

**BERGENFIELD PLANNING BOARD
REGULAR MEETING MINUTES
June 19, 2023**

Chairman Robert Rivas called the meeting to order at 8:10 P.M.

OPEN PUBLIC MEETING STATEMENT

In compliances with the Open Public Meetings Act, the notice requirements have been satisfied. Meeting dates are confirmed at the Annual Meeting. Notice of this meeting was provided to the Record, Star Ledger, and Cablevision, posted on two municipal public notice bulletin boards and published on the borough website.

Any board member having a conflict of interest involving any matter to come before the board this evening is reminded they must recuse himself/herself from participating in any discussion on this matter.

ROLL CALL

Present: Mayor Amatorio, Phil Neville, Councilman Lodato (arrived at 8:15 pm), Robert Rivas, Romeo Abenoja, Ernesto Acosta (arrived at 9:40 pm), and Ben Cabrera

Absent: Jason Bergman (excused), Miguel Vasquez, and Praveen Joseph (excused)

Also Present: Gloria Oh, Planning Board Attorney, Robert Yuro, Planning Board Engineer, and Hilda Tavitian, Planning Board Clerk

PLEDGE OF ALLEGIANCE

Led by board member Neville.

APPROVE MINUTES OF PREVIOUS MEETING – May 15, 2023

Motion By: Mr. Cabrera

Second By: Mr. Abenoja

All ayes. None opposed.

CORRESPONDENCE

Two letters with applications were received for soil erosion and sediment control plan from the Bergen County Soil Conservation District. The first one was for 1 Norfolk Street, Block 306, Lot 17 for pool and patio. The other one was for 88 Lunn Avenue, Block 205, Lot 29 for a single-family dwelling. No action necessary.

VERBAL COMMUNICATIONS

Comments by members of audience on matters not on evening's agenda

No one came forward.

Close Verbal Communications

Motion By: Mr. Cabrera

Second By: Mr. Abenoja

All ayes. None opposed.

COMMITTEE REPORTS

1. Site Plan – No report.
2. Parking Legal – No report

3. Capital Improvements – Mayor Amatorio stated the construction of the new municipal building is moving forward. They are nearing completion of the turf fields at Twin Boro Field.
4. Master Plan – No report
5. Liaison to Board of Adjustment – No report.

OLD BUSINESS

None.

NEW BUSINESS

1. Site Plan Application: Jin Park/Daniel Lee
58-60 S. Washington Avenue
Reconfigure Interior of Existing Two-Story Building for Proposed
Restaurant Use

Mark Madaio, 29 Legion Drive, Bergenfield, NJ, attorney for applicant, stated the Palace Theater closed a few years ago. The applicant is seeking to convert the property, in its current condition, into a restaurant. The first floor will be traditional Korean barbeque and the second floor will be Korean food, but will be to order. Mr. Madaio stated there will be no changes to the building footprint, site plan, water, or sewer. The parking demand will be reduced to half than it is currently required as the restaurant requires half the parking spaces the theater did. Mr. Ravenda had directed the applicant to seek approval from the Planning Board.

Hojoon Chung, Joon Architecture & Design, LLC, 21 Grand Avenue, Palisades Park, NJ, licensed architect, stated site plan Exhibit A-1 was prepared by him. The property boundary survey previously submitted was labeled as Exhibit A-2. They are not adding any variances and are still deficient in parking spaces. Mr. Chung stated 229 parking spaces were required when it was a theater and they are required to provide 106 parking spaces for the restaurant. The footprint will not be altered. It is mostly interior renovations. The parking standard is determined by the number of seats in the restaurant. They are proposing a total of 298 seats on two floors. The stairway layout will not be altered and will be kept currently existing. The building will be sprinklered. Mr. Chung stated the proposed main entry area on the first floor will be on the south side, where it currently is. There will be a waiting area and seating area near the door where people can wait. The main hallway will be converted to a bar area and open space for tables and chairs that will be set up for Korean barbeque with down draft ventilation. The floor will need to be leveled using steel posts. The kitchen is in the rear of the restaurant next to the bathroom, by the municipal parking lot to make it easier for deliveries and near the dumpster. Mr. Chung stated the two theater rooms on the second floor will be removed. The floor will need to be leveled. There won't be any Korean barbeque or down draft system on the second floor. There will be a bar. The waiters will be bringing the food on trays to the second floor as the kitchen is on the first floor. There will be restrooms and step seating on the second floor. The theater look from the front will not change.

Board member Cabrera inquired how the second floor will be leveled. Mr. Cabrera stated there are a number of buildings on the east and west side of Washington Avenue that have structural issues. He inquired if this building has any structural issues. If answer is yes, how will it be addressed.

Mr. Chung stated the second floor will have a light gauge steel framing system.

Mr. Madaio stated the municipality requested from the Planning Board to undertake an Area in Need of Redevelopment studies. He explained one of the criteria of an Area in Need of Redevelopment study is that the structures, housing, or commercial buildings have structural issues, are dilapidated, past their use

of life, and the housing redevelopment law provides a list of things making a building subject to an area in need of redevelopment.

Mr. Chung stated when done there will be no structural issues with the building. They are working with a structural engineer to ensure there are no issues. He is not aware of any structural problems now.

Mayor Amatorio inquired about how many seats there are in the movie theater. Mayor Amatorio inquired if the only entrance to the proposed restaurant would be the entrance to the movie theater. Mayor Amatorio inquired if the dance studio on the second floor will remain. Mayor Amatorio stated the parking area in the back is municipal property and inquired how it would affect operations if the town constructs multi-level municipal parking in the future. There are always parking issues and the town is considering building a multi-level parking lot in the area and wants to give a heads up.

Mr. Chung stated the theater currently has 669 seats.

Mr. Madaio stated there are also a couple of commercial tenants in the same building that contribute to the parking demand and are staying. Mr. Madaio's response was yes. There will be a refurbishment of the main entrance and will have the movie theater appearance. Mr. Madaio stated the dance studio will remain. They are only removing the two theater rooms on the second floor. Mr. Madaio stated they would have to see the design, but are prepared to maintain the garbage inside. Mr. Madaio stated there currently are solid waste containers behind the theater for other restaurants on Washington Avenue in the municipal lot. They won't be changing any of that.

Mr. Cabrera inquired if they are going to keep the current stairs. He stated the stairs are steep and inquired how they will accommodate anyone who is disabled or in a wheelchair.

Mr. Chung's stated they are going to keep the stairs as they are.

Mr. Madaio stated if the code requires it, they will have to come up with a wheelchair configuration. Mr. Madaio stated the stairs will have to be according to the code. Mr. Madaio stated the barbeque is done at the table. The system to be used will remove the smoke in a downward draft system. The alternative, like the restaurant in Closter utilizes, has elephant trunks on the ceiling, hanging over the barbeque. He stated either system would be to code.

Board member Neville stated he has concerns with being ADA compliant and using the staircase to bring food up and down. He stated elevating the floor would be ADA compliant. The waiters would use one staircase and customers will use the other staircase. Mr. Neville stated he is concerned with them adding to the dumpsters in the back, which is borough property. He inquired if they considered putting in a dumb waiter.

Mr. Chung stated there will be two staircases going to the second floor. Mr. Chung stated they have been in discussion with the owner about putting in a dumb waiter.

Mr. Madaio stated there will be more pick ups of the garbage, also.

Chairman Rivas inquired about where the down draft vents. Mr. Rivas inquired if the businesses surrounding the property have allowed them to look at the structure of the walls that divide their businesses from the movie theater. He inquired if steel beams or some other type of metal will be used. He inquired if there already is a liquor license assigned.

Mr. Chung stated it will be venting from the roof towards the parking lot. Mr. Chung's response was no.

Mr. Madaio stated they will have a structural engineer figure out how to support the entire building with half of the second floor gone and change the building from a theater into a restaurant.

Mr. Chung stated they will be using steel posts.

Mr. Madaio stated the owner does not have a liquor license. They are in the process of acquiring a liquor license. Mr. Madaio stated if there are no liquor licenses, the restaurant will be BYOB. They are currently doing the liquor license transfer from Lula's Latin Cuisine.

Board member Cabrera inquired about the emergency exit on the second floor.

Mr. Madaio stated they expect the borough officials to fully inspect the fire exits. The first floor will have steel posts and beams they will make the floor level. The first floor will be over the height of the current stage. A deck will be built to assure a level floor. The floor leveling in the back of the theater will create a few inches of space.

Mr. Chung stated the stage on the first floor will remain and there will be more space.

Board member Neville inquired what the grade will be to in order to be ADA compliant if the stage remains.

Mr. Chung stated everything will be ADA compliant on the first floor.

Questions from Residents Within 200' and Beyond:

No one came forward.

Kwan Chi, licensed engineer, stated there are no changes to the footprint, egress or ingress, or with the tenants in the building. There is no parking provided now and there will be no new parking when done. The number of parking spaces required is accurate. The electrical system will be upgraded to sustain a sufficient new system. The two roof top air conditioning/heating units currently are in good working condition. The other three will be refurbished. They may add a supplemental AC unit. Mr. Chi stated there is a sewer line that should be sufficient. They can accommodate any updates that may be needed. Mr. Chi stated there would be an approximately 70 sq. ft. trash room, off of the kitchen, that would store daily trash and could be hauled every day as necessary. They would also have an exterior trash container if the borough allows it, like the other businesses. They can arrange to have the trash picked up as early as 5:00am or as late as they want it with the private vendor. Groceries would be delivered from the back door on the first floor. The building has a jut out in the back that will be where deliveries and taking out the trash will take place. Lighting within the building will be changed, but lighting outside in the parking lot was not considered.

Mr. Madaio stated they will cooperate with the board engineer if additional lighting is recommended. The front lighting of the movie theater will be renovated.

Mr. Chi stated the owner wanted to have a dumb waiter and they initially had it in the kitchen. However, there only can be a limited amount of weight, it's very slow, and is not clean. He stated if it's required, they will comply. Equipment will be added on the roof.

Mr. Madaio stated there are no new variances. There are no exterior changes. They are submitting to the Bergen County Planning Board a waiver letter as there are no changes in the footprint or parking.

Mr. Chi stated there was a structural study done for an elevator in the building and it was determined major structural construction would be needed to create an elevator shaft, which would not be ADA compliant. The building is like two buildings. The most likely place to put the elevator would be by the entrance, which is not feasible. They do have ADA compliance for the grading and everything else.

Mr. Madaio stated any decision made by the board is going to require compliance with ADA. The board can't give an ADA waiver letter. They must comply with what ADA requires.

Board member Cabrera inquired if the trash in the trash room will be stored in containers and then taken out.

Mr. Chi stated, yes, it will be stored inside and then taken out the back door.

Board member Neville stated the plans show everything being secured with structural steel. He inquired if the structural steel will go into the basement, with footings, and come up from the bottom.

Mr. Chi stated they will be creating a new floor. There is no basement. They will be putting footings in.

Councilman Lodato inquired if the dumpsters are being used by the other tenants in the building.

Board member Neville stated there are two dumpsters there that are being used by the other tenants.

Board member Cabrera inquired if they are going to get a third dumpster.

Mr. Chi stated yes, if the town allows it.

Councilman Lodato inquired if the kitchen will have any exterior venting.

Mr. Chi stated yes, there will be an exhaust system with a grease fan. The kitchen will also have sprinklers.

Chairman Rivas inquired if there will be a grease pit. He inquired how the grease will be removed. Chairman Rivas inquired if there will ever be a time, the grease will be deposited inside the dumpsters behind the building.

Mr. Chi stated they are doing this by code. All waste will be collected in a grease trap in the basement below the kitchen. There is a window in the basement wall by the back door of the kitchen that will be used for the grease trap. It will need to be cleaned at least twice a month by vacuuming it out. It will accommodate 400 lbs., more can be added if necessary. Mr. Chi stated it can't and won't go into the dumpsters. He stated, by code, they need to hire a grease cleaning consultant.

Daniel Lee, owner of business/operations manager of proposed restaurant, stated everything testified to so far is accurate. Mr. Lee stated on a typical, busy night, there will be a general manager, a captain, 9 servers, and 4 bussers. The chef, sou chef, a line cook, three additional line cooks, a butcher, two prep cooks, and three dishwashers will be working in the kitchen. The restaurant will be open seven days a week from 11:00 a.m. to 11:00 p.m. Mr. Lee stated there will be lunch service. They will be back before the board for signage approval. Mr. Lee explained the front of the store will be what it is today. The movie theater has been there for 100 years. They will renovate and upgrade the front of the store that will include fluorescent lighting. Mr. Lee handed out papers with additional information regarding the proposed restaurant.

Mr. Madaio stated the signs that have the movie posters may have the menu of specialty items. Mr. Madaio stated they would like to preserve the history of the original palace theater.

Mr. Lee stated he knows Bergenfield is a town rich with different ethnicities. He is very proud to be the first person to introduce traditional, tabletop Korean barbeque in the town. He stated he hopes the restaurant can help improve the town and everyone can enjoy it.

Chairman Rivas inquired why they are calling the restaurant "Meat Palace". Mr. Rivas inquired if they will have any reclining seats and show movies.

Mr. Lee stated they did a lot of research and hired professional marketing teams to come up with the name for the restaurant. They wanted to keep the history of the theater and at same time show what the restaurant's main specialty is. Mr. Lee stated they are preserving one screen on the second floor so they can play some music videos, possibly some old movies, to have movie nights.

Mr. Madaio stated the movie theater is not coming back. They will preserve the movie screen for ambiance.

Mayor Amatorio inquired if the restaurant is just for people coming in or can people reserve for group events. He inquired if Mr. Lee owns the building or is leasing the building.

Mr. Lee stated they have no intention to have group events, but they would be able to put tables together for parties. Mr. Lee stated they are leasing the building.

Mr. Madaio stated it would be festive for a baby/wedding shower or an office party. There are copyright issues and they can't just show movies. Mr. Madaio stated the new owner is right here. They closed 5-6 weeks ago.

Board member Acosta inquired if they will be serving alcohol.

Mr. Lee stated yes, they are in the process of getting a liquor license. It's still pending.

Board member Abenoja inquired if he's operated a restaurant like this one before.

Mr. Lee stated he never operated a restaurant himself. The general manager he hired has 25 years of experience and has a food handling license.

Motion to Accept Site Plan Application

Motion By: Mr. Cabrera

Second By: Mayor Amatorio

All ayes. None opposed.

MOTION TO ADJOURN MEETING

Motion By: Mr. Cabrera

Second By: Mayor Amatorio

All ayes. None opposed.

Meeting was adjourned at 10:00 pm.

Respectfully Submitted,

Hilda Tavirian

Hilda Tavitian, Clerk
Planning Board