeah, and it would probably end up being blocked by this street sign.

Vice Chairman Grygus: Yeah, so in other words, if you're looking at that just the way it is now, I can't go back but I think the brick was 10 inches on the sides, so that's going to be you know, 10 inches back.

Attorney Moshman: The original thought was just put some decorative rock around the existing sign. Now that we are seeing these proposed signs and how nice they are, it seems to me if there's

going to be a monumental type rebuilding of this, the whole sign can be moved a couple of feet because we're not going to be maintaining that same face of the single Belgian block. But that's not my decision, that's Rabbi's.

Member Ludwig: I'm not so sure that that that street sign pole will block it because whoever took the picture was standing in the roadway when they took that picture from what I saw that way. If you're on the street, I think you'd see it without the signpost.

Vice Chairman Grygus: Don's probably right but I just wanted to make sure that we were clear that in order to maintain that 8' if you're going to put that 10" monument on each side of it, you're probably not going to be able to stay centered in that existing, let's call it a footing for lack of something else, what you have there now?

Attorney Moshman: I believe you are correct.

Mr. Fetchik: That landscaped area can be very easily extended in one direction or the other. I'm not a landscaper, but it doesn't seem like it takes a whole lot to break away a little bit of the pavement, add some dirt into it, and replant some extra grass and you know, extend the block round a little bit, as opposed to digging up the whole thing. Again, I'm not a landscaper, but just based on other work that we do, I've been on projects where pavements been ripped up.

Vice Chairman Grygus: Like we said, it may all be a moot point if the County comes back and says they want it 10' back. I'm assuming this will be inside illumination.

Mr. Fetchik: Yes, it will be internally illuminated using LED lighting.

Vice Chairman Grygus: Do you have any wattage of those or what kind of foot candles that's going to put off at any kind of distance?

Mr. Fetchik: I don't have that. You know there's been a standard on LED lighting for so long. I've honestly just lost track of it. The last time I had to answer that question was in Elmwood Park, about seven years ago. We don't actually go by wattage with those, we go by lumens and one of the downsides on that is that the lumens are not actually accurate to the perception. So the lumens that gets put out from an LED is much brighter than what you would consider to be allowed, but the correct measurement of it is standing 10' away from the light itself, and shining the reader from where the light hits from 10' away, and that's the true assessment of it. To actually do that, we would have to actually take the light meter, put one up on display and then give you that actual accurate reading.

Vice Chairman Grygus: Is there any kind of standard for that when it's adjacent to a roadway?

Mr. Fetchik: As far as how much wattage is allowed to go out?

Vice Chairman Grygus: Yeah.

Mr. Fetchik: As of right now, LEDs are still not pushing out at least as far as how these work. They're lighting modules. The Wanaque electronic message center that is right up the road. They are similar to what those LEDs are, but the light sources is farther apart so it's actually not as bright as that electronic message center that you guys just put in. So maybe it gives a visual comparable. It's less than that. I know when I say LED for lighting people think New York City It's not like that.

Vice Chairman Grygus: I'm getting back to the square footage again. I just want to make it clear that, if you could just quantify the signage size and the, let's call it enclosure size. What I want to do is if something were to happen where you decide later on to take the brick away, I don't know if I want to see it 30 square foot sign there. Follow what I'm saying. Mounted on a post kind of like what one of the other drawings showed, kind of almost like what you have there now. I just want to make it clear that you had said that the actual signage size is what's there now. What's making it the 30 square feet is the enclosure.

Mr. Fetchik: The actual sign right now? I'm sorry I didn't see this on your ordinance. The 815 and the area that that embodies, is that considered sign area?

Attorney Mondello: Yes, I believe it is part of the sign. Yes, it is.

Mr. Fetchik: Okay, so in that case, your total square footage on signage is 20 square feet. You have one foot in height by four feet for the 815. Then the sign itself is four by four. That's another 16 square feet. So you basically have five by four. It is 20 square feet of signage.

Vice Chairman Grygus: Okay, so you're talking a 20 square foot sign and then the enclosure is what's making it 30 square feet.

Mr. Fetchik: Correct.

Vice Chairman Grygus: Does any Board Member have any questions on the freestanding sign?

Member Ludwig: Could you word it that the enclosure is not part of the signage square footage? Can we separate the two somehow so that if down the road, they want to put a bigger sign in, they'd have to come back?

Attorney Mondello: Yes, you can cut it one of two ways. You can either do it as Don suggested, or, as you've suggested Bruce, that the sign can exceed and I'm sorry, I think Chris said it was 20 feet.

Vice Chairman Grygus: 20 square feet.

Attorney Mondello: Yeah, period.

Vice Chairman Grygus: Okay, then the enclosure doesn't count.

Vice Chairman Grygus: All right. I guess we'll move on. Did we talk about the Menorah at all? I guess the only question I have on the Menorah is kind of the same question I had about the illumination on the freestanding sign. What is the illumination on the Menorah?

Attorney Moshman: I believe there's an electrical source. I can have the Rabbi testify about that. Should we move on to the Rabbi and have him testify about the Menorah.

Attorney Mondello: Rabbi, do you affirm to tell the truth, the whole truth and nothing but the truth?

Rabbi: Yes, I do.

Attorney Mondello: Please state your name, spell your last name and give us your address.

Rabbi: Mendy Gurkov, 31 Carter Road, Haskell, NJ.

Attorney Mondello: Your witness Mr. Moshman.

Attorney Moshman: Rabbi, before we leave the ground sign subject, did you have a preference? I know this is a rather new development in the last 48 hours but, amongst the signs that were presented, did you have one that you were in favor of?

Rabbi: I'd like obviously D because it gave the greatest visibility from the other signage, but to my opinion, I think the signage should be a little bit wider similar to Atlas, where you have a nice wide sign where it really gives a clear landmark to people where the entrance is when you're driving by. That's really the sign that's going to tell you okay make a left into here, you know, depending from which side you're coming on Ringwood Avenue. You need to have a clear sign. When Chris came the first time, and many people come the first time, it is very easy to miss that entrance. It could be somewhat confusing, and I think having a really wide sign I think the width is important and is critical, and big lettering to identify. It's a pretty long stretch, and wide frontage of Ringwood Avenue, so it could become, hey, where's the entrance? That's why once people do see the building, they're slowing down and I want to give them a really clear access point and really clear vision that this is where you enter and not to create any confusion. I think that will actually help for everyone, even other people that are driving on Ringwood Avenue. I think obviously D is the biggest sign, gives us the best visibility, but I think something like Atlas, which is even wider. The letters need to be wide and big especially if you really want to accomplish what you're trying to do, which is give people a clear sign over where they're going. Again, it's not, as Chris said, trying to recruit people or advertising some sort of store, but right now nobody even sees the sign.

Vice Chairman Grygus: It sounds like you are looking for something that isn't even any of these proposals, right?

Rabbi: Obviously D is the greatest one from them in terms of size, being raised up a little bit to give it a little bit more height, which it definitely needs. My property line is actually by the utility pole so you really do need that height because I can start moving around dirt and rock that doesn't belong to us. I think going high and a little bit wider will definitely give better visibility. Again, we want to be able to make it easy for people to enter and know where they're going and try to minimize any confusion of where the entrance is.

Attorney Moshman: Okay. Do you have a specific width in mind that we can settle tonight, or do we need to come back to the Board with a new plan?

Rabbi: I think with Chris's advice as a signage expert and Bob what do you think? I would like to say let's just say the appropriate something that the Board will accept and at the end of the day we think that's too big, then we'll go a little bit smaller. I would like to have at least a frame to work with. Again, my main point is that it should be easy for people to enter and know where they're going, and not to have even one ounce of confusion and then they have to slow on the break, and then there's a car behind them. It should be very clear, and right now it isn't clear because I see people coming, especially first timers, and even people that have come that haven't come for a while it's been six months since they came to an event, there's a little confusion there and a lot of times they're going past it and having to make a U turn. That's not good for anyone.

Attorney Moshman: What's been proposed to the Board in the preliminary materials was not a specific design, but a specific square footage of 30, which was to include a decorative border. Is that acceptable to the Board, or would the Board prefer that we come back with a specific sign?

Mr. Covelli: My thinking is give us a maximum square footage subject to the county approval and we can move on would be my thinking.

Attorney Moshman: Okay, and then based on that, Mr. Fetchik, if we were to take 30' maximum and work width and stone surrounding, would that be a suitable amount of space for you to work with to create something that would compete with the surrounding signs and get the attention that the Rabbi would want to delineate the entranceway.

Mr. Fetchik: You know just doing quick calculations and round numbers in my head, a 3x7 is a pretty comfortable side where 7' in width gives you your 21 square feet, and looking at the 10" columns on there, we're not that far off from the 30 square feet. I'm sure there's something that we can cut down a little bit. I probably want to take a second look at the site just to make sure that we're not going too far back into the property because at this point, anything we do has to be go backwards, so there's always a concern of how far is this getting blocked, but I think it's realistic.

Attorney Moshman: So if we would have put a dimensions, maximum of 30 square feet, we don't have to make it 30 square feet, but we're not to exceed 30 square feet, including any kind of monumental rock around it, and the sign itself shall not exceed, let's say, 25 square feet, would that be suitable to create a big enough sign and a big enough rock thing?

Mr. Fetchik: I think it would work great.

Attorney Mondello: How far from the property line, if we could please be accurate with respect to that, you advertised for something less than 8' from the property?

Attorney Moshman: Chris, can you make this work? Can we move it to 10' from the property line?

Mr. Fetchik: You know I'm just going to scroll through a couple of these photos.

Member Covelli: While Chris is doing that I had a point of reference to ask, and that is, was the existing sign approved by the County?

Attorney Moshman: No, this is a signage plan that we inherited from the Doorway Church, but they never went to the Board to get approval for that sign. They just put it up.

Member Covelli: Okay, that was my recollection. I forgot that the Doorway Church was there before you. Thank you for the clarification.

Mr. Fetchik: So what I'm looking at right now, if that sign is 4' in width, where my pointer is, is where an 8' width would end up. From this perspective, I would say, sure, I don't see why this couldn't work. Coming back a little bit farther and trying to stand out as far into the road as I can without getting hit by a car, I still think that, yes, it can work from the current placement. Forgive me, this is 8' here not 10'. Is that correct?

Attorney Moshman: I believe that's correct. Yes.

Vice Chairman Grygus: Yes, that's 8' now. So again, the County may come back and say you have to move it back to 10'. You have to take that into consideration as you go with a wider sign also.

Attorney Mondello: But the Board is comfortable with the 8', the same exact location, correct?

Vice Chairman Grygus: Well, the Board Engineer said he doesn't want to see it any closer, so based upon his recommendation.

Member Covelli: I would concur with that as well.

Member Ludwig: With the wide open space you have with the road that cuts off of Ringwood Avenue there, it has a full view. I don't know if the size is really that necessary to go any bigger. Your line of sight is wide open and nothing is going to grow on that rock to obscure it.

Mr. Fetchik: I think it's a matter of perspective to the building that it's entering into. I can honestly say from having driven past there, that picture seems to be better than the actual presence of being there. I definitely do agree with Rabbi that something a little bit more epic needs to be at its entrance to really truly identify that this is where you have to go.

Member Ludwig: What I'm saying is that the views that you showed with the pillars to either side of it looks like it would stand out very well. I don't think you'd have to go too much bigger than that.

Vice Chairman Grygus: All right, Mr. Moshman, maybe you can give us what your Applicant wants for a sign square footage and an overall square footage.

Attorney Moshman: If we can have a sign square footage of 25 square feet maximum, and an overall sign plus rock borders of 30 square feet, that seems to be plenty to work with for maximum impact.

Vice Chairman Grygus: Okay. Any comments or questions on that from the Board?

Member Covelli: Has any thought been given to perhaps creating a small berm underneath that to raise it up as opposed to adding signage?

Mr. Fetchik: I have not put that into consideration. In order to put the berm where it's at right now, that berm would have to extend out more than just in that immediate area. It would have to go back and blend in with rest of the area. It just seemed too far away from the existing landscape area to even bother with it. Ideally, yes, a berm would raise it up.

Member Covelli: I think I understand your point about. The sign is almost on one side in a hole. It appears in fact that the way we're looking at it, it almost appears that it's in a hole because of the rock before as you face the south. Chris I think you have a picture of the side view of that sign where you could see the distance between the sign and the rock outcrop. I thought I saw one. That's closer, but I thought you had another one of the side view.

Engineer Nash: Can I share the screen because I have something? Can everybody see that?

Member Covelli: That's exactly the angle, Chris.

Engineer Nash: It almost seems like this whole section of the parking lot is not being utilized for parking. You can almost take a triangular piece here and take all this pavement out and raise this up. I understand that this looks like the property line, but you can berm this up in this area and

raise this sign up so it doesn't have to be so large. I think you can almost pull this off with landscaping. Of course you have to meet the existing ground at this point to maintain any drainage that's flowing. It looks like it would flow out to the curb line here.

Member Ludwig: But won't that base that they're going to be putting underneath it do the same thing by raising it up?

Engineer Nash: Right, but they have to raise it up to and it creates more of a variance.

Vice Chairman Grygus: Is that going to create a possible sightline issue though Chris?

Engineer Nash: Not if it's done right. You'd have to slope it back down. Certainly it has to be designed. This is a suggestion because the issue with the side variances, they have to make it taller. It's not the width, it's the height. So width they're looking for, if you look at the sign, there's some wasted space at the bottom and that's because they're trying to raise it up.

Vice Chairman Grygus: Which my next question would be, if we granted the 25 and the 30 that Mr. Moshman spoke about, what are you looking for a maximum height of that sign?

Mr. Fetchik: We're looking at the current sign is roughly 6' tall. So if the sign currently is roughly six feet tall, we're basically looking to add roughly more like a foot and a half, so that puts us at 7.3'.

I think from a visual perspective, I think coming into a parking lot and having that sign raised up on a berm is going to create a different problem where the sign doesn't look like it belongs here. Now, putting the berm up is going to create a sign that looks like it's leading into a neighboring property, so it defeats the purpose. That's just my initial thought and I'm not looking at it on paper, but just from seeing a visual perspective. I mean, we've done this on projects before, where we've added a berm to increase a height. In fact, there was a Zoning Board that said to meet the minimum height, or the maximum height requirements, put a berm up and you'll meet the height. So we did but it worked because it already float in and all we did was take an existing berm or an existing height and just pulled it out farther and it blended in just fine. I don't think this blending in fine just here. I feel like it's almost going to look like somebody just dumped a pile of dirt and over time grass finally grew on it so there's a good spot to put a sign on it maybe. My instinct tells me it wouldn't work.

Vice Chairman Grygus: Again, it's your application so you're going to tell us what it is that you're looking for. Let's get back to the 25 and 30, so you're saying your maximum height then is going to be what?

Mr. Fetchik: I would say if we said maximum height was 8' we would actually end up below that. That Option D that I had up on the screen before was 7'3", and that seemed to work out just well.

Vice Chairman Grygus: How about your maximum width then given the same scenario?

Mr. Fetchik: Well, basic math 25. Let's round it to 24. Three by eight, that's 24 square feet. Adding 10 inches on either side, I would say maximum 9'. Again, I doubt we would see that. We probably see 7' or 8', maybe 7.6'.

Vice Chairman Grygus: You said you said you're three by eight, you're eight feet. And then you have you were proposing 10 inches on each side. So you're at, you're at nine, eight.

Mr. Fetchik: Yeah, I'm talking out loud. I realized them over so I'm just getting the basic sizes and seeing where we back off of it. We're probably going to be a maximum of 8' in width. You're going to want to sign area that's going to be about 3' in height so you're probably going to be about maximum of 8'. I would say 8.6' in case we want to go a little bit narrower and just try and let the words come off to the side, which is how a landscape type layout would have to work, so we're somewhere in that ballpark.

Vice Chairman Grygus: And it's not going to change the minimum height of the foot and a half?

Mr. Fetchik: No.

Vice Chairman Grygus: So then that's going to change that from the maximum square footage of a sign of 25' and overall 30', a maximum height of 8' and a maximum width of 8.5'.

Mr. Fetchik: Correct to me.

Member Covelli: This is becoming a fisherman's story. It gets wider and wider. As a point of reference, I think the original sign, the existing sign, is 4' so we're talking about a sign that's over twice the width of what's there. It's going towards looking like Atlas Paving and I'm not comfortable with that.

Vice Chairman Grygus: It's not all signage Frank.

Attorney Moshman: I think the saving grace is the maximum put on sign and the maximum put on overall sign plus structure. With those numbers of eight by eight or 464 square feet, something has to give if the maximum is 30.

Vice Chairman Grygus: I don't think Atlas ever came into us Frank?

Member Covelli: No, it didn't. Not that I recall and I've been here 20 years and I don't remember it. As Mr. Moshman pointed out, the sign we're looking at wasn't approved.

Attorney Mondello: If I may, I apologize. I see that Mr. Levine has joined us. Mr. Levine is recused from this particular application.

Member Levine: That's correct.

Attorney Mondello: Mr. Levine, I would suggest that you sign off up there. We can always text you or email you. We wouldn't want to give the appearance that you're listening in chatting, chatting with another board member electronically

Member Levine: No problem. I didn't know where you were at. Have you done the other applicant?

Attorney Mondello: Yes.

Member Levine: Okay. So what I will sign off then.

Attorney Mondello: Thank you.

Vice Chairman Grygus: Mr. Moshman, I mean it's your Applicant's Application. You've heard some of the Board's concerns. Again, we can't tell you what to do; you have to tell us what you want to do.

Attorney Moshman: I'd be comfortable with the overall sign dimension and sign plus border dimension, and other not to exceed parameters. Obviously this is not going to become an eight by

eight behemoth. I think we have enough to work with if we have 30 square feet and 25 of signs so we can get plenty of sign, plenty of border and arrange it to maximize that space.

Member Covelli: Again, Mr. Moshman, as a point of reference, the current sign is 20 square feet correct?

Attorney Moshman: Yeah.

Vice Chairman Grygus: Actually the existing it says its 16 square feet on these chart that I'm looking at.

Mr. Fetchik: The sign area is 16 square feet. The base with dress was separate. I think when we look at what's being proposed for something along the lines of Option D, I think it's inevitable that would have to get included into the overall square footage because now it's on the same plane as opposed to the base of what's existing. It steps in and it doesn't have the characteristics of illumination. Currently, the base serves as only for an address identifier, whereas what we're proposing, since it'll be in one cabinet, you kind of have to consider that as part of the square footage. Just being in consideration to how you guys are viewing this in this meeting, someone really could just take that side panel out and now eliminate the address and really use every part of that area and now very effectively convert a 16 square foot sign to a 20 square foot sign just by eliminating the address. I'm just trying to keep everything as upfront, on the level and straightforward as possible.

Vice Chairman Grygus: Yeah, I think just in Frank's concern, you know you are asking for an eight by eight and a half overall height and width.

Mr. Fetchik: So can I clarify that eight foot by eight and a half foot.

Vice Chairman Grygus: You're talking with the brick. This is why it's so tough when we don't have something specific that you're giving us to try to make a decision on because when you say 25 square foot of sign, is it going to be four by six, is it going to be three by eight and now you're three by eight you're over eight foot wide by the time you put bricks around it. That's why without having something specific on paper with dimensions, it's hard to come to a conclusion.

Mr. Fetchik: But if I may if I'm reading the numbers down properly, the parameters are stating that we can't exceed 8' in height. We also cannot exceed 8.6' in width, but with the parameters of a maximum overall structure of 30 square feet, we can never actually get eight feet by eight and a half feet because now we're talking over 64 square feet. By default, the other parameters would negate being able to get both 8' in height and 8' width. All that does is it gives us the flexibility to say you know if we cut the sides in a little bit more, we can get a little extra height. My reasoning for wanting to play with that and have that flexibility is to be able to go out to the site, look at the left and right and say, okay this is what we proposed, it goes too far back, let's get a little bit more height and pull this in. Now I have the 8' to go up. Or if I'm at 8', and I say this doesn't work because it's too narrow, we need to scale the design in order to widen out the design, we have to come down so we can maintain that 30 square feet. So we're always going to be 30 square feet or less. The side panel itself will never exceed 25 square feet. We would never be able to get both eight feet and eight and a half because that would double the size of what's allowed, and actually more than double it.

Engineer Nash: Just place a maximum on the height.

Attorney Mondello: He did 8'.

Mr. Fetchik: Yes, we have maximum height of 8' and maximum width of 8-1/2'.

Vice Chairman Grygus: I guess where I'm getting a little confused is in listening to how Rabbi speaking, he was looking for more of a wider sign like along the lines of Atlas. So let's say for argument's sake that you went with 3x8. I'm talking signage size now. So let's say that you did that 3'tall by 8' wide, you're now not going to be able to stay with that 8-1/2' in width unless you put 3" of brick on each side. More importantly, with a maximum of an 8' height, you can put that sign 5' feet up in the air.

Mr. Fetchik: Our structure would be considered to the ground. So even if we didn't put the planter, we would still consider the structure to the ground. If you got rid of the planter in option D, we're still calculating the footage in there, because that's part of the structure and that becomes part of the overall.

Vice Chairman Grygus: So your overall height you're talking at your current finished grade.

Mr. Fetchik: Hypothetically, if you did a monument style sign where it was 8' tall

Vice Chairman Grygus: Here's my point. If you did a 3x8 sign, and I'm not saying that's what you should do, But if you did a three by eight sign, I wouldn't want to see that 8' high.

Mr. Fetchik: I wouldn't either. I don't think something like that would work there.

Vice Chairman Grygus: Obviously, I guess it's a moot point now which was the June 14 ribbon cutting? Is it more prudent at this point for you to come back with an exact drawing of what you want to do for all parties concerned? I wouldn't want to see the Rabbi have to settle for something that may not be exactly what he wanted, because it has to fit into the parameters that we agreed to here, when we have nothing as ABC or D that is even going to show us what you want to put there.

Member Ludwig: We also don't know if there is going to be a problem with the County.

Vice Chairman Grygus: Well, that could always be a condition. I don't know that we're best serving everyone's interest here by going about not to exceed this and/or not to exceed that when the Rabbi might not be happy with what he has to finish with at the end, where his only other option would be to come back before the Board again.

Attorney Mondello: And to Don's point, it might make some sense to send it to the County first, because they may say no. So we could spend another three hours on this side and the County says no.

Attorney Moshman: If I could ask a practical question. The main purpose of the application in general was to address the signage over the overhang into the parking lot for the big grand opening, which has now been deferred to September, and that's what we really want to accomplish. We didn't want to come back to the Board three different times for these three different signs. Knowing that someday in the future that the ground sign would get increased or have a decorative border around it or something, we wanted to at least address it. You can see we're unprepared and last minute with a mock-up that we haven't even decided which mock-up, and we have not been to the County on the ground sign yet. I don't know if it's possible, but if we

could get an approval of the parking lot overhang sign, that's the critical thing that we're trying to get in time for the grand opening.

Member Ludwig: Can we bifurcate the Menorah and the building sign?

Attorney Mondello: Yeah, I see no problem whatsoever. You know there would have to be three resolutions or two resolutions, whatever the case may be. Certainly the Board can vote on that particular sign that the Applicant has exhausted all the testimony, answered every question and the Board knows exactly what's going to be put there, as opposed to this monument sign.

Vice Chairman Grygus: What about from an advertisement standpoint, though, Ron?

Attorney Mondello: We're carrying this. We're dealing with one sign and carrying it to deal with the second sign. If there's any interested parties, they'll be notified that it's carried to the August meeting.

Vice Chairman Grygus: I don't have problem with that. In all my years on, the only thing we've ever bifurcated is a use.

Attorney Mondello: This is new for me too, but I don't see there being any legal problems as long as everybody knows that we are only dealing with one portion of this application and that the remaining will be carried. I only see one person here as "iPad 2". I don't know who that is.

Mr. Fetchik: If you don't mind, I'll interject. iPad 2 is one of my associates, Brian Travers, with Butler Sign Company. I think he is just spectating this because he's the one who has to handle the permits and as the field supervisor after this, so he's aware of what's going to go on with his role in the project.

Attorney Mondello: I only raised that because there are no members of the public that apparently have any interest in this application.

Vice Chairman Grygus: Okay, well, you're the lawyer so I just want to make sure we're covered. Getting back to that for one question, and maybe Rabbi can answer; we talked about LED wattage of the illumination on Menorah.

Rabbi: The Menorah is powered to the building. A small little trench was made, and it goes right into the building so that it's clean and looks nice. We plan on putting some nice, decorative flowers around to really enhance the curb appeal. I think, I don't want to pat myself on the back, but I think we've really upped the building and that area of Ringwood Avenue for the greater community. I think it looks amazing. Yeah, they are LED lights. This is like a very high end, durable Menorah meant specifically for the outdoors.

Vice Chairman Grygus: I don't know if you can answer this question, but have you ever seen a similar type mounted as close to the roadway as yours is?

Rabbi: Oh, absolutely. I've seen many in other towns, specifically other Chabad Centers. There are over 55 Chabad Centers in the state of New Jersey so it's a very popular symbol and it's really nice. I have everyone, both congregants and people that are don't attend, compliments it saying it's so beautiful and so nice to see.

Vice Chairman Grygus: Alright then Ron, I guess any other questions from the Board then? All right. I'm going to open it up. We don't believe there is anybody on but I think we'll get it on the

record. I'm going to open this up. Is there any member of the public that has any questions regarding the testimony that's been given here tonight?

Attorney Mondello: Mr. Chairman, let the record reflect that three times now I've hit the unmute button in case there is somebody else out there, but apparently there's not.

Vice Chairman Grygus: Okay. Hearing and seeing no one. I'll open it up. Anyone in the public have any comments that they want to make about this application? All right.

So I guess what we're going to be talking about then will be the variances we're going to approve. I guess the Motion would be to bifurcate the application and would be looking for a Motion at this time just on the Facade and the Menorah, and we're going to go with the variances that are in the table that were provided by the Applicant or Chris or do you have any comment on that?

Engineer Nash: I summarized the six variances. The only variance I see for the Menorah is the offset from the property line. Being that it's a shape and how it's made, it is very stealth, and you can see through it and it's not creating a sight distance problem. It's not creating an issue for anyone walking on the sidewalk. So from my perspective, I don't see any reason not to grant that variance.

Vice Chairman Grygus: I'm just a little confused and trying to read through all the paperwork here. The one chart that I'm showing here shows an existing property line setback of 26.7 and proposed 18.10. It's already there so shouldn't the proposed be the same as the existing.

Mr. Fetchik: Yes. Okay.

Engineer Nash: Well that's the other sign.

Vice Chairman Grygus: I'm looking at the Menorah.

Engineer Nash: I'm not showing its setback in my letter.

Vice Chairman Grygus: I guess I'm looking at what the Applicant provided then. Mr. Moshman is that correct?

Attorney Moshman: Yeah, the Applicant's lawyer was trying to get it into Borough Hall before the COVID closing.

Vice Chairman Grygus: Okay, so that should be 26.7 also?

Attorney Moshman: I believe so.

Vice Chairman Grygus: So then that's going to be a required variance there. So the Menorah is required a setback and a minimum height. And the building signage is the six variances that Chris identified. All right, ladies and gentlemen, I'm looking for a Motion on this application with regards to the facade and lettering and the Menorah.

Member Covelli: I would make a Motion to Approve the variances for those two points of the application if Engineer Nash can verbalize the variances needed.

Engineer Nash: The variance needed for the Menorah that I could see is its offset from the property line.

Vice Chairman Grygus: And I'm going by what the Applicant provided Frank. Required is 10' and he's at 7' to the front yard, I believe it is. So it would be three feet. Then the second one would be 10' is required for a minimum height and he's at 5', so that would be a variance for 5'.

Engineer Nash: Yeah, but if you look at my letter, there's conflicting subsections in the Code. One states that it shouldn't be higher than 6', and then the other 14- 17C4(c) states the maximum height shall not exceed 16'.

Attorney Moshman: I re-read all those statutes, and it's very confusing, but my conclusion was that you're not supposed to have a pole sign that is lower than 6', and this one, the Menorah comes to a point that goes below 6'. I think that might be.

Engineer Nash: It seems the Board is inclined to grant the variance. If you want to err on the side of that I'm pointing out a potential conflict, I would still ask for the variance for the height.

Vice Chairman Grygus: All right. What do you want to put as required on that Chris?

Engineer Nash: Well, it says that it should not be erected higher than 6' and I think they say its 10'. Is that the height of the sign on the Menorah?

Vice Chairman Grygus: On the Menorah it is 5' right now.

Engineer Nash: No, on the total height of the Menorah.

Vice Chairman Grygus: So you're adding another variance.

Engineer Nash: No, no. A pole sign shall not be erected higher than 6'. So it's higher than 6'. So what is it?

Member Covelli: It cannot be erected higher than 6' on Ringwood Avenue, while the other statute states the maximum height shall not exceed 16'.

Attorney Mondello: I'll put in both.

Engineer Nash: Yeah, I think just to be safe since there's confusion on the conflicting ordinances just put in that you need a variance.

Vice Chairman Grygus: You would need it if it's a requirement of 6', you would need a 3' variance. If it's a requirement of 16', he doesn't need any. So we're talking 3 Variances on the Menorah and 6on the building mounted sign.

Member Covelli: Are you still good with that Frank?

Member Covelli: I am still good with that.

Engineer Nash: Did you say there is six variances for the building sign? The building mounted sign has 2 Variances. The variances are for the percentage of the façade and it is also supposed to be mounted on the Ringwood Avenue face of the building, and it is not.

Vice Chairman Grygus: What about the maximum width?

Member Covelli: So E and F Chris are the variances for the façade sign.

Engineer Nash: Correct. The sign is supposed to be fronting Ringwood Avenue and it's not. It's fronting north facade of the building. That is one of the variances and the other variances is because they're putting it in a very logical location above, what I'm going to call a fancy name, porte cochere, because I had another application and I really thought that was cool. Anyway, they're putting in in a very logical location because they don't have visibility when you approach the site from the north. You also make the logical argument that half the people driving on Ringwood Avenue don't see it so you can reduce the variance by half. So it's not 75%; its 35% to 30% or whatever. It's in a good spot and where it's supposed to be. The thing is the building is so

close to Ringwood Avenue, if it was on Ringwood Avenue, it would be hard to read because it is so close as you drive by. I like that the location is good, but you still need a variance for location.

Member Covelli: Basically, that variance is created by the coverage of the area is 77.5, where the ordinance calls for not to exceed 75%.

Engineer Nash: Yes.

Member Covelli: You already made the argument with respect to letter E in terms of which way the sign is facing; north versus being on the easterly side of the building which would be facing Ringwood Avenue.

Engineer Nash: Correct. That's where it's supposed to be, so you need a variance for that.

Vice Chairman Grygus: We're not going to address G until we finish up with the ground mounted sign.

Engineer Nash: Right because right now there's only one.

Vice Chairman Grygus: All right, get a second on that Motion.

Member Ludwig: I'll second that.

MOTION TO APPROVE APPLICATION: made by Member Covelli, seconded by Member Ludwig. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta.

Motion Carried.

Attorney Mondello: All right, congratulations with respect to the facade sign and the Menorah you're in good shape. We'll see you back here I guess in August for the freestanding or monument sign.

Attorney Moshman: Very good. Thank you very much.

Member Covelli: Before we let them go, would there be ability for them to be able to give us a report in August on whether they inquired with the County if the County has any say on that ground sign?

Attorney Mondello: I think that's a great idea. Mr. Moshman, when you finally figure out what that sign is going to look like, I would suggest you send it off to the County. They're not going to respond back by August, but give it a shot and you might get lucky. They may say this is a bad idea or a good idea.

Attorney Moshman: Okay, thank you.

Attorney Mondello: Don't go anywhere the Board Members have some other business.

PUBLIC DISCUSSION: Hearing none, seeing none.

RESOLUTIONS:

ZBA2020-04 – Bayside Associates, LLC, 852 Ringwood Avenue, Haskell

Applicant came before the Board for a continuance of the most recent previous use and a new use for retail storage of equipment and materials and residential together with several bulk variances. Applicant agreed to the following: trucks will be stored away from the residential zone; the 12x12 refuge containers be moved further back away from the house; and no storage of bulk fuel or oil on the premises; a restroom will be installed, which may require another sewer connection; residential shed has to be located five feet from the property line; fences to be repaired around the residence and the fence on Ringwood Avenue would have to be replaced with a fence that is no higher than four feet and to be code compliant; with respect to a water retention system if the Board Engineer indicates one is required, the Applicant shall install one.

Any questions, comments or corrections? Hearing none seeing none, I'd ask for a Motion followed by a second.

MOTION TO MEMORALIZE THIS RESOLUTION AS PREPARED BY BOARD ATTORNEY: made by Member Ludwig, seconded by Member Covelli. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta. **Motion Carried.**

ZBA2020-03 – Belfiore, Anthony & Marianne, 1 Fifth Avenue, Haskell

Anthony and Marianne Belfiore came before the Board to construct the one-story addition to the southwest corner of the existing house and a covered porch. Applicant agrees to install a water retention system or seepage pit if the Board Engineer requires same. The porch is not to be enclosed. I'll entertain any questions, comments or corrections at this point. Hearing none, seeing none, I'd ask for a Motion followed by a second.

MOTION TO MEMORALIZE THIS RESOLUTION AS PREPARED BY BOARD ATTORNEY: made by Member Covelli, seconded by Member Ludwig. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta. **Motion Carried.**

ZBA2020-02 – 5 Bailey Women, LLC, 93 Ringwood Avenue, Wanaque

Applicant came before the Board for a use variance, and residential uses weren't listed as a permitted use in the zone. They're going to reconstruct the interior of an existing house along with a new roof, new siding on the exterior of the house and add a small porch. With respect to conditions, there were no unusual conditions. If there aren't any questions, comments or changes, I'll entertain a Motion followed by a second.

MOTION TO MEMORALIZE THIS RESOLUTION AS PREPARED BY BOARD ATTORNEY: made by Member Ludwig, seconded by Member Covelli. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta. **Motion Carried.**

ZBA2020-01 – Alla, Artan, 7 Mann Place, Haskell

Applicant came before the Board to raze the existing single-family house and construct a new single-family house with a similar footprint of the existing house with several variances. There were no unusual conditions; the regular conditions were included in the Resolution. Any comments, questions or changes? Hearing none, seeing none, I'd entertain a Motion followed by a second.

MOTION TO MEMORALIZE THIS RESOLUTION AS PREPARED BY BOARD ATTORNEY: made by Member Ludwig, seconded by Member Covelli. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta. **Motion Carried.**

CORRESPONDENCE: None

VOUCHERS: submitted by Ronald Mondello, Esq. for attendance at the July 1, 2020 Meeting in the amount of \$400; Alla Resolution for \$450; Belfiore Resolution for \$450; 5 Bailey Women, LLC Resolution for \$450; and Bayside Associates LLC for \$1,050.

MOTION TO APPROVE VOUCHERS: ; made by Member Ludwig, seconded by Member Covelli. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta.

VOUCHERS: submitted by Boswell Engineering for 895-897 Ringwood Avenue Application for \$207.; Artan Alla Application for \$103.50; 5 Bailey Women, LLC Application for \$51.75; Bayside Associates LLC Application for \$414; and Sahanas Application for \$310.50.

MOTION TO APPROVE VOUCHERS: made by Member Ludwig, seconded by Member Aumenta. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta.

MOTION TO APPROVE JULY 1, 2020 MINUTES: made by Member Ludwig, seconded by Member Covelli. Voting yes were Vice Chairman Grygus, Members Covelli, Ludwig and Aumenta

ENGINEER'S REPORT: I believe we have two new applications, Mr. Chairman that I'll be looking at. I haven't looked at them yet, so I can't give any kind of crazy previews but looks like we have an agenda for the August meeting.

Vice Chairman Grygus: Are they bulk or uses?

Board Secretary: I think definitely think one is a use variance only because right now it's business on the bottom apartments on top. It's across the street from the Golden Agers and they

want to make the business an apartment. Owner is Catherine Civil Trust, and the engineering firm is there. I can't remember what the second application is for.

Vice Chairman Grygus: I just want to poll the Board here because August is a popular vacation month. Members said they'll be available.

DISCUSSION: The only thing I spoke to Jennifer about earlier was can everybody jot down my new e-mail address. I killed my optimum account and I think some messages are still going there. I only have yahoo.com now. wgrygus@yahoo.com

MOTION TO ADJOURN AT 10:00 P.M.: Motion to adjourn meeting made by Member Ludwig. Motion carried by a voice vote.

Jennifer A. Fiorito, Planning Board Secretary