

LAND USE BOARD  
BOROUGH OF ALLENDALE  
500 West Crescent Avenue  
Allendale, New Jersey 07401

A Regular Meeting of the Allendale Land Use Board was held in the Council Chambers in the Allendale Municipal Building, 500 West Crescent Avenue, 2nd Floor, Allendale, NJ 07401 on June 15, 2022. The meeting was called to order at 7:34 PM by Chairman Quinn who read the open public meetings statement and stated the requirements had been satisfied.

Chairman Quinn led the salute to the flag.

**ROLL CALL:**

The following individuals answered roll call:

Board Member Bergen  
Secretary Daloisio  
Board Member Davis  
Board Member Kistner  
Board Member Yaccarino  
Chairman Quinn  
Alternate Forbes

**ABSENT:**

Councilwoman Lovisolo  
Vice Chairman Sirico  
Mayor Bernstein  
Alternate Putrino

The following individuals were also present:

Board Attorney, Chris Botta, Esq.  
Board Engineer Michael Vreeland  
Board Planner, Ed Snieckus  
Land Use Administrator, Linda Garofalo

**APPROVAL OF MINUTES**

Motion by Board Member Davis, seconded by Board Member Kistner, that the Minutes of the April 18, 2022 Land Use Board Meeting be approved. There was no discussion.

On a roll call, the vote was recorded as follows: Secretary Daloisio – aye, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Alternate Forbes – aye.

Motion by Board Member Kistner, seconded by Board Member Davis, that the Minutes of the May 18, 2022 Land Use Board Meeting be approved. There was no discussion.

**Page 2-LUB Minutes-June 15, 2022**

On a roll call, the vote was recorded as follows: Board Member Bergen, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Chairman Quinn – aye, Alternate Forbes – aye.

**RESOLUTION:**

Application File No: LUB 2022-11  
Resolution No.: 22-19  
Applicant: James & Dana Boyle  
Address: 415 Canterbury Drive, Allendale, NJ 07401  
Block: 410 Lot: 3  
Proposed: Family room addition and second floor bed and bath addition.

A motion to adopt the resolution was made by Board Member Davis, seconded by Board Member Kistner. Roll Call: Board Member Bergen, Board Member Davis – aye, Board Member Kistner – aye, Board Member Yaccarino – aye, Chairman Quinn – aye, Alternate Forbes – aye.

**PUBLIC HEARINGS:**

Application File No: LUB 2022-10  
Applicant: Shoaeb Raziuddin & Shaziya Shaikh  
Address: 109 E. Orchard Street, Allendale, NJ 07401  
Block: 1901 Lot: 10  
Proposed: New single family dwelling with walk out basement, driveway, walkway, rear patio and in ground swimming pool with patio surround. Pursuant to 270-64 B(2) and 27054A  
**(carried from the meeting of April 18, 2022)**  
**(carried to the meeting of June 15, 2022) *The application was withdrawn by the applicant and no further action will be taken.***

Application File No: LUB 2022-12  
Applicant: Allendale Nursing Home  
Address: 85 Harrenton Road, Allendale, NJ 07401  
Block: 601 Lot: 7  
Proposed: Courtesy/Conceptual Review – expansion of existing non-conforming use with variances for FAR and lot coverage.  
**(carried from the meeting of May 18, 2022)**

Chris Botta stated this is a conceptual review, no notice is required, no decision will be made tonight.

Michael Rubin stated we believe that this expansion of the nursing home is a existing non-conforming use in a residential zone. The addition is in the southern portion of the site to connect 22 single occupancy skilled care rooms and reconfigure parking. The question is – what

**Page 3-LUB Minutes-June 15, 2022**

parking standard applies? We are not sure if impervious surfaces applies. We don't know if this is a residential lot.

Teal Jefferis, Planner, Jefferis Engineering Associates, LLC was sworn in and his credentials accepted by Chris Botta.

Mr. Jefferis stated the property is about 11 acres, 126,000 square feet nursing home/assisted living facility. We propose to convert the double rooms to single occupancy rooms and construct additional single occupancy rooms. Some parking spaces will be lost. The ordinance doesn't specify parking criteria for this use. We have 162 parking spaces. We'd be looking for a use variance. The driveway width needs to be discussed. Parking stall size are an existing non-conformity and require a variance, if applicable.

Ed Snieckus stated pre-existing non-conforming use doesn't apply. I believe the parking is a half space per bed.

Mr. Rubin asked should the RSIS standard be used?

Mike Vreeland stated look at what the zoning requirement is. Assisted living facilities can be looked at.

Chairman Quinn asked if there will be any change to the entrance to the facility.

Mr. Rubin stated no.

Mike Vreeland asked who regulates the bed count?

Mr. Rubin stated there is regulatory approval required from the state. The additional 22 units are for skilled nursing.

Chairman Quinn asked for comments from the Board.

The applicant will return to the Board at a later date with a formal application.

Application File No: LUB 2022-13

Applicant: TRTD Donuts Allendale, LLC

Address: 9 DeMercurio Drive

Block: 1806 Lot: 2

Proposed: Add drive-thru window and exterior improvements to Dunkin Donuts.

Mr. Botta stated he has reviewed the public notice, mailings and taxes and this application is ready to proceed.

Mr. David Dixon stated this location has been here over 20 years. We are seeking approval for a drive-up window and outdoor seating. These major items are prohibited. The drive-up window is a D1 variance.

**Page 4-LUB Minutes-June 15, 2022**

Mr. Oliver, the principal owner, and his wife are here tonight. Our Engineer is here to discuss the site limitations. Michael Kauker, our Planner, is also here to talk about the variances.

Thomas Oliver, 516 Highland Terrace, Brick NJ was sworn in by Chris Botta. Mr. Oliver is the owner/operator. Mr. Oliver stated we have been at this location for 18 years. The past 2 + years have been difficult due to Covid. The franchise requires us to update the store every 10 years. We will be making inside and outside changes. Drive ups are an expectation today. Our customers are buying coffee, donuts and breakfast sandwiches. They are in and out. A typical transaction inside takes about 180 seconds. My wife is there 5 days a week. Other Dunkin Donuts have similar peak hours. 60% use drive through – 30-35% come into the store. A lot of customers order on-line. We have 11 parking spaces. The peak hours are 6-9:00 AM. After 2-3:00 PM it's quiet. My wife works there during the peak hours with approximately 5 employees. The employees park off site.

**Exhibit A1**-the Architectural drawing was shown on the easel

Other than the drive up window outside, no other changes would be made. No interior changes are required.

Chairman Quinn asked if the order and pick up window are the same.

Mr. Oliver stated there would be an order board prior to the pick-up window. The floor plan will not change.

**Exhibit A2**-Architectural floor plan dated April 25, 2022 shows the existing and the proposed. The indoor seating will not change. The second page shows Exhibit A1 – the façade and window.

The business hours are 6AM – 7PM – 7 days a week. Garbage gets picked up very early in the morning. Deliveries come two times a week – donuts arrive 1AM-4AM. Supplies are delivered Thursdays right before we open. Walk up business is various ages of people. Customers from the shopping center come in also. Outdoor permanent seating is proposed for 3 tables with 7 seats. Since Covid other Dunkin Donut franchises are pushing for this.

Chairman Quinn asked for questions from the Board.

Secretary Daloisio stated I have concerns with the deliveries. I've seen tractor trailers there during the day.

Mr. Oliver stated they text us when they are coming but it is infrequent when they come during business hours.

Secretary Daloisio asked can you make a request to have smaller trucks deliver.

Mr. Oliver stated I can do that.

Secretary Daloisio stated I have concerns with outdoor seating and how busy that corner is.

**Page 5-LUB Minutes-June 15, 2022**

Mr. Dixon stated there would be bollards installed there.

Secretary Daloisio stated the lot is pretty crowded and you are efficient. Four parking spaces is a concern. The overflow may go into the neighbor's properties. Have you thought about any other set-up?

Mr. Dixon stated we have restrictions and there is no other location for parking. We tried to come up with the best design but there are too many constraints.

Secretary Daloisio stated has there been any discussion about traffic flow? This is a hectic area. I'm concerned this will make it worse.

Mr. Dixon stated we could make it a right turn in and out, but that's about it.

Secretary Daloisio stated there is one dumpster there currently.

Mr. Oliver stated yes and it is staying the same size.

Secretary Daloisio asked has there been any discussion about snow removal.

Mr. Oliver stated our snow removal company does a good job. We have no issues. We cart snow away if necessary.

Board Member Davis asked if there is any projected amount for increase in business?

Mr. Oliver stated it's hard to tell. Possibly 10% more transactions. The drive through is a bit more efficient.

Mr. Oliver stated we would remove some of the landscaping to make room for outdoor seating.

Mr. Kistner stated if this were approved, I'd be working with them.

Board Member Bergen asked if the entrance was right turn in, what would stop the cars from piling up?

Mr. Dixon stated the stacking capacity in the drive through lane. I think we can accommodate that.

Mr. Oliver stated studies have been done and Dunkin Donuts is typically top 5 for speed or service.

Mike Vreeland asked when the deliveries arrive, where do they go?

Mr. Oliver stated they go to the parking lot, they have a key, two to five minutes in and out. Thursday they come off hours, park on DeMercurio or our lot, deliveries go to the back door on

**Page 6-LUB Minutes-June 15, 2022**

the DeMercurio side. Exhibit A1 shows the façade, the door is shown for the deliveries.

Mike Vreeland asked during peak hours, what are the number of transactions?

Mr. Oliver stated 35-40 during peak hours.

Mr. Snieckus stated looking at the site plan, it looks like the building is set-up for a drive through.

Mr. Oliver stated this is my first application to the Board.

Mr. Snieckus asked if there is data available that shows the need for a drive through?

Mr. Dixon stated we were told by corporate that the lack of a drive through is a detriment.

Mr. Snieckus asked if an application has been made to the County.

Mr. Dixon stated this is not necessary as it is not a County road.

Mr. Snieckus asked where do the employees park?

Mr. Oliver stated on West Allendale or across the street in the shopping center lot.

Mr. Snieckus stated the proposed signage on the building would conform. I'm not sure if a variance is required for the sign to place orders.

Mr. Dixon stated OK.

Mr. Snieckus stated the outdoor seating requires a variance. Are these permanent seats for year round?

Mr. Dixon stated yes.

Chairman Quinn asked for questions from the Board.

Chairman Quinn asked for questions from the public.

Hearing and seeing none, it was brought back to the Board.

William Scott, Engineer, Warren Township, NJ was sworn in and his credentials accepted by Chris Botta.

Mr. Scott stated he prepared the site plan dated October 5, 2021, last revised March 24, 2022. Sheet 2 of 5 shows the existing conditions. There's a bank drive through and Dunkin Donuts. There's a streetscape improvement with a brick paver patio. Allendale Brook is here and we are not encroaching in this area. We have 13 parking spaces, one is handicap. There is no loading area. The dumpster is facing north and is a single dumpster. Garbage is picked up. The green area is for outside seating, there is some landscaping in the area. There will be more landscaping added.

**Page 7-LUB Minutes-June 15, 2022**

Sheet 3 of 5 – proposed site circulation – 4 spaces separated from the drive through lane. Traffic controls, stop sign is existing, a stop bar can be added. It would be difficult to stop people coming in from DeMercurio, it's hard to put a barrier there. We would install signage stating no left turn. Seating area proposal would be sidewalks, 3 tables, 8 seats. Other areas would remain the same with landscaping upgraded and sidewalks upgraded. The vehicles would enter a drive through lane and will see a preview board. Dunkin Donuts corporate reviewed the plan. There is a height restriction for the vehicles.

Mr. Dixon asked if there was any thought given to the order board. Is it visible from the street?

Mr. Scott stated the entrance sign is visible from the street.

Mr. Dixon stated currently there is a dumpster. We pushed it back. Is the gate self-closing?

Mr. Scott yes, we can do that.

Mr. Dixon stated garbage pick-up is shown on sheet 4 of 5.

Mr. Scott stated the truck is shown. He'll stop at the dumpster and go around the building. This is a front loader truck. There will be a by-pass lane for customers that need to leave.

Mr. Dixon stated parking spaces will be 9 x 18.

Mr. Scott stated this is a function that was designed this way originally. It has been functioning.

Mr. Dixon stated there are C variances, pre-existing non-conforming.

Mr. Scott stated these will remain.

Mr. Dixon stated in Mike Vreeland's report dated June 9, 2022, were you able to put together a site triangle?

Mr. Scott stated no, I didn't prepare an exhibit. I did a review on CAD.

Mr. Scott stated there would be an 8 inch black bollard post, Victorian style, if they would be strong enough.

Mr. Dixon asked about the materials being used for the garbage enclosure.

Mr. Scott stated there would be a new pad, PVC fencing, and a gate to match that would be self-closing.

Mr. Dixon asked if the seating area would be handicap accessible.

Mr. Scott stated yes, I have to look into the regulations.

Mr. Dixon asked if the outside seating would be at ground level.

**Page 8-LUB Minutes-June 15, 2022**

Mr. Scott stated yes and it will be handicap compliant.

Mr. Dixon asked what is the height of the clearance bar?

Mr. Scott stated 8 feet – there could be a conflict with the garbage truck. We may have to relocate it.

Mr. Dixon asked if the site lighting will remain the same.

Mr. Scott stated the existing lighting is to remain, streetscape lighting and flood light to the south east, all to remain, no changes proposed.

Mr. Dixon asked about the garbage receptacles.

Mr. Scott stated there are none shown, we will look into this.

Mr. Scott stated the parking spaces will go from 13 spaces to 4 spaces. The shift will be from walk ins to drive through with cars stacked in the drive through lane.

Chairman Quinn asked Mike Vreeland for his comments.

Mike Vreeland asked regarding the height and the clearance bar, what generates the need?

Mr. Scott stated there is a canopy over the board and pick-up window. This could be an issue.

Mike Vreeland stated I made an observation that if an order is placed ahead of time it eliminates a queuing issue. I'm concerned with the configuration not allowing for ample queuing. This is a busy corner intersection and there is pedestrian traffic.

Board Member Bergen stated I'm curious if corporate has a report as to where the board should be placed in order for the customer's order to be ready in time to pick-up.

Mr. Dixon stated this is a low volume location.

Secretary Daloisio stated my concern is with the current parking. Do you have any studies?

Mr. Scott stated no.

Secretary Daloisio stated there are no dimensions on drawing #3, what is the distance until the cars are blocking the sidewalk?

Mr. Scott stated one car.

Secretary Daloisio asked is this lot one lot?

Mr. Dixon stated yes.

Secretary Daloisio asked you are located behind Wells Fargo, they have two lanes, was there any



**Page 9-LUB Minutes-June 15, 2022**

discussion with them about this?

Mr. Dixon stated we approached the owner and asked if we could use their parking but we never mentioned their drive through lane.

Mr. Oliver stated we spoke to the property owner.

Mr. Dixon stated I spoke to Wells Fargo and got no response.

Secretary Daloisio asked if any traffic study or count has been done?

Mr. Dixon stated with the usage now during peak hours the lot is full.

Secretary Daloisio asked if there will be one stop bar?

Mr. Dixon stated yes and two canopies.

Chairman Quinn asked about the red lines on the plan.

Mr. Scott stated this shows the curbed island for division between their property and the bank exit lane.

Ed Snieckus stated the board sign is not intended as an advertising sign. These are directory signs.

Ed Snieckus stated the definition of signs states that ordering boards are signage.

Ed Snieckus stated the signs consist of the preview board and menu board, which total 39 square feet plus the 2 square feet logo on the entrance directory sign which is 5 square feet. There is also the logo on the clearance bar.

Mr. Dixon stated A1 and A2 are pre-existing signs. These are not changing – we are adding 39 square feet of signage. These are internally lit.

Ed Snieckus asked will they be on all night?

Mr. Dixon stated they will go off after business hours.

Ed Snieckus asked for details on the outdoor benches.

Mr. Snieckus stated they will be ADA compliant and affixed to the floor.

Ed Snieckus asked for information on the fence.

Mr. Dixon stated there will be bollards and may have a chain in between them.

Secretary Daloisio asked what is the industry standard for the amount of stacking distance.

**Page 10-LUB Minutes-June 15, 2022**

Mike Vreeland stated it's hard to make projections with the guidelines, trip generations and size of vehicles.

Secretary Daloisio asked does corporate get involved with what they want to see – do they have a minimum?

Mr. Dixon stated there are regional statistics but nothing specific.

Chairman Quinn asked for questions from the public.

Hearing and seeing none, he brought it back to the Board.

Michael Kauker, Planner, 356 Franklin Avenue, Wyckoff was sworn in and his credentials accepted by Chris Botta.

Mr. Kauker stated the June 1, 2022 report was submitted to the Board.

**Exhibit A3 – Planning and Zoning Analysis**

Mr. Kauker stated the site is in the C1 business district and is 35,681 square feet. It is at the intersection of W. Allendale Avenue and DeMercurio Drive.

The business has been here for about 18 years. The applicant is trying to make it more efficient. The time is cut in half to serve a customer. A walk in customer takes 4-6 minutes to make a transaction. A drive through customer is 2-4 minutes.

The property is well suited for this drive through function. This is an accessory use. This is a productive response to the need of the customers. It is in an appropriate location. The adjacent bank has a drive through. This site is unique in its location and configuration.

Mr. Dixon asked for C variances, one space per 100 square feet – or should a different standard be used?

Mr. Kauker stated usually a food service is tested for spaces per number of seats. I don't feel the Master Plan would be violated. This is a D variance. The bank drive up works. Why wouldn't this work?

Chairman Quinn asked for questions from the Board.

Chairman Quinn stated I agree this is a unique property but comparison to a bank drive through is a reach.

Secretary Daloisio stated I have a problem with the location and we all see the traffic every day. I'm not convinced.

Ed Snieckus stated I think your points were assuming that the traffic was addressed.

Ed Snieckus stated this is the C1 zone. Would you agree that this is a focus on limited drive

**Page 11-LUB Minutes-June 15, 2022**

throughs?

Mr. Kauker stated the shopping center is across the street – that’s evidence that it’s very busy.

Ed Snieckus stated the intent to limit drive throughs is to promote pedestrian safety.

Mr. Kauker stated I feel outdoor dining is not going to go away.

Mr. Dixon stated I believe my client’s intent was to help enhance the walkability of that location and be an enhancement of the streetscape.

Ed Snieckus asked in the Master Plan goal #3 – states is the intensity of the use appropriate?

Mr. Kauker stated it’s limited in scale because of the size of the site.

Chairman Quinn asked for questions from the Board.

Chairman Quinn asked for questions from the public.

Hearing and seeing none, he brought it back to the Board.

Board Member Davis asked now we have three entrances and exits – if approved, will there be any stipulations?

Mr. Dixon stated I spoke to my client briefly and I would suggest that we adjourn until we can get additional testimony on traffic and get information from corporate.

Chris Botta stated this application is carried to the meeting of **July 20, 2022**. No further notice is necessary. Time is waived for the Board to act.

**DISCUSSION:**

**OPEN TO THE PUBLIC FOR COMMENT:**

**ADJOURNMENT:**

On a motion by Board Member Yaccarino, second by Secretary Daloisio, with all members present voting in favor, the meeting was adjourned at 10:46 PM.

Respectfully submitted,

*Linda Garofalo*

Linda Garofalo