

City of Northfield
Planning & Zoning Board
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Minutes: December 6, 2007

Notice of this meeting had been given in accordance with Chapter 231 Public Law 1975, otherwise known as the Open Public Meetings Act. Notice of this meeting has been given to The Press, posted on the bulletin board in City Hall, and filed with the City Clerk, stating the date, time and place of the meeting and the agenda to the extent known.

The regular meeting of the Northfield Planning & Zoning Board, held on Thursday, December 6, 2007 in Council Chambers, City Hall, Northfield, was opened by Chairman Richard Levitt at 7:32 p.m. and the following members were present:

Dr. Richard Levitt-Chairman
Clem Scharff-Vice Chairman
Mayor Frank Perri
Jimmy Martinez, Councilman
Jeffrey Bruckler, City Administrator-absent
Ron Roegiers
Nick Droboniku-absent
Pete DaPrato-absent
Henry Notaro
Guy Schlachter
Lou Milone
Jason O'Grady

Thomas Subranni, Esq., Solicitor
Matt Doran, PE-Engineer

There were two applications on the agenda this evening. The first application is for Bada Bing! Pizza & Subs which is being proposed to be located in the Island Gym Shopping Center at 801 Tilton Road-Unit#100, Block 59, Lots 1 & 2.02. Unit#100 is located in Block 2.02. The shopping center is in the R-C Zone and is owned by Miljer, LLC. The applicant is represented by Fox Rothschild, LLP of Atlantic City and John P. Kaplan, Esq. is present.

Mr. Kaplan began by describing the application. The applicant is seeking a Conditional Use for the setback from the residential zone and building coverage on the lot as well as a site plan waiver. The restaurant will be a take-out and delivery pizza and sandwich shop. There is no proposed change to the footprint of the pre-existing building and no changes to the site plan except for an 8 ft. by 8 ft. metal trash dumpster to be located in the rear of the building. The restaurant is a permitted use under 9.11 of the City's Zoning Ordinance. Conditions that are met are minimum lot size of one acre and minimum lot width of 200 ft. The conditions in question involve the distance from the residential zone (50 ft. is required and 46 ft. is existing) and there is a question as to whether percentage of lot coverage pertains to the restaurant itself or the entire shopping center. The restaurant is 1% of lot size and the entire shopping center is 29%. Mr. Doran clarified that the maximum allowed is 20% for conditional use. A D(3) variance will be needed if using the entire shopping center and a simple change of use if considering only the restaurant.

Mr. Subranni commented that it would make more sense to consider only the restaurant and Dr. Levitt agreed. The only other issue is the distance from the residential zone. Mr. Kaplan commented that it is the back of the building which is 46 ft. from the residential zone. The only activity in the back is for the trash receptacle and he added that this would not change the character of the neighborhood and he feels that 4 ft. from the requirement is minimal.

Mr. Kaplan introduced his client Sean Savinell who resides at 4 Ridgewood Court in Northfield. Dr. Levitt asked if his business was individual or a corporation and Mr. Savinell stated that he is an individual who will be leasing space from the shopping center's owner. He described the function of the business as take-out only. Delivery will be done through the rear of the store using the employee parking spaces. He wants to have a small bench in the front of the building (inside) for customers to wait for their orders to be filled. There will be parking in the rear for employees. The area for patrons will be 15 ft. by 15 ft. The unit is next to the Island Gym location and used to be an Army Navy store and before that, "Play it again Sam". Mr. Savinell added that he will install a 10 ft. commercial vent and the hours of operation will be 11 a.m. to 11 p.m. Dr. Levitt asked about neon signs and told the applicant that if he has one neon sign, he cannot have any other signs. Dr. Levitt also commented about the closeness to the residential area and cooking odors or exhaust that may be omitted. Mr. Savinell answered that the exhaust system will be a filtered commercial system and will include an injection system for fire that will meet the fire code. He added that the dumpster and recycle bin will be shielded from public view. Trash will be picked up at least once a week and possibly twice a week in the summer.

Dr. Levitt asked if there was anyone from the public present who wished to speak. Seeing no one, he closed the public session. Mr. Savinell commented that he would have three to five employees. Dr. Levitt added that Mr. Savinell should check with the center's owner about designated areas for employee parking so as not to restrict public access as much as possible. Mayor Perri asked about sign detail. Mr. Savinell said he would be using the existing façade.

Mr. Doran read his Engineer's report. He said that most of the comments are for the D(3) variance, but he does want to know more about the dumpster since it is not shown on the plans. Mr. Savinell said there is 40 ft. from the back door to the curb and the dumpsters are backed up to the curb where the parking area is located. Other dumpsters exist now. Mr. Doran commented that the ordinance requires trash receptacles to be screened by fencing and shrubs. Dr. Levitt said that the dumpsters are screened by the vegetation in the area. It was agreed to waive the fencing and shrubbery.

Mr. Scharff made the motion for Conditional Use and to waive the 50 ft. buffer zone from the residential area, waive screening for the dumpster and for the site plan waiver. Mr. Doran added that all other conditions are existing or conforming and there are no other changes. Mayor Perri added that if neon signs will be used for the storefront, permits or additional approval will be necessary. Mr. O'Grady seconded the motion. All present members voted unanimously for approval.

The second application was from Kensington Square, LLC who was represented by Fleishman-Daniels Law Firm of Northfield. This application was for Conditional Use approval and an Amended Site Plan. The site is located at 200 Tilton Road, Block 16.01, Lots 61, 62, 63.02 on the tax map. The property is located in the R-C Zone. The following were present for the hearing: Joel Fleishman, Esq., Leo Schoefer and Michael Grossman, co-General Managers and principles of Kensington Square, Pete Dolcy, Engineer and Frank Formica, owner of Formica Brothers Bakery. All witnesses were sworn in by Chairman Levitt. Mr. Fleishman submitted a List of Exhibits which include the following:

- A-1 Application
- A-2 Aerial Photograph of Site
- A-3 Amended Site Plan
- A-4 Interior Design of Formica's Bakery Café
- A-5 Leasing Plan

Mr. Fleishman stated the background. The business is now called Kensington Square of Northfield. The applicants received previous site plan approval from the Board as well as sign and façade approval. The new tenants will include Keller-Williams Real Estate, Accents (an accessory store) and if approved, a retail Bakery (Formica Brothers Bakery Café). Formica wants to bring an Atlantic City institution to the City of Northfield.

Mr. Schoefer spoke first. He said next week will be the one year anniversary of the closing of Kensington Furniture. He described the exhibits which showed the original rendition and an actual picture which showed elevations of the entire façade and layout of the possible 9 units. He said Accents accessory store (an upscale retail women's accessory store that is located in 4 casinos) did not need further approvals. They are currently building the Real Estate office. All the storefronts will eventually have something in common and will have a "Main Street" feel. They have met with many potential companies for a restaurant and after visiting Formica's Atlantic City store, felt that Formica's would complement the other stores. The Formica Bakery Café will have a wrought iron entrance and all signage will conform with the original approval.

Mr. Fleishman introduced Mr. Frank Formica. He described the operation. His family has been in the bread business for 91 years. The Atlantic City store was renovated to compete with The Walk, The Pier, and The Quarter. They sell Seattle's Best Coffee which is contracted with all Border's stores in the U.S. They want to bring the Atlantic City store offshore. It will be an upscale, friendly place and the hours will be the same as Atlantic City (7 a.m. to 7 p.m.). They would like to have some tables outside to create an outdoor café. All employee parking will be in the rear. The unit for the bakery is described as being long and narrow (Unit G-6). They would like to have 6 or 7 café tables inside and predict most visits will be 20 minutes. The tables will be self-seating and the rear of the unit will be a micro baking area for the retail store and will contain a prep area. They will only make specialty breads in the Northfield store and will continue to make the sub rolls at the Atlantic City location. The sub rolls will be delivered offshore as they have been for many years. A difference will be a glass wall to display the baking area. The business will begin at 6 a.m. to get ready for opening at 7 a.m. and they may be there as late as 10 p.m. for prepare for the next day. Mr. Formica described sandwich items, the round-top tables, and the tomato pie.

Mr. Pete Dolcy, Engineer for the project, spoke next. He described the conditions that meet the conditional use requirements for a restaurant on site. The requirements are 1 acre and they have 10 acres, 200 ft. of lot frontage is required, they have over 535 ft., and no more than 20% coverage is allowed for restaurant use and they will have a little more than 6%. Mr. Dolcy referred to Exhibits A-3 and A-4. They currently have 155 parking spaces on the west side and 119 parking spaces in front along Tilton Road. They will need 153 spaces including the use proposed. They will also be striping 25 more spaces in the rear for employee parking and for safety reasons, installing wall mounted lights on the rear of the building. Mr. Darcy described the parking/seating ratio. The Ordinance states either 1 parking space per 3 seats or 1 parking space per 75 sq. ft. The formulas produce the following figures: For sq. footage, 1200 sq. ft. of restaurant seating space is available divided by 75 sq. ft. and would require 15 spaces; for seating, 6 spaces would be needed. The Board previously approved mounted signage to be no more than 60 sq. ft. The Accents sign will be 36 sq. ft. and Formica is proposing a 59 sq. ft. sign unique to the site and attached to the fascia with wrought iron. The actual entrance will be from the side of this unit not directly in front. The improvements were described by Mr. Dolcy as

entrance improvements, sidewalk improvements with concrete and brick pavers, a fenced-in area in the rear for 4 dumpsters, striped parking and additional lighting. Mr. Dolcy asked for a waiver for the required landscaping around the fenced dumpsters at this time since the area is in the rear and no one will see it anyway and also the final plan for the rear is not complete and they don't want to spend a lot of money on it at this time.

Mr. Doran referred to his report. He said the applicants have met all conditions for conditional use. He would like to know the exact type of lighting and to know more about the outside tables. Mr. Dolcy said there will be 8 ft. of sidewalk and two small two-seat tables outside. Mr. Schoefer explained that the units are not designed in a straight line. Mr. Fleishman added that the tables would be seasonal. The Formica sign was discussed. Mr. Doran said the sign in front of Unit G-6 appears to be free-standing on the plans and is not attached to the building façade. Mr. Schoefer said the sign will be 3 inches in front to the canopy or 3 inches off the façade. Mr. Fleishman added that this sign is in lieu of a façade sign, not an additional sign. Mr. Dolcy gave the sign dimensions of 14.4 feet high, 10.6 ft. wide and 5 ft. high for the advertising portion. Mr. Subranni asked if the area would be enclosed and was told it would not be enclosed.

Dr. Levitt asked if anyone from the public wished to speak. Seeing no one, he closed the public session.

Mr. Doran summarized that the applicants will need a landscaping waiver for the receptacle area and an amended site plan. A copy of the Fire Department letter was given to Mr. Fleishman for his records. The Fire Department had no objections, but request new plans if there are any changes. Mr. Subranni added a correction for the record. There is 7 inches in front of the canopy not 3 inches as previously mentioned. Mr. Roegiers questioned the rear parking and Mr. Fleishman answered that parking in the rear is for employees and deliveries only. Mr. O'Grady asked for more discussion concerning the tables. Mr. Formica answered that there will be some high and some low tables duplicating the tables in the Atlantic City store. He added that they have a Jazz night in Atlantic City on Saturday nights from 7 p.m. to 10 p.m. and they may be interested in doing something similar at the Northfield site in the future. Dr. Levitt commented that there are no residential neighbors and feels that noise from the music would not pose a problem.

Mr. Scharff made the motion. The motion included Conditional use, outside seasonal seating, a waiver for landscaping around the dumpster until the rear plans are finalized, the applicants will need to show lighting details on the plans and this will have to be approved by Mr. Doran. Mr. Milone seconded the motion. A roll call vote of all present members was unanimously approved.

There were no resolutions to memorialize this evening.

Chairman Levitt asked the Secretary to send a correspondence to Mr. Nick Droboniku that he is no longer a member of the Board due to the fact that he has not shown up for meetings. Mayor Perri has been notified.

At this point, Mr. Tom Subranni made an announcement to the Board members that he would be retiring from his position as Planning/Zoning Board Solicitor at the end of the year after serving for 35 years. He expressed kind and sincere sentiments to Chairman Levitt, Mayor Perri, Robin Atlas and all of the Board members that he has worked with over the years. Mayor Perri and Dr. Levitt expressed their thanks for Mr. Subranni's dedication and expertise over the years. He will certainly be missed by all.

Mayor Perri added that this is his last meeting to sit as Mayor on this Board and he expressed thanks to all the Board members who volunteer their time and for all their help over the past 12 years. He said serving on the Board has been a wonderful opportunity for him.

Dr. Levitt asked for a sub-committee to be formed to review applications to replace Mr. Subranni's position. Mr. Milone and Mr. O'Grady volunteered. Advertising will be submitted to The Press.

The Chairman asked Mr. Doran for the status of the Master Plan. Mr. Doran said all the amendments are complete and he is waiting for final census number and final maps. He will have the completed plan to the committee before year end and in January, a public hearing will need to be scheduled.

Chairman Levitt closed the last meeting of 2007 at 8:44 p.m. Re-organization will be Thursday, January 3, 2008 at 7:30 p.m.

Respectfully submitted,

Robin Atlas, Secretary to the Board