



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

B U R G I S
A S S O C I A T E S , I N C .

LETTER OF NONCOMPLIANCE

SENT VIA EMAIL

February 19, 2020

Mr. Joseph Carchi
c/o Mr. Thomas Barrett, Esq.
912 Kinderkamack Road, Suite 1
River Edge, NJ 07661

Re: Borough of River Edge – Zoning Reivew
Proposed Pizzeria Restaurant
486 Kinderkamack Road, Block 804 Lots 13 & 14

Dear Mr. Carchi,

Your application for Zoning Permit Review to occupy the above-referenced space as a pizzeria involving a food handler's license requires a site plan application before the River Edge Land Use Board. Based on the information received, it is assumed that your proposal constitutes a change in tenancy by which the proposed use is substantially consistent with that of the former tenant, Mazzone's Pizzeria, as no additional seating is proposed. As such, please note the following Borough Ordinance provisions as they relate to the proposed restaurant use:

1. In accordance with §350-4E of the Borough Code, *"notwithstanding the provisions of § 350-5B(3), site plan approval shall be required for any building or structure (regardless of its previous use) which is to be used as a restaurant for sit-down service or take-out service or as a fast-food establishment, or any other intended use where a beverage or food handlers' license is required."* **A site plan application to the River Edge Land Use Board is required in order to obtain the requested food handlers' license (and certificate of occupancy).**
2. It has been indicated that there will be no additional seats from the previous pizzeria use and, therefore, the proposed use will not generate an increase in parking demand.
3. Any site plan application to the Land Use Board should include a description of the proposed use including, but not limited to, hours of operation, number of employees including delivery drivers, number of seats, if any, and a floor plan of the space in question.
4. Compliance shall be demonstrated for any proposed sign improvements in accordance with Chapter 416, Article X, Signs and Signage in the Borough Ordinance and any prior resolutions of approval for the site.

You may appeal this decision to the River Edge Land Use Board should you believe that your proposal does not violate the aforementioned Borough Ordinance provisions. Alternatively, you may submit a site plan application to the Land Use Board per the aforementioned food handler's license requirement, including a request for any variance relief, and/or design exceptions, as determined to be necessary. If you wish to appeal and/or apply for a variance, please contact the River Edge Municipal Land Use Clerk at 201-599-6307.

Should you have any questions about this matter, please do not hesitate to contact me at 201-666-1811.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Behrens', written over a horizontal line.

Tom Behrens, PP, AICP