

BOROUGH OF MIDLAND PARK – PLANNING BOARD MINUTES
NOVEMBER 15, 2021

PLEASE TAKE NOTE:

ON MONDAY, NOVEMBER 15, 2021, THE PLANNING BOARD OF THE BOROUGH OF MIDLAND PARK HELD A REGULARLY SCHEDULED MEETING IN THE MIDLAND PARK COUNCIL CHAMBERS, 280 GODWIN AVE., MIDLAND PARK, NJ. THE FORMAL MEETING BEGAN AT 7:30 P.M.

SUNSHINE LAW STATEMENT: This meeting is being held in accordance with the Sunshine Law, notice having been published according to law with a copy on file in the Borough Clerk's Office and a copy posted on the bulletin board in the Municipal Building.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Kent Rigg, Chairman	present	Ms. Stephanie Pantale	present
Councilman Ken Kruis	excused	Mr. Robert Mulder	present
Mayor Harry Shortway, Jr.	excused	Alt. #1 Ms. Isabel Duffy	present
Mr. Michael Rau	present	Alt. #2 Mr. Bruce Goldsmith	present
Mr. David Wostbrock, Vice-Chair	present		

Attendance by Board Professionals: D. Siss, Attorney; E. Boe, Engineer; J. Burgis, Planner; B. Tombalakian, Traffic Consultant

Bruce Goldsmith, Board Member – Alternate #2; sworn in

Minutes of 10/18/21 meeting – approved

RESOLUTIONS:

1 Godwin Ave LLC/Sola Salon – 1 Godwin Avenue – BL 3 LT 24.01 – approved

PUBLIC HEARING:

ABDD V. LLC/Dunkin' – 195 Godwin Avenue – BL 20.10 LT 5.01 – Notices were in order. Atty. Craig Feldman from Paris Ackerman present on behalf of the applicant ABDD V. LLC; application for preliminary and final site plan approval, bulk and parking variances and design waivers for a Dunkin' drive-through. The property is located at 195 Godwin Avenue and was formerly a Friendly's restaurant that is now vacant. Applicant proposes to demolish the Friendly's and construct a Dunkin' Donuts with a drive-through and mobile lane. Property is in the B1 zone, of which restaurants with drive-throughs are now permitted. Atty. Feldman spoke with residential neighbor Patricia Ennis at 102 Van Blarcom Avenue who had concerns about the proposed Dunkin' Donuts. Atty. Feldman was able to come to an agreement with Ms. Ennis and would like the terms of that agreement to be on the record and made conditions if application is approved. Atty. David Becker present on behalf of Ms. Ennis.

Exhibit E1 – Correspondence with Attys Becker and Feldman. The items both parties agreed to are as follows: White vinyl fence is to be installed inside Dunkin's property line, screened with arborvitae, both fence and trees to be 6 ft in height unless not permitted and maintained by applicant; 3 unhealthy trees are to be taken down; No lighting to shine onto Ms. Ennis' property, any lighting issues to be corrected immediately; Hours of operation agreed upon to be 5 AM – 9 PM; If a pest/rodent problem arises, applicant will exterminate and include Ms. Ennis' property; Snow is to be removed, not just plowed; If a drainage issue arises affecting Ms. Ennis' property, it be addressed/corrected immediately.

Jeffery Stewart, Executive Vice-President of Operations for Southpaw, sworn in. Southpaw aka ABDD V. LLC, is a franchisee of Dunkin' Donuts, Baskin Robbins, and Taco Bell; Mr. Stewart is responsible for everything operational from products, employees, planning, and development. ABDD operates independently of the Dunkin' brand, owns 62 Dunkin's – 9 in Bergen County, 13 total in NJ. Dunkin' Donuts sells primarily coffee; beverages are 60% of sales, other baked goods are 38% and breakfast sandwiches 12%. Sandwiches are heated on site in a convection oven - no griddle or frying, no grease generated. Baskin Robbins is a brand of Dunkin', applicant had the opportunity to include one but have decided not to

so as not to overwhelm the site, withdraws that part of the application, reducing one of the variances. Daily operating hours are 5 AM – 9 PM. Peak hours are typically 7 AM – 11 AM where 70% of business is conducted with about 50 customers per hour which then tapers. **Exhibit A1** – Site Plan Rendering, dated 11/15/21; reviewed drive-through lane, payment window and pick-up window. A sensor in the concrete pad at the order station triggers a timer, 180 seconds to get customers to order, pick-up, and exit. Optimal stacking is 6 cars between order and pay window. Most orders are for beverages and completed quickly, sandwiches can be pre-cooked and assembled upon ordering. During peak hours, there is a 90 second range from the menu board to the pick-up window. 60% of business is drive-through. A mobile lane allows customers to order via a mobile app, use an outside lane to bypass the menu board and first window then merge to the pick-up window. Mobile lane wait time is expected to be approximately 30 seconds. Currently, 20% of customers are using the app for mobile orders but the applicant expects it to increase to 50%. Employees work on a shift basis, a 2-person crew arrives a half hour before opening, then staffed is according to business flow; the height of morning peak will have a max of 7 employees. Afternoon/evening will have a 2-person crew. Deliveries occur daily a few minutes before opening via box truck. An additional delivery occurs 1-2 times per week, also via box truck. Mr. Stewart points out the refuse area on **Exhibit A1**, removal will be done by a private hauler 2-3 times per week, will not happen during peak times. There are 12 proposed parking spaces, with the average parked customer staying 120 seconds. Based on experience, this is sufficient for this location. 8 seats are provided inside, which is also sufficient for this location and correlates well to the number of parking spaces. Dunkin' is more commuter-driven; typically, customers do not remain in the dining room area. The drive-through stack is larger than other similar drive-through businesses so it can accommodate more cars and the mobile lane will help expedite as well. Board questions employee parking; most employees take public transportation, experience at other locations has shown that most employees do not drive their own cars. Board discusses parking further; expresses concerns about the amount of spaces available for customers during peak hours. Board also questions trash pick-up; applicant will work with hauler to limit pick-up time. Mr. Stewart clarifies the mobile lane further; mobile and cash customers all end up in the same lane. Mr. Stewart also confirms that the 60% drive-thru/40% walk-in customer numbers is a daily average and does not reflect traffic during peak time, business skews more toward drive-through during peak times.

Meeting opened to the public for questions. Peter Jeffer, 212 Godwin Ave.; questioned if the applicant considered adding a drive-through to the present location; per Mr. Stewart, it is not feasible to add one there. Expressed concern about employee parking. Mr. Jeffer also questions garbage pick-up and signage for entrance/exit traffic; applicant will work with the Board regarding any signage. Atty. Feldman offers to restrict refuse pick-up to non-peak open hours/afternoon during the week as a condition of approval. Mark Braunius, 35 Plane St.; expressed concern about deliveries with the noise ordinance in town and their delivery time of 4:30 AM. Meeting closed to the public. Board discussed the concrete pad area for deliveries, and if it could be widened for employee parking; Applicant's engineer to discuss.

Joshua Sewald, Professional Engineer with Dynamic Engineering Consultants, sworn in. Mr. Sewald has a Master's in Civil Engineering, licensed in New Jersey; accepted as expert. **Exhibit A2** –Boundary and Topographic Survey, Existing Conditions, dated 8/10/20; the existing Friendly's is 2,534 SF, there is a full movement driveway with 27 parking spaces, no current restrictions on the driveway, and a dead-end parking lot – U-turn/K-turn required. There are 3 existing non-conforming variances that will be removed with this plan; front yard setback, side yard setback, total impervious coverage – 78.8% current, 75% allowed, approximately 72% proposed. 1,500 SF on-site impervious coverage will be reduced. The site has unique grading and a benefit of the proposed plan is flattening the property. The current paved lot is very close to the residential neighbor on the west and the church, proposed plan will increase the space between both neighbors and add over 60 different trees and plantings. **Exhibit A1** is referred to; proposed building is smaller than existing, moved away from the property line, one way circulation will allow for maximum stacking and landscaping/buffering will be enhanced. Based on prior work on Dunkin' locations, a significant amount of parking is not needed; proposed plan can stack 14 cars from loading area to pick-up window. Mr. Sewald has put employee parking in the loading area before, does not think it is needed but could do it here – would create 1-2 parking spots with one usually being reserved for a manager. The proposed plan is compliant with the state's stormwater management regulations and will provide a brand-new conveyance system.

Exhibit A2 shows there is no real existing buffer; the north side has 3-4 ft of grass with no landscaping, the west residential side has 5-10 ft of grass, and the southwest has 3 leaning trees. Proposed plan adds 118 total plantings, a large grass area in the rear which will have over 60 plantings and a new fence. Onsite lighting to be 14 ft tall, shielded, with a low Kelvin temperature; the downward facing forward throw will be on a timer and shut off/turn on within 30 minutes of closing and opening. Some security light will be provided. The loading/refuse area will be smaller than existing – 10' x 10' and screened completely with arborvitae trees. Angled parking spaces will measure 9' x 18', parallel spaces will measure 9' x 24' and there will be 1 ADA compliant space. The redevelopment will reset the grade and small retaining walls with fencing are proposed for the northern and southern sides. A condition is suggested that signs should be posted advising customers not to park on adjacent properties with the applicant having the obligation to enforce. Board confirms details on the dumpster area; 2 separate bins, recycling to be picked up once per week and trash twice per week. Size of dumpsters to be used is discussed, applicant is open to making the area larger to accommodate larger dumpsters. Board questions irrigation system; applicant was not planning on adding one as all plants selected for the proposed site are hardy but is open to considering it. Board also mentions right turns into/out of the driveway; per Mr. Sewald, the roadway geometry/orientation allow the maneuver for left/right turns, traffic expert to elaborate further. Discussion continues regarding queue length and lighting; there is a slight exceedance in lighting on the southern property line which applicant will address.

Meeting opened to the public for questions. Len Wynbeek of Midland Park First Reformed Church; concerned with buffer area near the bypass lane in the corner, discussed the church wall/retaining wall. Applicant is proposing an Allan block wall with soil in between, maximum of 2 ft in between walls. Board discussed reinforcement, Board engineer to look at any proposed changes to the wall. Mark Braunius, 35 Plane St.; asks about county approval; still pending, expresses concern regarding the crosswalk, cars pulling out of spaces with the drive-through queue, the grading of the site, and the retaining wall. Peter Jeffer, 212 Godwin Ave.; questions applicant further about drainage and number of variances requested. Bill Van Steveninck, 26 Pierce Ave.; questions applicant about water runoff. Tryne Brenna, Pleasant Ave.; asks about proposed locations of catch basins; Mr. Sewald points out the location of 6 catch basins in the parking lot. Meeting Closed to the public.

Cynthia Falls, Architect with GK+A Architects, sworn in. Ms. Falls has a Master's in architecture and has been licensed since 2008, does 70 remodels of Dunkin' locations per year; accepted as expert. **Exhibit A3** – Proposed Architectural Plans, dated 8/26/21; proposed building is 2,008 SF, walk-in freezer outside to be accessed through the interior, 8 seats inside. There is one proposed interior order point for customers with 2 registers, a drive-through window for collecting payment with a second register for order taking. Board questions if they would consider making the building smaller and/or moving the walk-in freezer inside; it is possible. Minimal signage is proposed, and signs are undersized. Two Dunkin' signs are proposed, measuring about 22.3 SF. Building to be sided in gray fiber cement siding, with a wood-toned monolith and pink and white accent pieces. A canopy will be over the front door and drive-through windows and both the canopy and signage will be internally lit. Two air conditioning units on the roof will be hidden behind the monolith so they are out of sight, with a parapet on all sides. **Exhibit A4** – Rendered Elevations, dated 8/26/21 and Colorized Signage, dated 7/13/21; Menu boards are LED with no flashing elements and are only changed once per day. Ms. Falls reviews walk-in freezer – 8-9 ft height, accessed from interior and painted to match the outside of the building with the cooling unit on the roof. Board again questions location and size of freezer; per Ms. Falls, the storage capacity is calculated by business needs; applicant willing to review the issue. Board asks for clarification on rooftop units which are exposed in the drawings; applicant to provide revised plans. Signage lighting also questioned; signs to be internally lit with LED lights, will have the same timing as the site lighting.

Meeting opened to the public for questions. Mark Braunius, 35 Plane St.; asks applicant about any buffering for the refrigeration and air conditioning units in reference to the noise ordinance. No additional buffer is proposed. Meeting closed to the public.

Application carried to December 20, 2021, no further notice required.