



May 28, 2025

**Last revised: September 18, 2025**

**(Revision #2)**

VIA EMAIL ONLY

Members of the River Edge Land Use Board  
Borough of River Edge  
705 Kinderkamack Road  
River Edge, New Jersey 07661

**RE: Proposed Static Billboard  
41 Grand Avenue  
Block 1405, Lot 4  
Borough of River Edge  
Bergen County, New Jersey**

Dear Board Members:

Our office has reviewed the application and plans for the proposed static billboard sign at above-referenced property. The subject site is located in the Commercial: Office (C-2) Zoning District and is characterized by an oversized, irregular shaped lot that does not conform to the minimum lot depth requirement of the C-2 Zone. The property is bounded by State Highway Route No. 4 marginal road to the west, Grand Avenue to the south, Johnson Avenue to east and vacant land to the north. Existing site improvements include a two-story brick office building, macadam parking lot, concrete curb, retaining walls, site lighting and landscaping.

The Applicant proposes to construct a 60-foot-tall, double-faced static billboard at the southwest corner of the property. The proposed billboard will require variance relief from the C-2 Zone standards for maximum building height, as well as minimum front, side, and rear yard setback requirements. An analysis of the applicable C-2 District zoning requirements, the associated variances, and our comments based on the submitted application materials are provided below.

**Aerial Photograph**



## **Materials Reviewed**

1. Site Plan, entitled “Proposed Outdoor Advertising Sign, 41 Grand Avenue, Borough of River Edge, Bergen County, New Jersey, Block: 1405, Lot: 4, Tax Map 14”, consisting of three (3) sheets, signed and sealed by William R. Vogt, P.E. of L2A Land Design, LLC, dated March 19, 2025 and last revised ~~April 21, 2025~~ **September 2, 2025**;
2. Survey entitled, “Topographic Survey of Property, Tax Lot 4 – Block 1405, 41 Grand Avenue, Borough of River Edge, Bergen County, New Jersey”, consisting of one (1) sheet signed by William C. Buchok, P.L.S. of Lakeland Sureying, dated January 9, 2025 **and last revised July 10, 2025**;
3. Letter of Noncompliance from Stephen Depken River Edge Construction Official / Zoning Officer dated April 12, 2025;
4. The Borough of River Edge Land Use Board Zoning Application;
5. Borough of River Edge Land Use Board Site Plan Checklist;
6. NJDOT Outdoor Advertising Permit, dated December 26, 2024;
7. Title Excerpt;
8. Planner’s Variance Justification;
9. Revised Photos/Colorized Renderings.
10. Safety and Traffic Analysis for Proposed Freestanding Billboard Sign signed and sealed by Hal Simoff, P.E., P.E. of Simoff Engineering Associates, Inc., dated June 5, 2025.
11. **Letter from Applicant’s Attorney, Stephen P. Sinisi, Esq., dated July 23, 2025.**
12. **Lighting specifications, photometrics and photographs submitted by the Stephen P. Sinisi. Esq.**

## **Completeness Review**

Site Plan Check List:

§350-19 Site Plan Application – General Information Requirements

Y. FOR SIGN APPLICATION ONLY

1. Sign #1 is setback 10.78 feet from the front property line, 10.00 feet from the left/right side yard line and 60.00 feet above grade.  
The proposed size of sign #1 is 672 square feet.  
**Comment: Two (2) signs are proposed on the billboard each with an area of 672 square feet. The Applicant shall provide a response to this item.**
3. The proposed area of all signs is 672 square feet.  
**Comment: Two (2) signs are proposed on the billboard. The total area of all signs are 1,344 square feet. The Applicant shall provide a response to this item.**

4. The proposed total number of signs on the property 3.

**Comment: The total number of signs is four (4). Two (2) existing and two (2) proposed. The Applicant shall provide a response to this item.**

### **Zoning Analysis**

| <b>Zoning Requirements</b>                         |                      |                                     |                                             |                                 |
|----------------------------------------------------|----------------------|-------------------------------------|---------------------------------------------|---------------------------------|
| <b>Commercial: Office (C-2) Zoning District</b>    |                      |                                     |                                             |                                 |
| <b>Description</b>                                 | <b>Required</b>      | <b>Existing</b>                     | <b>Proposed</b>                             | <b>Variance</b>                 |
| Permitted Uses                                     | §416<br>Attachment 2 | Office Building                     | Office Building<br>Billboard <sup>(1)</sup> | <b>d(1) Use<br/>Variance</b>    |
| Minimum Lot Area                                   | 15,000 S.F.          | 18,596.90 S.F.                      | No Change                                   | None                            |
| Minimum Lot Width                                  | 150 Ft.              | 200 Ft.                             | No Change                                   | None                            |
| Minimum Lot Depth                                  | 100 Ft.              | 75 Ft. <b>(EN)</b>                  | No Change                                   | None                            |
| Minimum Front Yard Setback                         | 30 Ft.               | 14.61 Ft. <b>(EN)</b>               | No Change                                   | None                            |
| Minimum Side Yard Setback                          | 15 Ft.               | 37.00 Ft.                           | No Change                                   | None                            |
| Minimum Combined Side<br>Yard Setback              | 35 Ft.               | 37.00 Ft.                           | No Change                                   | None                            |
| Minimum Rear Yard Setback                          | 20 Ft.               | 3.10 Ft.                            | No Change                                   | None                            |
| Maximum Building Height                            | 35 Ft.               | 34.33 Ft.                           | No Change                                   | None                            |
| Maximum Number of Stories                          | 2.5 Stories          | 3 Stories <b>(EN)</b>               | No Change                                   |                                 |
| Maximum Building Coverage                          | 40%<br>(7,439 SF)    | 40.61% <b>(EN)</b><br>(7,552.2 SF)  | 40.75%<br>(7,579.8 SF)                      | <b>Required</b>                 |
| Maximum Lot Coverage                               | 80%<br>(14,877 SF)   | 95.40% <b>(EN)</b><br>(17,741.4 SF) | 95.55%<br>(17,769 SF)                       | <b>Required</b>                 |
| Buffer Zone (between parking<br>areas and streets) | 5 Ft.                | 3.50 Ft. <b>(EN)</b>                | No Change                                   | None                            |
| <b>Billboard</b>                                   |                      |                                     |                                             |                                 |
| <b>Description</b>                                 | <b>Required</b>      | <b>Existing</b>                     | <b>Proposed</b>                             | <b>Variance</b>                 |
| Minimum Front Yard Setback                         | 30 Ft.               | N/A                                 | 10.78 Ft.                                   | <b>Required</b>                 |
| Minimum Side Yard Setback                          | 15 Ft.               | N/A                                 | 10.00 Ft.                                   | <b>Required</b>                 |
| Minimum Combined Side<br>Yard Setback              | 35 Ft.               | N/A                                 | 10.00 Ft.                                   | <b>Required</b>                 |
| Minimum Rear Yard Setback                          | 20 Ft.               | N/A                                 | 17.86 Ft.                                   | <b>Required</b>                 |
| Maximum Building Height                            | 35 Ft.               | N/A                                 | 60.00 Ft.                                   | <b>d(6) Height<br/>Variance</b> |

**(EN)** - Existing Non-Conformity; N/A – Not Applicable

Note(s):

(1) Billboards are not listed as a permitted use within the C-2 Zone, as outlined in §416 Attachment 2.

| <b>Signs and Signage</b> |                 |                 |                                                    |                 |
|--------------------------|-----------------|-----------------|----------------------------------------------------|-----------------|
| <b>Description</b>       | <b>Required</b> | <b>Existing</b> | <b>Proposed</b>                                    | <b>Variance</b> |
| Sign Type                | Various         | N/A             | Billboards <sup>(1)</sup>                          | <b>Required</b> |
| Locations Prohibited     | §416-45         | N/A             | Extends above the<br>roof of principal<br>building | <b>Required</b> |

**(EN)** - Existing Non-Conformity; N/A – Not Applicable

Note(s):

- (1) Billboard signs are prohibited according to Borough Code §416-44A(1). See General Comment 4 below.

### **General Comments**

1. The Applicant shall provide testimony supporting all requested variances from the bulk requirements of the C-2 Zone. **This comment remains applicable, as required.**
2. The Applicant shall confirm that the property is not subject to any covenants or deed restrictions. **This comment remains applicable, as required.**
3. Billboards are not a permitted use within the C-2 Zone; therefore, a d(1) use variance is required. **No further comment is required.**
4. We concur with the Board Planner and the Applicant's Attorney that the current prohibition of billboard signs is unenforceable. Accordingly, the Board should disregard the explicit prohibition and evaluate the application as a standard d(1) use variance request. **No further comment is required.**
5. The site plan indicates that a portion of the property is located within a fluvial flood hazard area, Zone AE (100-year flood zone), as shown on FEMA Flood Insurance Rate Map No. 34003C0191H, revised effective August 28, 2019, and FEMA Bergen County Flood Profile 35P for Coles Brook. The 100-year flood elevation across the site ranges from 13.25 to 13.60 feet, with corresponding flood hazard area design flood elevations ranging from 16.25 to 16.60 feet, as noted on the plan. **No further comment is required.**
6. The Applicant shall clarify whether the Permit-by-Rule cited on the plans under N.J.A.C. 7:13-7.35, pertaining to the placement of one or more utility monopole towers, has been applied for. **The Applicant's Attorney has stated that an applicability determination from NJDEP has been filed and is pending review.**
7. The Applicant has submitted a copy of the Outdoor Advertising Permit approval from the New Jersey Department of Transportation. It is noted that the permit expired on May 15, 2025. The Applicant shall clarify whether the permit has been renewed. **Confirmation that the permit has been renewed has been provided. No further comment is required.**
8. The Photos/Colorized Rendering Rider included with the application does not indicate the preparer. A proper title block should be provided, including the name of the preparer, company, date, and scale. Additionally, the renderings indicate an elevation of 76.32 feet and a sign height of 60.00 feet. It appears that the elevation of 76.32 feet reflects the total height from the existing ground elevation as shown on the site plan; the Applicant shall confirm this. **Addressed, no further comment is required.**
9. The site plan shows four (4) 5000K LED lights on each side of the proposed billboard sign, with luminous output ranging from approximately 48 to 14 lumens. The Applicant shall provide testimony regarding potential lighting impacts on adjacent properties. The luminous output is shown only on the face of the billboard sign and does not include information regarding potential light spillage or the extent to which the light may project beyond the sign. This information shall be addressed in the testimony, and the site plan shall be revised accordingly, if necessary. **The Applicant has submitted photometric data from the light manufacturer indicating that light spillage extends a maximum of 30 feet from the edge of the billboard.**

10. **The Applicant has submitted photometric data from the light manufacturer indicating that light spillage extends a maximum of 30 feet from the edge of the billboard. Since the northeast corner of the billboard is only 17.86 feet from the northerly property line, there is potential for light spill onto the adjacent property. The Applicant has also confirmed that the fixtures can be dimmed and shielded to minimize this effect. We recommend implementing these measures to ensure no light spillage occurs beyond the property limits.**
11. **The Applicant shall clarify whether a traffic study was conducted to evaluate the potential impacts of the proposed signs on vehicular safety. Addressed, a Safety and Traffic Analysis report has been provided with a conclusion that the proposed static billboard sign will not adversely affect vehicular safety. The Applicant's Traffic Engineer shall provide additional testimony at length addressing the conclusion outlined in the report.**
12. **Most of the dual-sided billboard signs in the surrounding area are digital rather than static. The Applicant shall address whether a digital billboard was considered and whether the proposed static billboard could be converted to digital in the future. This comment remains applicable, as required.**
13. **As noted by the Board Planner, several trees have been removed from the planter area since 2023. The Applicant shall indicate whether any new landscaping will be proposed at the base of the billboard. This comment remains applicable, as required.**
14. **The Applicant's Traffic Engineer shall evaluate and discuss the surrounding conditions along the highway corridor in the vicinity of the proposed billboard, including any potential visual obstructions, roadside elements, and adjacent development that may impact driver attention or visibility. This evaluation shall be specifically related to the findings presented in the FHWA Executive Summary of the study referenced in the submitted traffic report. The testimony and analysis should clarify whether the presence of these surrounding elements, in combination with the proposed billboard, could contribute to visual clutter or distraction in a manner inconsistent with the conclusions of the FHWA study. This comment remains applicable.**
15. **The Applicant's Engineer shall provide expanded testimony specifically addressing the proposed lighting design as it relates to this project.**
16. **At the previous hearing, there was discussion regarding the installation of the billboard sign and whether it could be constructed fully within the property. The Applicant shall provide additional testimony addressing whether any information has since been obtained regarding the feasibility of installing the sign on the site.**
17. **The survey has been updated to depict the New Jersey State Highway Route 4 Right-of-Way line, confirming that the property maintains 27.27 feet of frontage along Route 4.**

### **Approvals Required**

It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies in order to construct the proposed development. Including, but not limited to, the following:

- **Bergen County Soil Conservation District**
- **New Jersey Department of Transportation**

➤ **New Jersey Department of Environmental Protection**

Copies of all permits shall be forwarded to this office.

**General Requirements**

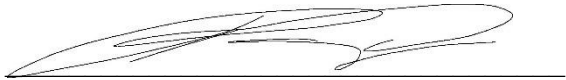
1. Construction activities may only be conducted during hours stipulated by Borough Ordinance. **This requirement remains applicable.**
2. Any adjacent structure, retaining wall, landscaping, curb, piping, pavement, fencing, etc. damaged during construction must be repaired or replaced. **This requirement remains applicable.**
3. The Applicant's plans should indicate an appropriate notation and reference that all construction work for the project must be performed in accordance with all applicable rules and regulations of the Occupational safety and Health Administration (OSHA), the New Jersey Uniform Code, and good construction and engineering practice as it pertains to safety. **This requirement remains applicable.**

The above comments are based on our review of the submitted application and plans. At this time, we recommend that the application be deemed **complete**. We have made every effort to provide a thorough review; however, any future submissions, depending on the nature of revisions, may require additional review and comments.

Should you require additional information or have any further questions please do not hesitate to contact our office at (201) 487-0015.

Very truly yours,

COSTA ENGINEERING CORPORATION



Robert L. Costa, P.E., P.P. & C.M.E.  
Borough of River Edge Land Use Board Engineer

cc: Edwin Alter – Municipal Land Use Clerk (Email only)  
Thomas Behrens – Board Planner (Email only)  
Mark Leibman, Esq. – Conflict Attorney (Email only)  
IAAT Services LLC (Applicant)  
Stephen P. Sinisi, Esq. (Applicant's Attorney)  
William R. Vogt, P.E. (Applicant's Engineer)  
Hal Simoff, P.E. (Applicant's Traffic Engineer)