

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

THURSDAY, SEPTEMBER 26, 2019

Mr. Virgona called the meeting to order at 7:07 p.m. The following statement was read:
Pursuant to The Open Public Meetings Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by fax and mail to The Record and The Ridgewood News on January 11, 2019 at which time, the date, time, place and purpose of the meeting was set forth and notice was posted on the official bulletin board in the Borough Hall.

PLEDGE OF ALLEGIANCE

Present: Mr. Virgona, Mr. Polizzi, Mayor Minichetti, Councilman Rotella (Mayor’s Rep.)
Mr. Preusch, Mr. Bakal, Mr. Donato, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian,
Ms. DeFuccio, Ms. Schaum

Absent: Councilman DeBerardine

Also Present: Dean Stamos Esq. for Mark Madaio Esq, Planning Board Attorney
Michael Kelly PE, for Marisa Tiberi PE, Boswell Engineering/Borough Engineer

APPROVAL OF MINUTES: May 8, 2019

A motion to adopt the minutes of the May 8, 2019 meeting by Mr. Polizzi seconded by Mr. Bonjuklian was unanimously approved by all Members present.

PUBLIC HEARING

1. Variance Application of **Birdie Investments LLC (Jack Daniels Motors) /Audi Signs 243 Route 17 South – Block 1301 – Lot 10**
(Signage Square Footage: (3) *Wall Mounted*; (2) *Free Standing*)

Kathryn Walsh Esq. (Wells, Jaworski & Liebman, LLP), representing the applicant, advised the applicant is requesting variance approval for signage square footage to renovate the existing (2) freestanding signs and the (3) existing wall signs for the Audi Dealership located in the Highway Commercial District since 2002. Previous approvals for signage were granted by Resolutions in 2005 and 2007. The location, size or dimensions of the previously approved freestanding signs will not change. Ms. Walsh explained the reason for replacing the existing wall signs with new signs and for refacing the monument sign is corporate driven to be more in line with Audi standards.

Steven Higger, President UVB, (United Visual Branding) duly sworn by Mr. Stamos and qualified by the Board as an expert witness, testified to being familiar with the subject property and with the Plans submitted that were prepared under his supervision.

The following document was submitted and identified: **A-1**: *Jack Daniels Audi Site Plan (8) Sheets, prepared by UVB, dated July 17, 2018 last revised May 31, 2019.*

Mr. Higger testified to the existing wall signs and to the details for the proposed replacement wall signs. *Wall Sign #1: Jack Daniels Audi Wall Sign* – existing 29.3 sf proposed 56 .2 sf. featuring the addition of “Upper Saddle River” to the individual illuminated letters; *Wall Sign #2 – Audi Logo Sign* – existing 43.21 sf. proposed 29.34 sf. featuring individual rings, each illuminated at night; *Wall Sign #3: Audi Service Drive Sign* – existing 21.67 sf. proposed 15.5 sf. featuring individual illuminated letters.

Mr. Higger testified to the proposed changes to the existing (2) freestanding signs. The updated (4) rings of the 30 ft. high Audi logo free standing pylon sign located at the northern front yard will be illuminated; the 4.5 ft. Audi freestanding monument sign with the updated (4) rings located in the southern front yard will be illuminated and feature the addition of “Certified pre-owned” lettering. Mr. Higger testified the size of both of these signs will not change.

In response to various comments from the Board, Mr. Higger testified the existing lights are being replaced with energy efficient LED bulbs. The letters of the signs are black and red on a silver background. Mr. Higger testified in his professional opinion, the increased size of the wall signs are still proportionate, only having a marginal increase in wall area.

The (4) rings represent the Audi branding. The raceway sign depicted on Sheet 201 is necessary due to the building’s construction posing mounting difficulty. The sign is approximately 5 inches deep and made of pre-finished aluminum. The service sign is to be composed of individual letters. Mr. Higger testified it is common for dealerships to include the locality in the signage.

Audi offers multiple different sized signs with limitations. The ring logos are cast from thermal molds which are expensive. The proposed sign is a custom size for this market and the appropriate size for this application.

The new LED signs are roughly the same brightness and consume a quarter of the energy.

A Board Member commented the variance request for the width of the “Audi Service Drive” sign can be reduced by eliminating the word “Drive”.

Mr. Higger testified the proposed illumination will be approximately the same as existing, designed to prevent traffic accidents.

In response to comments from the Board, Mr. Higger testified all letters have to be the same size. This sign is the smallest standard offered. The sign can project up to 12 inches, but can be adjusted if it is a problem.

A motion by Mr. Polizzi seconded by Mr. Donato to open the Hearing to Members of the public regarding the testimony provided by Mr. Higger. No one appeared to provide testimony.

John Daniels, applicant duly sworn by Mr. Stamos, testified the Dealership always sold new and pre-owned and certified automobiles, not to be misconstrued with a used car lot. The sign is not indicative of an expansion of operations by Audi.

A motion by Mr. Polizzi seconded by Mr. Bonjuklian to open the Hearing to Members of the public regarding the testimony provided by Mr. Daniels. No one appeared to provide testimony.

David Karlebach, PP for the applicant, duly sworn by Mr. Stamos, testified he prepared for the meeting by visiting the site and surrounding area, reviewing the Master Plan, Zoning Ordinance, the application materials and signage Plan.

Mr. Karlebach described the site, surrounding area and the previously approved signs granted by Resolution in 2007. Mr. Karlebach testified the proposed signage promotes traffic safety access to the site; a desirable visual environment; unifies the site integrating with the surroundings and the building; identifies Upper Saddle River as the location; are aesthetically pleasing and promote business viability.

In response to a Board Member questioning if “Upper Saddle River” appears in any other business signage, Mr. Karlebach replied no.

Mr. Karlebach testified the granting of the requested variances would promote the following purposes of zoning as enumerated in the Municipal Land Use Law: to promote a desirable, visual environment through creative development techniques and good civic design and arrangements; provides adequate air light and open space and the benefits substantially outweigh any detriments.

A motion by Mr. Polizzi seconded by Mr. Donato to open the Hearing to Members of the public regarding the testimony provided by Mr. Karlebach. No one appeared to provide testimony.

Ms. Walsh asked the Board for a sense of their issue with “Upper Saddle River” appearing in the proposed sign.

Discussion followed. A Board member commented he has no issue with the proposed sign.

Ms. Walsh amended the application for the additional variance regarding the Jack Daniels Audi Upper Saddle River sign exceeding the 25 ft width.

Mr. Virgona provided a comment regarding the location of the valet receiving cars at the entrance driveway.

A motion by Mr. Polizzi seconded by Mr. Bonjuklian to open the Hearing to Members of the public regarding the application. With no one providing comment, Mr. Virgona closed that portion of the Hearing.

A motion to approve the application as presented and amended by Mr. Jacobs seconded by Mr. Polizzi.

Roll Call

Ayes: 8 Mr. Jacobs, Mr. Polizzi, Mayor Minichetti, Mr. Preusch, Mr. Donato, Mr. Richardi, Mr. Bonjuklian, Mr. Virgona

Nayes: 1 Mr. Bakal

OATH OF ALLEGIANCE: Councilman Douglas Rotella, Mayor’s Representative

Mr. Stamos administered the Oath of Allegiance to Councilman Douglas Rotella, appointed Mayor’s Representative for a term ending December 31, 2019.

PUBLIC COMMENT:

A motion by Mr. Polizzi seconded by Mr. Richardi to open the Meeting to Members of the public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Richardi was unanimously approved by all Members present. Meeting adjourned at 8:12 p.m.

Respectfully submitted,

Linda Marmora, Clerk

