

**PLANNING BOARD**  
**BOROUGH OF WANAQUE**

**June 17, 2021**

**REGULAR MEETING**  
**IN PERSON MEETING**

Meeting called to order by Vice Chairman Graceffo with a salute to the flag at 8:02P.M.

**READING:** Open Public Meeting Announcement

This is Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends on February 28, 2021, and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque, on the Borough's website, and a copy thereof has been on file with the Borough Clerk

**ROLL CALL:** Vice Chairman Joseph Graceffo, Mayor Daniel Mahler, Members Kevin Platt, Charles Strobel, Jack Crilly, Jack Jordan and Mary Leonard

**PRESENT:** Attorney Steven Veltri and Engineer Michael Cristaldi

**ABSENT:** Chairman Gilbert Foulon, and Members David Slater and Donald Pasquariello

**MINUTES:** from the May 20, 2021 Meeting.

**MOTION TO APPROVE:** made by Member Strobel, seconded by Member Jordan. Voting yes were Mayor Mahler, Members Platt, Strobel and Jordan Vice Chairman Graceffo, Member Crilly and Member Leonard abstained.

**COMMUNICATIONS/REPORTS:** None

**APPLICATION STATUS:** Nothing New – Just tonight's Application.

Councilman Cortellessa arrived at 8:05pm.

**NEW BUSINESS APPLICATION:** Jersey Mikes Subs

**Business Owner:** Bill Mulholland, 7 Bradley Lane, Montvale, NJ  
**Property Address:** 1353 Ringwood Avenue, Haskell, NJ  
**Property Owner:** Wanaque LaSala LLC, 1410 Valley Road, Wayne, NJ

**Vice Chairman:** Is the Applicant here this evening? Would you please step up to the microphone and give us an explanation of what you intend to do and indication some of the workings of your business.

**Mr. Rebasch:** Ryan Rebasch and I am an Operator for the Owner and for the Franchise. We have a few Jersey Mikes establishments already. Not sure if you are familiar but it is a premium sub sandwich shop. With the town's approval, we would like to open up at the address mentioned. Our hours of operation would be 10am to 9pm. Workers are in normally around 7:30am just for baking and prepping for the rest of the day. Our latest employee would likely leave 9:20/9:30pm so it is not any odd hours that we have to worry about. I do know that we would be next to a Dunkin Donuts location, if we are approved. We also run an operation 30+ Dunkin Donuts so I think we would work very well them as far as scheduling around their rushes which would help the town as far parking lot congestion and deliveries and such. As far as deliveries go, normally the stores will receive two deliveries per week. Normally it's Monday and Thursday and can be negotiated if any issues are foreseen. The warehouse that we deal with, Sysco Albany, are very helpful in any special accommodations we may need. Normally, I don't see any more than 8 employees in the store within one shift. It will likely never go over that. We would like to have indoor seating, if approved, especially since we are kind of getting back to normalcy which is nice. As far as the size and capacity, that is to be determined. Other than that, I am open to any questions the Board may have.

**Vice Chairman:** Do Board Members have any questions that they want to direct to the applicant?

**Mayor Mahler:** How many indoor seats are you looking at?

**Mr. Rebasch:** We are actually opening up our third location right now. We really go over 15/16 seats.

**Mayor Mahler:** Which store front are you going into?

**Mr. Rebasch:** The one right next to Dunkin Donuts.

**Vice Chairman Graceffo** questioned the Engineer & Board Secretary about the Application being complete.

**Engineer Cristaldi** advised he did not review the New Business Application.

**Board Secretary** advised Application is complete and building permits are being reviewed.

**Mayor Mahler:** I have been to their other locations, and I believe it is a cookie cutter interior, correct?

**Mr. Rebasch:** Yes. It is very cookie cutter. We know the general contractors who we normally work with. They are probably in and out within eight weeks, which is fairly quick in our industry.

**Vice Chairman Graceffo:** Do I have a Motion to Approve?

**MOTION TO APPROVE NEW BUSINESS APPLICATION:** made by Councilman Cortellessa, seconded by Member Strobel. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Crilly, Jordan and Leonard.

**APPLICATION #PB2021-06 “Carrols, LLC” (Burger King)**

**Property Address: 301 Union Avenue (Block 468/Lot 3.02)**

**Application For Amended Final Site Plan**

**Authorized Agent: Calli Law, LLC, 170 Kinnelon Road, Kinnelon**

**Applicant’s Exhibits:**

**A-1 – Colorized Aerial Map of Subject Property**

**A-2 – Colorized Site Plan**

**A-3 – Four Colorized Drone Aerial Photos of Subject Property**

**Attorney Calli: Larry Calli, Esq. on behalf of the Applicant, Carrols, LLC. This is a very simple development application we have here. It is an aesthetic improvement to the existing facility. What I would like to do is take the Board quickly through what we hope to do here tonight, what witnesses you’ll hear from and then we’ll turn it over to our expert witnesses momentarily. This is the existing and outdated Burger King, next to the Holiday Inn Express, and just before you get on the northbound lanes to Rt. 287. Carrols is the owner of many Burger Kings throughout the country. The number is in the thousands and many in New Jersey and all of them have a common theme right now; they are all undergoing aesthetic improvements, façade improvements and modernization. What brings us here tonight is a site plan application with a couple of very limited bulk variances primarily for signage. It is an upgrade and new signage is proposed. There are a couple of code deviations which will be discussed shortly. This is basically what brings us here tonight.**

**No changes to the business operations; it is still going to be a Burger King. Same ownership, same hours of operation, same number of employees, and no changes in our program proposed which we think would change the volume of customers that we serve. Same Burger King but an updated modernized look that we think the Borough will appreciate. There have been a number of them that we have been undergoing so far in Morris County and Bergen County and they’ve all been very well appreciated because, again, it does need this aesthetic improvement outside.**

**This evening you will hear from our Site Engineer, R.J. Colucco, who will take you through the site that exists today. There are some limited changes to the site and we liken those to improvements as well. It was an opportunity for us to revisit the entire property to make sure it functions well, looks well and operates well. It is a large site which is a little over an acre. You will hear from Pat Mahoney. Pat is our Architect of record with the plans that are filed. We will show you some colorized elevations of the façade that’s proposed to be improved. We did file a circulation and parking assessment by Dynamic Traffic. Our Traffic Engineer, Corey Chase, is with us this evening, but for the sake of brevity and to focus on what we think are going to be the issues this evening, we’ll defer Mr. Chase’s testimony until if and when the Board decides they want to hear about traffic and parking requirements. Nothing is changing. Parking stall sizes are staying the same. The Borough has a 200 square foot parking requirement. 9x18 existing and 9x18 spaces are proposed, which comes up slightly short of the 200 square feet, but it is no change scenario. Lastly, you will hear from our Planner John McDonough. We do have a few variances and I think**

they are very simply and appreciable and easy to explain away, but none the less, they are variances so Mr. McDonough will testify last to discuss those variances. First we will call Mr. Colucco, Site Engineer from Dynamic Engineering.

**Attorney Veltri:** Swore in Robert Colucco, who has been practicing Civil Engineer for 7 years with Dynamic Engineer, has a Bachelor's Degree in Civil Engineer from New Jersey Institute of Technology and is a licensed active Professional Engineer in the State of New Jersey. He has been accepted as an expert in the field for testimony in Passaic County, but first time before this Board.

**Vice Chairman Graceffo:** We accept him as an expert.

**Attorney Calli:** R.J. you heard my comments to the Board about the limited site changes and they are all improvements to the site. If you would, go over for the Board the conditions of the property as they exist as well as the improvements.

**Engineer Colucco:** We are looking at Block 468/Lot 3.02, which is 301 Union Avenue or County Route 511. I can mark this Exhibit as A-1, which is an Aerial Map and the same map that was submitted with the site plan set with the exception that the site has been outlined in yellow.

**Attorney Veltri:** We'll mark that as A-1 and we'll note the record.

**Engineer Colucco:** For reference, Burger King lot is located in the center outlined in yellow. To the north we have Union Avenue with residential uses beyond. To the east we have some residential homes followed by Route 287 beyond that. To the south is primarily wooded and then to the west we have the Holiday Inn Express. The site is located in an RD-1 Zone, which is also known as the Service Business District, or SBD-2. It is approximately 1.26 acres and it is fully developed with the Burger King restaurant with drive thru facilities.

Access to the site is currently provided from both Union Avenue and Susquehanna Avenue. Union Avenue has full movement driveway located in the northwest corner of the site. Two access aisles through Susquehanna. You have a cut off, which is an optional gated cut off, in the northeast corner of the site by the drive thru and then you have a full movement ingress and left turn only egress in the southeast corner of the lot. There are also two shared driveways with the Holiday Inn Express lot with a full movement driveway in the southwest and then an egress only from the Burger King lot.

**Attorney Veltri:** I just want to interpret your testimony for one second. I just want the record to note that Councilman Cortellessa is present and has been present since the beginning of this Application.

**Engineer Colucco:** If no one has any questions on the existing site conditions, I would like to move on to my next Exhibit, which is a Site Plan rendering and will mark this as Exhibit A-2. This is basically a colored version of the site plan submitted with this application.

**Attorney Veltri:** Mark it please and we'll note that for the record.

**Engineer Colucco:** The existing use is a restaurant with a drive thru, which is a permitted use within the Borough. As Attorney Calli stated, it is a modernization really of the

existing Burger King. It includes exterior and interior remodels, which includes signage, replacement of the single order drive thru with a dual drive thru and same ADA improvements. From a parking perspective, in order to fit the dual drive thru we are proposing to lose some spaces along the south end of the site and then we are proposing to relocate the existing trash enclosure, which is currently located just off the rear of the building. There are 59 existing spaces and we are proposing 42 spaces.

We are proposing new four (4) new signs. One is a Burger King logo button sign facing adjacent to Susquehanna Avenue; one Burger King logo button sign in front of Union Avenue; and we are also proposing two signs a Burger King logo on the west side of the building and a Plain Grilling since 1954 sign in the same location. For that there are two (2) signs that are permitted on Union Avenue and Susquehanna Avenue, and then we are going for variances for the two (2) that are located on the west side of the building. Currently, there is a Burger King logo sign on the west side of the building. These two signs that are proposed are typical branding for Burger King and are also used to identify the main entrance.

There is existing lighting on site and we are proposing to upgrade those with LED lights, which would be in compliance with the ordinance. We are proposing some new landscaping on the site. We are proposing 12 new trees, 118 shrubs and 166 various ground plantings. We are using those to fill in around the parking areas and drive thru area and provide screening with the relocation of the trash enclosure.

We have submitted to the Passaic County Planning Board and we do have conditional approval from their office. They have no issue with the drive thru locations staying as they are today. We have submitted to the Soil Conservation District and that review is still pending. We have submitted a Flood Hazard Area Applicability Determination for the southern half of the site and we did receive an exemption from their office.

**Attorney Veltri:** Does the applicant agree with all the conditions from the County Planning Board?

**Engineer Colucco:** Yes we do.

**Vice Chairman Graceffo:** Are they updated in this plan right now?

**Engineer Colucco:** No, we have not made those improvements yet.

**Vice Chairman Graceffo:** But you are aware of them and will accept them as they have been presented by the County, correct?

**Engineer Colucco:** Yes.

**Engineer Colucco:** The few variances that we noted are for signage, and then we technically have a building setback variance for Susquehanna Avenue. Requirement 25' front yard setback and there is an existing 10' setback today and we propose an 11.6', which is an improvement over existing conditions and it is due to the change of the canopy from existing to proposed.

This would conclude my testimony for this evening, but I am happy to field any questions.

**Member Strobel:** You are adding another sign for the second drive thru, correct?

**Engineer Colucco:** Correct.

**Member Leonard:** And extra lighting too, right?

**Engineer Colucco:** Not extra lighting. We are just replacing the existing fixtures.

**Member Strobel:** But you need another sign, right. There are two signs for the drive thru and then they are going to feed into one around the corner.

**Engineer Colucco:** There will be no signs around the corner. We just have two menu boards for each drive thru.

**Member Strobel:** Is the pathway large enough for trucks to come around? There are a lot of trucks.

**Engineer Colucco:** Yes, we reviewed it with relocating the trash enclosure. That is why we are losing these parking spaces so they have a striped area to help with that.

**Mayor Mahler:** You have two lanes. How do they merge together?

**Engineer Colucco:** It is typical of standard drive thru that many quick serve restaurants. Basically one will finish their order and then the other order will be taken.

**Attorney Veltri:** So the orders aren't taken simultaneously? They are taken one at a time.

**Engineer Colucco:** They could be taken simultaneously.

**Attorney Calli:** The dual lanes feeding into one, this is not novel?

**Engineer Colucco:** This is very typical. A lot of restaurants are pushing for the two lanes now.

**Attorney Calli:** Did you have a chance to receive Mr. Cristaldi's memo?

**Engineer Colucco:** Yes.

**Attorney Calli:** Any issues with compliance with the recommendations in the memo?

**Engineer Colucco:** No issues with compliance.

**Member Strobel:** And you are not extending out to Susquehanna?

**Engineer Colucco:** Correct.

**Engineer Cristaldi:** Where the garage area is, how does the truck get in and back up to that?

**Engineer Colucco:** So they will come in from Union, come down this driveway and they'll make this left hand turn, pick up the trash and back up and go out Susquehanna.

Considering what they do today, I feel that is an improvement.

**Engineer Cristaldi:** So they pull around where the menu boards are right, they go through that little driveway just to the right side of the menu boards, right?

**Engineer Colucco:** Yes

**Engineer Cristaldi:** How do they turn around to back into that? That's what I don't see.

**Engineer Colucco:** It is a front loader so they drive up and they pull out on Susquehanna.

**Vice Chairman Graceffo:** What's the dimension from the curb line where the menu board is to where the truck would have to come around to pick up the trash? What's the dimension, 15' or more?

**Engineer Colucco:** It is more than 15' with the striping. It is 26' from the edge of the striping.

**Vice Chairman Graceffo:** You are only showing four (4) cars at the menu board.

Excessive cars obviously coming in would back up into the parking lot itself, correct?

**Engineer Colucco:** Correct.

**Vice Chairman Graceffo:** What is your data on wait time for people getting to the menu board? What's your normal, at peak, car back up between menu board and getting your

meal picked up? What's that data? Just what information you have that's indicates this is not going to create congestion in the parking lot itself.

**Attorney Calli:** Our traffic Engineer will probably testify shortly and he'll explain that to you. Just to recall, these are existing conditions. The drive thru is not changing, our all points to customers are not changing and we are not expecting an influx of people coming in. This is truly an efficiency effort so any waits in the queues should actually go down and the stacking to be decreased with this approval. Mr. Chase will testify shortly. He would have a better handle on this than Mr. Colucco being he is the Traffic Engineer.

**Vice Chairman Graceffo:** Okay, we'll wait until then.

**Mayor Mahler:** What were the County comments?

**Engineer Colucco:** The majority of the County comments were the result of driveway. They wanted an elevated driveway and then the addition of the sidewalk in front of the site.

**Mayor Mahler:** Have you coordinated Susquehanna with Tilcon?

**Engineer Colucco:** Yes, we are working with Tilcon on the improvements on the site. That was one of the conditions of the County.

**Attorney Calli:** Our second witness Mr. Chairman, Architect Pat Mahoney. Pat designs many Burger Kings around the nation and testifies often in New Jersey. He will take the Board through the improved and updated skin of the building as well as the sign package components on the elevations.

**Attorney Veltri:** Swore in Patrick J. Mahoney, Licensed Architect in New Jersey since for over 30 years and in good standing. He has testified as an expert before Mahwah, Madison, Lacey.

**Vice Chairman Graceffo:** Accepted and you can continue with your presentation.

**Architect Mahoney:** The existing Burger King has a mansard roof, which was typical of the buildings Burger King developed through the 70's and 80's, so this building hasn't been changed since then. With the current plan, we are proposing taking those mansards off the building and putting cement grayish panels around as well features that accentuate the entrances, which are narrower and also cement panels but with a wood look to them. They are also in lieu of the mansards awnings over the windows and they are really there for a sun shade essentially for the windows and there are also behind them up and down lights that are hidden by the canopies themselves. Over the doors, the canopies are solid to provide a little bit of cover from rain as you are entering. This treatment is taken all the way around all four sides of the building. The rear of the building currently has a chain link fence at the back so we are putting a full wall there. I'm not sure if any people are concerned about seeing the rooftop equipment from the back of the building, but you won't any longer. This is really an image thing that we don't really want you to see all the equipment. From the drive thru side, we have one of these features at the front corner. We also have one at the pick-up window for the drive thru. The band that surrounds the building is an illuminated red band, which is a typical of a Burger King. The top of that band is about the same height as the existing building, 16'.7" high off the ground. These new features are about 3' higher or 19'.7". The electrical systems aren't changing and the

walk-in coolers are only being painted. Typically we are using these colors which Burger King uses nationwide now; the grays and reds.

These are the logo signs that were talked about; 3 of these as well as the letters on top of the canopy and over the door. All the signs are internally illuminated. They are kind of a curving light which shine up and down so they wash the wall.

**Attorney Calli:** We've been saying all along that our operations, the services we're providing and our hours are not changing or intensifying. You have a tremendous history with developing Burger King sites and I know you are familiar with the operations here and at others. Is that an accurate statement that operations are not changing and this is just a facelift of sorts?

**Architect Mahoney:** If anything, the indoor seating is being reduced a bit. It seems over time there is less demand for indoor seating, so we are actually reducing the dining room and making a meeting in the front that is walled off and will be used seldomly. Frankly, we just don't need a dining room quite as large anymore. More of the traffic seems to be going to the drive thru.

**Councilman Cortellessa:** You've been talking about efficiency so, besides the dining room being made slightly smaller, internally are you changing anything with the kitchen.

**Architect Mahoney:** The kitchen is not being changed. It will be the same equipment and same locations. Lighting will be upgraded to LEDs so it will be a little more energy efficient, but essentially the operation pretty much stays the same.

**Member Crilly:** I am looking Engineer Cristaldi's letter and the signage. I understand the three button signs as well as the one on Union Avenue. Is that correct that this makes up the four signs? I am looking at a comment here and I'm wondering if this includes the wood panel that is part of the signage. As I read it: "In summary new variances are as follows: Sign width 20.34 feet wide where 11 feet is permitted (westerly side facing the hotel)", that is inclusive of the wood panel? Basically, I'm reading it like a 20'.

**Architect Mahoney:** I think it is 20 square feet. I'm showing the circle as 19 square feet.

**Member Crilly:** It says "sign width".

**Architect Mahoney:** Those are the other sign words.

**Councilman Cortellessa:** So you are using all carbon fiber?

**Architect Mahoney:** We are trying to use materials that are going to last longer and not deteriorate the building. What we find is that many of the buildings have used something called efface, exterior insulation and finish system. It is essentially foam and we find that after seven to ten years, water gets behind it and it rots away. The cement panels are essentially a rain screen system that allows the water to drain behind and we believe it won't deteriorate the structure of the buildings.

**Member Strobel:** Will the store be shut down when this is happening?

**Architect Mahoney:** Yes.

**Member Strobel:** How long will it take to complete?

**Architect Mahoney:** The store will be shut down for five (5) weeks during construction.

**Attorney Calli:** They do the construction efficiently because they obviously don't want to shut down longer then they have to. This has been mainstreamed and we've already



included it in Madison, Mahwah, but the idea is for it to be very streamlined and efficient on the shutdown, work and then re-openings.

Architect Mahoney: We don't want to lose any employees.

Vice Chairman Graceffo: Any other questions from the Board Members to the Architect?

Member Strobel: Will the signage of the drive thru been shown at all?

Architect Mahoney: The menu board?

Member Strobel: Yes.

Attorney Calli: It is on the Final Site Plan Sheet. We can certainly go over it, but it is the standard menu board just an upgraded and improved from what you've seen.

Attorney Calli: We did have some traffic questions so we'll call up Corey Chase who prepared and filed the circulation and parking assessment and he can take the Board through the utility of having dual drive thru and the improvements that come with it.

Attorney Veltri: Swore in Corey Chase, principal of the firm Dynamic Traffic, Licensed Professional Engineer in the State of New Jersey and five other states, Bachelor of Science Degree in Civil Engineering from the University of Massachusetts and has been qualified as an expert in traffic engineering in over a hundred municipalities in the state.

Vice Chairman Graceffo: Accepted, that you.

Attorney Calli: Corey, you have heard the questions the Board Members earlier on, and your prepared the assessment that was filed, can you take the Board through the purpose and usefulness of these drive thru that are springing up all over the place in different eating establishments, as well as improvements in the site circulation access.

Engineer Chase: As Mr. Calli and Mr. Colucco mentioned we are going to a side by side drive thru system for this facility. One of the commonalities that maimed the fast food chain, it seemed, was that the real delay in the ordering process was at the point of order. What they would do is create a gap in traffic from the order point to the pick-up window so you wouldn't have cars filling this entire queue lane, you'd end up with a large gap where there would be several cars at the order board stacked behind the order point, but then there would be a three or four car gap in between because there was no way to take orders simultaneously. If you had a family processing a large order, that would take a lot longer than a single person just ordering a simple meal. We've seen through with many fast food establishments, Burger King included, where their primary goal now is to install these side by side drive thru systems and what that does is allows them to take two orders simultaneously. The question was raised earlier as to how you mitigate who goes first when those orders are processed. The ordering process is monitored and, if the orders happen to finish at the same time, the attendees at the building will tell one car to wait because, obviously, the orders need to be in the proper order when they go to the pick-up window. The employees inside the building need to know what car is going to be where so they'll tell one of the cars to wait, tell the other to pull forward and they'll merge in line like that. The patrons at the ordering point don't have the free rein to just go. That is monitored as well internally so there won't be any issues and avoids conflicts. Allowing these orders to occur

simultaneously dramatically increases the efficiency of the overall system and allows what used to be a dead space in between the order board and the pick-up window to fill in and keep those cars in that queue. We can stack 12 cars from the pick-up to the edge of the queue. You can actually stack 2 additional cars without impacting on site circulation. The 12 car stack is Burger King's national standard. That's what they developed throughout refining this program at all the existing stores that have it. Obviously, even thru the pandemic when the inside ordering was closed, the drive thru were their only source of distribution food, they still found that those order points and the 12 car stack was sufficient. It has been established at other places throughout the country and they have been refining this process and, as I mentioned, they are trying to implement it at every remodel that they can do where it will fit. Certainly we have seen a substantial improvement to the overall efficiency at the site and drive thru operations and would mitigate any potential backups that would occur on site as a result of the drive thru ordering process. We don't see it as a potential for increase in traffic. It's just an overall improvement in the efficiency and a better customer experience. I'd be happy to answer any additional questions that you or Mr. Cristaldi may have.

**Councilman Cortellessa:** Because I look at when corporations come in and they want to increase efficiency overall what comes to my mind is that you are doing that to improve business and increase business. When you put in place simultaneous ordering, you're making a more traffic situation for customers if the demand for more business is there. When you are making an investment in a facility, you are not just making an investment to make it look better, you are making an investment so that people like it. They like to go there, it is efficient to go thru, I can order quickly and leave quickly. I am concerned about traffic on Union Avenue. Help me understand a little bit more when you say efficiency and it's not going to create demand for additional orders and additional business. I don't buy that.

**Attorney Calli:** Before Corey answers that, the truth is we hope we get more customers, that's part of a business and we want to succeed as a business. The other part about the improvements, what we call efficiency, is a competitive nature for the eateries. Everybody is trying to outdo the other; there's Burger King, Wendy's, Chick-fil-a, McDonald's, so there's a few good reasons but we are not doing this because it is going to draw a volume of masses to our property. The dual drive thru is systematic with every drive thru establishment you see these days, even ones that don't even think they need it because it makes, if you have the width, you do it at this point. This is not because we are anticipating doubling our volume. At the end of the day, you are still going to one pay point and pick up point. Corey did explain the reason is there is a gap between the point of collection of your food and the point of your order where there are no cars. There may be an increase in cars, but that's not a bad thing necessarily; that means we are getting more customers.

**Councilman Cortellessa:** When you run a simultaneous operation like that, you think you can get the orders out thru the order window and payment process faster, but you're not and you're going to get more back-up.

**Attorney Calli:** With simultaneous orders you have to remember one thing and I can speak to this, when I'm at the window with my four kids and my order is \$50 and it takes me ten minutes to order the food, right. The guy in the car next to me is ordering two things so you would have to queue up at the exact same moment, you might have one

person on the microphone speaking to you and one on the other lane and they would have to conclude your order at the same exact time for there even to be a potential conflict of these simultaneous movements. It is not as common as I think it could be, but Corey you can certainly speak to that.

**Councilman Cortellessa:** I'm concerned about the traffic on Union Avenue since there is a lot going on Union Avenue.

**Engineer Chase:** We are seeing that you have an existing restaurant with an established customer base. What we are hoping to do is, the person that came and saw that the drive thru lane and it was too long and just left, now we can service that person. Or the person that came that really wanted to use the drive thru but saw it was too long and parked on the side and maybe they won't come back next time. We are trying to service those people. You are right, you may see a minor increase in the volume to the site because it's going to be new, it's going to look refreshed and it's going to be more efficient. It's certainly going to draw a minor increase, but we won't term that as a substantial increase in traffic, but really we are hoping to better serve that customer base that left because the line was too long.

**Vice Chairman Graceffo:** You say you've been remodeling these stores for the last several years going to the two lanes.

**Attorney Calli:** Nationwide that is correct.

**Vice Chairman Graceffo:** How many years would you say you've been doing this now?

**Attorney Calli:** New Jersey has been the last couple of years.

**Vice Chairman Graceffo:** So I am sure you have some data on really how the flow of traffic is gone thru these.

**Attorney Calli:** I don't think so because, unless you are on a state highway or a county road, we are not creating an increase. Remember, it is an existing restaurant with a drive thru. That collection of data wouldn't really make sense. If this were a new facility, we'd be coming with data regarding like facilities on county roads with two lanes, but there really has never been a need for data collection much like here for an existing facility.

**Engineer Chase:** We have really seen that the double drive thru improves things. Like I mentioned before, the 12 car stack is their national standard and that's been based on the proprietary research they've done on their facilities and, as they grow these, they've gone through and determined what makes the most sense. Obviously, we don't want an extensive queueing lane that if is not needed, but at the same, you don't want to invest money in it and then still have it backed up in the parking lot. What they have done with the sites that are open is really just the 12 car stack is their sweet spot. They like to be at 4 cars – 2 at each at the order points; and 2 behind and like I mentioned before, you can really stack 2 additional cars behind that any time you need and still not impact the on-site circulation. This ballpark stack is what we are seeing pretty much across the board on finished sites.

**Member Strobel:** So you are going to have 2 lanes going, is there going to be a way for a single lane to break out or are there going to be 2 lanes going all the way up here?

**Engineer Chase:** It is a single lane; it merges into one lane as soon as you get past.

**Member Strobel:** As they start to back up,

**Engineer Chase:** We don't ever expect it to back up honestly.

**Member Strobel:** What happens if at 1pm you get twenty cars in there, how would that work?

**Engineer Chase:** It would be single file line. If there was ever an instance where this stacked beyond the 2 cars/12 car stack, it would form a single line. You would still have a wide enough aisle that vehicles could bypass through it. You would just bypass the queue and once they get to the dual point, you would just split out in line.

**Member Leonard:** At the other sites where this has been rolled out, have you had any accident reports for the dual windows?

**Engineer Chase:** We have not, not. Again, because it is mitigated by the employees inside. If by chance those orders occur simultaneously, that employee will tell one car pull ahead and the other car wait. Really, the employee is mitigating that potential of two cars going at the same time.

**Attorney Calli:** This is not novel what we are doing here. As a Traffic Engineer, I know you've seen this for quite some time, maybe you can give the Board sort of a genesis of when you started seeing this occur, all the types of users that do this with the dual drive thru.

**Engineer Chase:** We started seeing it in the fast food industry probably five years ago. The industry had looked at the data in the 80s, 90s and early 2000s and it was approximately 60% dining in customers and 40% using the drive thru. The majority of the customers were using the dining room. Now what they have seen is up to 70% of the people are using the drive thru and only 30% using the dining room. They are going back and taking seats out of these restaurants. The new ground up restaurants they are building with smaller dining rooms and less seats because they are just now seeing as much of a dining demand as they did previously. That is what really shifted the focus to how can we make the drive thru work. We've seen other users have done different variations of this. They've done stacked ones, or its two order points but they are in line, not side by side. Unfortunately, you can take two orders at the same time, but if the car in front has a longer order, the car behind is still stuck behind so it is somewhat of an increase in efficiency, but it's not like this where if someone is ordering for an entire family, you can still run cars through the outer point and they can just keep processing cars. This is really the best case scenario for improving the drive thru efficiency and that's why we are seeing them trying to adapt this wherever they have the space to do it.

**Councilman Cortellessa:** You had mentioned there are no changes to the kitchen environment there. When you are taking one order at a time, it's a little different then taking two orders at time. Are you certain there is no need to do anything with the kitchen in that restaurant?

**Engineer Chase:** No. As we talked about earlier, you would see that large gap in traffic between the order point and pick-up window so it wasn't getting the food to the customer, it was processing that order. What we are doing now is more efficient utilization of this entire queue and you won't have two cars at the pick-up window and a four car gap. We are really trying to fill that gap in and make the entire stacking area usable. The kitchen, they found through their research, that wasn't the problem; it was the order points so they

still have the ability in the kitchen to get those orders out and accommodate even taking two at a time.

**Councilman Cortellessa:** Even taking twice as many orders at a time?

**Engineer Chase:** Correct.

**Attorney Calli:** They know the business far better than all of us do. We may know restaurants superciliously, but Carrols own over 1,000 of these; they certainly have better data on their kitchen needs than us. If the kitchen needed to be remodeled, they would probably do it now if they are going to close the store for five weeks anyway. I think we have to take it face value that the decision is, there is no change needed to the kitchen on an operational standpoint of the Burger King operation.

**Member Crilly:** A lot of the food going through there is in anticipation of the demands.

**Member Crilly:** The line does wrap around that store. I've seen it. What you are doing is you are shortening the line by the five cars between the order point and the pick-up window, so that line shortens. Dom, in terms of your concerns, I just had a couple of thoughts. So with Susquehanna Avenue we have Tilcon coming through. Most of the traffic is going to occur very early in the morning and probably before the store opens up. But, that being the case, that driveway along Susquehanna is a difficult angle. There will be increased truck traffic. Is there a Stop sign there?

**Engineer Chase:** Yes but it's not shown the plan. There will be a Stop sign.

**Member Crilly:** The other point as well is when you get onto Union Avenue, you have to options to exit the store. So you would either take the driveway curb to the left and go out the main driveway or get out onto Susquehanna. Just a traffic question, would it be prudent to divert the traffic at the order point. If you are going to make a right on Susquehanna onto Union Avenue, you must exist onto Susquehanna and if you are going to make a left onto Union Avenue, you must go around. The reason is if you have two people coming out simultaneously you have the person on Union Avenue trying to make a left and then all of a sudden that person out of their sight on Susquehanna exiting makes a left.

That might be a traffic hazard so that's my only problem.

**Mayor Mahler:** Actually Jack there is going to be a traffic light there. Tilcon is putting a traffic light at Susquehanna Avenue.

**Member Crilly:** Okay.

**Member Strobel:** Is that a one way street on the bottom?

**Engineer Chase:** That is one way. So it is one way in a counter clockwise pattern. It mimics the drive thru so you cannot enter from the driveway on Susquehanna. There will be signage for both egress and ingress.

**Member Leonard:** When does the garbage truck do its pick up?

**Engineer Chase:** Off peak hours; same as existing.

**Mayor Mahler:** Actually, you put 12 cars in a queue. I think this particular property is probably closer to 14. We saw during the pandemic is the line wrapping around the building and if I take your three cars you have queued here on the drawing and add two more that's probably about where it was during your lunchtime peak. That will actually pull a lot of the cars out of the parking lot.

**Member Strobel:** Where are the trucks going to park? They used to park in the new garbage area.

**Engineer Chase:** They were double spaces so I think basically a truck will just pull through. They don't really mark the trucks. If a truck was to pull on site, you have sufficient parking that you could park a truck length ways in the existing spots that are out there. You also have this striped area that really is for circulation but it is a 15' wide aisle so even if a truck was to park parallel in this striped area here, there is still sufficient room to bypass it.

**Vice Chairman Graceffo:** Any other questions Board Members? Thank You

**Attorney Calli:** Our final witness is our Project Planner, John McDonough.

**Attorney Veltri:** Swore in John McDonough, who has been accepted as a Licensed Professional Planner throughout the State of New Jersey and has appeared before Wanaque on multiple occasions over the years. A member of the American Institute of Certified Planners, which is a national certification and both are current and in good standing. He is also a Landscape Architect but won't be speaking on that topic tonight.

**Vice Chairman Graceffo:** Accepted, that you.

**Attorney Calli:** Please take the Board through your proofs and analysis. For the record, you have reviewed the Code, Master Plan and are familiar with the property and the plans submitted to the Board, and the operations that exist and proposed.

**Planner McDonough:** Yes.

**Planner McDonough:** With the permission of the Chairman, I would like to pass around four colored photos of the subject property collectively marked as Exhibit A-3. We took some drone shots of the subject property and these exhibits are going to show what you already know. It is an absolutely beautiful setting and a very well buffered, spacious site which adds to the capacity that the applicant can accommodate what it's trying to do here. The exhibits are photos of various vantage points of the property which will help you with orientation with respect to the sign package, what is out there right now and with respect to the relief that the applicant is requesting.

A couple of key points here. This has been part of your local landscape now since at least 2000. I don't know the exact year this Burger King came on line here in town. Around 2000 is when I have seen it first appear in the area in photographs. I think we all know retail more than any other type of land use that needs to stay fresh in the public eyes and constantly reinventing itself. This is really a response to the demand here. We know was happening before covid and what's happening even more now is that the drive thru is something that the public is demanding. This is the response to that; to get the public more quickly through drive thru sequence and experience and that's going to provide for better customer service.

With respect to the relief the application is requesting here really relatively minor and very straight forward. We are in the SBD, Special Service Business District, where the use is permitted. We are not here for any use relief. The drive thru is allowed and the restaurant

is allowed. All of the higher tiers of zoning are met here as well, not just the use but all of those intensity of use controls; the height of the building, the coverage, the setbacks are all 100% compliant with the ordinance. All of your design standards are met here as well. Only signage relief is requested and, in my view, it is really to ask for that extra sign. You have a button sign on the west side now that faces the hotel, the button sign that faces the roadway there, and actually looking for relief on what would be the drive thru side as well, it is the additional sign that the application is seeking. The applicant is seeking relief for the watermark as well, but there is essentially a water mark there now with the word Burger King. In terms of the overall sign package and the sign area is not a substantial increase over that which presently exists now. You really do have three vantage points where you would see the site and it is a corner location. The sign really is non-conforming is one that is already there on the western façade. It faces the hotel. The hotel actually has the second sign which is non-conforming that faces the site so there is this sort of complimentary back and forth in terms of the sign package and I think the area will show you that as well. Applicant is not asking for anything that is really atypical or out of the ordinary with respect to the relief.

I think on the planning side it meets the statutory criteria. The balancing test whereby the benefits of the application, as a whole, would substantially outweigh the detriments. As to the positive criteria, this is certainly going to promote brand identity and customer familiarity with the way this use/brand looks presently. That reflects positively on the community as well with the general identity as being progressive and certainly current in terms the way these businesses present themselves in the public eye. There are great public betterments as well which also tie in, and I think the Board will notice that whenever we look at a variance application, we look at the application as a whole and these signs are part of the overall package. You heard from R.J.'s testimony the public benefits that are going to come out of this.

We are going to be looking at improved ADA parking that is going to bring this up to current barrier free regulations. We are looking at improvements with respect to the dumpster location from moving it from the back of the building and you can see this in the photographs that I provided, how this is going to move out of the way. Certainly, the new location will be better served and better accessible in terms of the overall flow of the site. As you heard from Corey's testimony, this is going to improve the flow, the function, the overall appearance of the site as well and, in that regard, certainly site betterment as well. We are looking at improved customer service, which is really at the heart of what the brand is looking to do. Of course, there are improvements in site elements as well. As I understand it, we have all new site lighting and energy efficiency that would go with that and don't forget there is landscaping proposed here as well, which include over 80 new plantings so there will be substantial beautification of this site making it look much better in the public eye than what is presently there.

There are environmental benefits as well. There is going to be greenery with a reduction in the impervious coverage on the property and an increase in the pervious coverage that has stormwater benefits and environmental benefits as well.

We talked about accessibility, visual improvements and the operational upgrades as well. All of this ties right back to the Statute Purpose A, promotion of general welfare, and also Purpose I the promotion of any desirable, visual environment. I think we can also hook this to Purpose M which is the planning goal for efficient use of land. This is not a

wholesale reconstruction here but basically adapting that which is already there and working with and already a part of the local landscape.

On the negative side, I don't believe there are no substantially adverse impacts based on the testimony on the record. This building, with its re-energizing here, and the site modifications, will continue to blend very well with that which is around it. The site will flow safely and efficiently without causing any substantially adverse traffic impacts or level of service on the surrounding road networks.

In that regard, I believe all the relief be granted without there being any substantial detriments or substantial impairments to your zoning plan and ordinance. It is a good application. It is a nice positive investment in this site and I believe the improvements are warranted.

**Vice Chairman Graceffo:** Is that your presentation?

**Attorney Calli:** It is. We'll make everyone available for any cross examinations.

**Vice Chairman Graceffo:** Does the Board have any additional questions of any of the members who made presentations so far this evening? Hearing none, seeing none, I would like to open it up to the public. May I have a Motion to open the meeting to the public to discuss this application and this application only?

**MOTION TO OPEN PUBLIC DISCUSSION ON THIS APPLICATION:** made by Mayor Mahler, seconded by Member Strobel. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Crilly, Jordan and Leonard.

**Vice Chairman Graceffo:** At this time, anyone in the public who would like to discuss or ask questions in reference to this application please step forward, present your name and address to the Board? Let the record show that no one in attendance has any questions on the application. We'll close the public portion.

**Engineer Cristaldi:** I just wanted to make it easier for Steve when he does the Resolution. Did you agree with the variances that I had listed; that those are all the variances?

**Attorney Calli:** We do Mike.

**Vice Chairman Graceffo:** Any other questions from the Board? Do I have a Motion to Approve the Application as presented this evening?

**MOTION TO APPROVE APPLICATION 2021-06:** made by Member Crilly, seconded by Member Strobel. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Crilly, Jordan and Leonard.



**PUBLIC DISCUSSION: Let the record show there was no one in attendance to come forward.**

**RESOLUTION: None**

**VOUCHERS: submitted by Steven J. Veltri, Esq. for attendance at June 17, 2021 Meeting in the amount of \$400.**

**MOTION TO APPROVE VOUCHER: made by Mayor Mahler, seconded by Member Platt. Voting yes were Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Crilly, Jordan and Leonard.**

**MOTION TO ADJOURN AT 9:13 P.M.: Motion carried by a voice vote.**

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**Jennifer A. Fiorito  
Planning Board Secretary**