

Original

VILLAGE OF RIDGEWOOD - APPLICATION FOR DEVELOPMENT

(THIS BOX FOR OFFICIAL USE ONLY)

RECEIVED APR 19 2021  
DATE RECEIVED: APR 19 2021 BLOCK(S): 4703 LOT(S): 10  
ADDRESS OF SUBJECT PROPERTY: 500 ROUTE 17  
APPLICANT NAME: OUTFRONT MEDIA LLC APPLICATION NO.: ZBA 21-16  
☐ PLANNING BOARD ☒ ZONING BOARD OF ADJUSTMENT

TYPE OF APPLICATION(S)	Application Fee(s)	Escrow Deposit(s)
<input type="checkbox"/> Informal Review (§190-43) (PB Only)		
<input type="checkbox"/> Site Plan Exemption (§190-37B(4), -37C)		
<input type="checkbox"/> Minor Site Plan-Waiver of Public Hearing (§190-44B)		
<input type="checkbox"/> Minor Site Plan - Public Hearing (§190-44)		
<input checked="" type="checkbox"/> Preliminary Major Site Plan (§190-46)	\$500	\$2,000
<input checked="" type="checkbox"/> Final Major Site Plan (§190-47)	\$125	\$500
<input type="checkbox"/> Minor Subdivision (§190-45)		
<input type="checkbox"/> Preliminary Major Subdivision (§190-46)		
<input type="checkbox"/> Final Major Subdivision (§190-47)		
<input type="checkbox"/> Exception from Design Standards (§190-60)		
<input type="checkbox"/> "C" Variance (§190-33)		
<input checked="" type="checkbox"/> "D" Variance (§190-34) (ZBA only)	\$1,000	\$4,000
<input type="checkbox"/> Appeal of Zoning Officer Error (§190-29) (ZBA only)		
<input type="checkbox"/> Interpretation of Zoning Regulations (§190-30) (ZBA only)		
<input type="checkbox"/> Permit for Area on Official Map (§190-31)		
<input type="checkbox"/> Permit for Lot not Abutting Street (§190-32)		
<input type="checkbox"/> Certification of Nonconforming Use/Structure (§190-126G) (ZBA Only)		
<input type="checkbox"/> Certification of Subdivision Approval (§190-59)		
<input type="checkbox"/> Extension or Tolling of Approval Timeframes (§190-44F, -45H, -46C(3), -46D, -47D, -47E, -47J, -47K, -51 or -97E)		
<input type="checkbox"/> Amendment of Master Plan or Development Regulations (§190-143, -144) (PB or Council Only)		
<b>TOTAL</b>	<b>\$1,625</b>	<b>\$6,500</b>

**DEVELOPMENT APPLICATION/APPEAL FORM**  
**VILLAGE OF RIDGEWOOD**

*Instructions to Applicants: All applicants are required to complete Parts I, II, III and IV. The various attachments must be completed if they apply to your application. If any parts of the form do not apply to your application, please state "not applicable", "none", etc. If you have any questions, please contact the Board Secretary.*

**PART I. APPLICANT AND OWNER INFORMATION**

- A. Applicant Name OUTFRONT MEDIA LLC
- B. Applicant's Mailing Address 185 ROUTE 46 W, FAIRFIELD, NJ 07004
- C. Applicant Telephone No. 973.575.6900 If unlisted, check here ☐
- D. Applicant Fax No. (973) 276-0038
- E. Applicant's Attorney Name LOUIS L. D'ARMINIO  
C/O PRICE, MEESE, SHULMAN & D'ARMINIO, PC
- F. Applicant's Attorney Address 50 TICE BLVD, SUITE 380 WOODCLIFF LAKE, NJ 07677
- G. Attorney Telephone No. 201.391.3737 Fax Machine No. 201.391.4170
- H. Property Owner's Name SIMPSON,(TRUST) %SUNOCO/KE ANDREWS
- I. Property Owner's Mailing Address 1900 DALROCK RD, ROWLETT, TX 75088
- J. Applicant's interest in land, if not owner (e.g., contract purchaser, owner's agent, etc.)  
LESSEE
- K. Applicant's Ownership. If the applicant is a corporation or partnership applying for permission to subdivide a parcel of land into six (6) or more lots, or applying for a variance to construct a multiple dwelling of twenty-five (25) or more family units or for approval of a site to be used for commercial purposes, a list of the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class must be identified in accordance with §190-64.

SEE DISCLOSURE AT EXHIBIT 1

**PART II. PROPERTY INFORMATION**

A. Address of Subject Property: 500 ROUTE 17

B. Current Tax Map Block Number(s) 4703 Lot(s) 10

C. Zone District(s) OB-2

D. Does the owner or applicant now own or have any interest in any other property that adjoins the premises which are the subject of this application? (check one) ☐ Yes ☒ No  
If yes, describe the adjacent property by block and lot numbers from the current tax map.

E. Are there any deed restrictions, protective covenants, easements, etc. affecting the subject property (check one) ☐ Yes ☐ No If yes, describe below or on a separate sheet.

NONE KNOWN TO APPLICANT. TO BE CONFIRMED BY TITLE SEARCH.

F. Has there been a previous application or appeal to the Board of Adjustment, Planning Board or Village Council involving these premises? ☒ Yes ☐ No If yes, describe below and submit a copy of the resolution(s).

TO BE CONFIRMED.

G. Has this property been the subject of a major retaining wall permit or a major soil permit? ☐ Yes ☐ No If yes, describe below and attach a copy of the permit or resolution.

UNKNOWN TO APPLICANT. TO BE CONFIRMED.

H. Describe the **existing** use and improvements on the property.

Existing tire center/auto repair shop

### PART III. DEVELOPMENT INFORMATION

A. **Proposed Use** (check all that apply).

- ☐ Single Family Residence.
- ☒ Other Use (Please explain, describing the nature of materials and/or services involved, the days and hours of operation, the number of operators and employees, etc.)

CONSTRUCTION AND OPERATION OF SINGLE POLE, DOUBLE-FACED, OFF PREMISE MULTIMESSAGE ADVERTISING SIGN WITH DIMENSIONS OF 10'-6" x 35'-8 1/4" AND A HEIGHT OF 40 FT. APPLICANT PROPOSES 24/7 OPERATION OF SIGN.

B. Describe the **proposed** improvements, including buildings, paving, utilities, storm drainage, lighting, signs, landscaping, fencing, etc. and any alterations to existing improvements.

C. Required approvals or reviews by other governmental agencies other than Planning Board or Board of Adjustment (check all that apply).

VILLAGE OF RIDGEWOOD

- ☐ Historic Preservation Commission
- ☐ Health Department
- ☒ Construction Code Official
- ☐ Soil Movement Permit
- ☐ Retaining Wall Permit
- ☐ Flood Hazard Area Construction Approval
- ☒ Other (describe) NJDOT - SEE PERMIT AT EX. 2
- ☐ Road Opening Permit
- Village ☐
- County ☐
- State ☐

BERGEN AND PASSAIC COUNTY AND  
ADJACENT MUNICIPALITIES

- ☒ Bergen County Planning Board
- ☐ Passaic County Planning Board
- ☐ Borough of Glen Rock
- ☐ Borough of Hawthorne
- ☐ Borough of Hohokus
- ☐ Borough of Midland Park
- ☐ Borough of Paramus
- ☐ Borough of Waldwick
- ☐ Township of Washington
- ☐ Township of Wyckoff

**PART III. DEVELOPMENT INFORMATION (continued)**

STATE AND FEDERAL AGENCIES (if approval required, state nature of approval)

- ☐ N.J. Department of Environmental Protection
- ☐ Freshwater wetlands permits/LOI
  - ☐ Stream encroachment permit
  - ☐ Sewer extension/treatment works approval
  - ☐ Soil and/or groundwater contamination cleanup or determination
  - ☐ Other (describe) \_\_\_\_\_
- ☒ N.J. Department of Transportation
- ☐ Highway access permit
  - ☒ Other (describe) SEE PERMIT AT EXHIBIT 2
- ☐ Bergen County Soil Conservation District
- ☐ Other (describe) \_\_\_\_\_

**D. Persons and agencies for which notice of public hearing is required (check all that apply).**

- ☐ None. Application is exempt from hearing and notice (see § 190-9 and 11).
- ☒ Property owners within 200 feet of subject property (see § 190-12B(1)).
- ☒ Public utility, cable television or local utility company (see § 190-12B(6)).
- ☐ Adjacent municipality (see § 190-12B(2)).
- ☐ Bergen County Planning Board (see § 190-12B(3)).
- ☐ Passaic County Planning Board (see § 190-12B(3)).
- ☒ N.J. Commissioner of Transportation (see § 190-12B(4)).
- ☐ N.J. State Planning Commission (see § 190-12B(5)).

**E. If application is for minor subdivision approval, indicate manner of filing with County Recording Office**

- ☐ Plat
- ☐ Deed

#### PART IV. SIGNATURES AND AUTHORIZATIONS

##### A. Certification/Agreement by Applicant/Appellant.

The undersigned applicant does hereby certify that all the statements contained in this application are true to the best of my knowledge. The undersigned also agrees to keep current all escrow accounts for review of this application and to pay any outstanding balances. The undersigned also consents to the entering & inspection of the subject premises by the Board & its staff as necessary for the review of this application.

OUTFRONT MEDIA LLC

BY: [Signature] MARCH 11, 2020  
Applicant/Appellant JON ANTAL, GENERAL MGR. Date

##### B. Owner Consent. If the applicant is not the property owner, the following consent must be signed by the property owner:

The undersigned owner(s) hereby affirm that this application is being made with my/our knowledge and consent and that the information contained herein is true and correct to the best of my/our knowledge. The undersigned also consents to the entering & inspection of the subject premises by the Board & its staff as necessary for the review of this application.

SIMPSON, (TRUST) %SUNOCO/KE ANDREWS

BY: [Signature] 3/5/20 Thomas J. Simpson POA  
Owner NAME: TITLE: Date  
James E. Simpson & B. Norma Simpson Joint Revocable Trust

##### C. Authorization of Agent. If the applicant is not the property owner, contract purchaser or other person having a proprietary interest in the subject property, the following authorization must be signed by the property owner:

I/We, the undersigned, hereby affirm that the applicant named in Part I of this application form:

☒ is authorized to act as my/our agent in this matter, and I/we agree to any and all terms and conditions that may be imposed on the subject property as a result of this application, to the maximum extent permitted by law.

☐ is NOT authorized to act as my/our agent in this matter, and I/we or my/our legal representative agree to attend the public hearing(s) on this matter in order to represent our interest and express our consent, or lack thereof, to any and all terms and conditions that may be imposed on the subject property as a result of this application.

SIMPSON, (TRUST) %SUNOCO/KE ANDREWS

BY: [Signature] 3/5/20 Thomas J. Simpson POA  
Owner NAME: TITLE: Date  
James E. Simpson & B. Norma Simpson Joint Revocable Trust



**PART IV. SIGNATURES AND AUTHORIZATIONS (continued)**

**D. Anticipated Changes in Application Information.**

The undersigned owner and applicant affirm that there:

☒ ARE NOT now pending or planned any actions, transactions or other events that will change any of the certifications, consents, authorizations or other information presented in this application form, including but not limited to the identity of the applicant or owner and their contact information, other than those changes that may be required by the Board during the course of its review.

☐ ARE now pending or planned actions, transactions or other events that will change some or all of the certifications, consents, authorizations or other information presented in this application form, including but not limited to the identity of the applicant or owner and their contact information, in addition to those changes that may be required by the Board during the course of its review, as indicated on the attached sheet. (attach separate sheet)

In addition, I/we agree that if any presently unknown or unplanned actions, transactions or other events occur prior to the issuance of any permits by the Village for the subject application, which actions, transactions or other events change or will change any of the certifications, consents, authorizations or other information presented in this application form, including but not limited to the identity of the applicant or owner and their contact information, I/we will promptly notify the Board of such changes prior to the issuance of such permits.

Outfront Media LLC

by: 

Applicant/Appellant

Jon Antal, General Manager

Date 3/11/20

SIMPSON (TRUST) % SUNOGO/KE ANDREWS

by: 

Owner

Name:

Title:

James E Simpson & B. Norma Simpson Joint Revocable Trust

Date 3/5/20 Thomas J Simpson PoA

**ATTACHMENT**  
**PROPOSED VIOLATIONS OF THE LAND USE ORDINANCE (Chapter 190)**

This attachment must be completed and submitted if the application is seeking relief from requirements of the Village's development regulations in Chapter 190, *Land Use and Development*.

- A. The following violations of Chapter 190 are proposed by this application (reference the proposed violations by section and paragraph number in the ordinance):

Violations of design standards (§190-77 through §190-95)

SEE ADDENDUM AT EXHIBIT 3

Violations of zoning regulations (§190-96 through §190-128)

SEE ADDENDUM AT EXHIBIT 3

Violations of official map regulations (§190-129 through §190-133)

- B. On a separate sheet, indicate the reasons why you believe that the Board should grant relief of the above ordinance requirements, using the following criteria (check all that apply):

SEE ADDENDUM AT EXHIBIT 3

- ☐ Permit for Area on Official Map (see §190-31F(1) through (3))
- ☐ Permit for Lot not Abutting Street - Official Map (see §190-32F(1) and (2))
- ☒ "C" Variance (see §190-33G(1), (2) and (3))
- ☒ "D" Variance (see §190-34G(1)(a), (b) and (c))
- ☐ Exception from Design Standards - subdivisions and site plans only (see §190-60)



**ATTACHMENT**  
**REQUEST FOR WAIVER OF SUBMISSION REQUIREMENTS**

This attachment must be completed and submitted if the application is seeking waivers from the requirement to submit information on the completeness checklists for development regulations. These checklists are set forth in § 190-67 through -76 of the Village Code.

A. Submission requirements for which a waiver is requested (see checklists for various applications).

B. Indicate the reasons why you believe that the above submission requirements are not relevant or necessary for the Board to take action on this application.

# Exhibit 1

**CERTIFICATE OF OWNERSHIP OF APPLICANT  
AS REQUIRED BY NEW JERSEY LAW  
(P.L. 1977, CHAPTER 336)**

Listed below are names and addresses of all owners of 10% or more of the stock/interest \* in the undersigned applicant corporation/partnership.

	NAME	ADDRESS
1	Outfront Media LLC **	405 Lexington Ave., NY, NY 10174
2		
3		
4		
5		
6		
7		
8		
9		
10		

\*\* Outfront Media LLC is a wholly owned subsidiary of OUTFRONT Media Inc., a publicly traded Maryland corporation.

\* Where corporations/partnerships own 10% or more of the stock/interest in the undersigned or in another corporation/partnership so reported, this requirement shall be followed until the names and addresses of the noncorporate stockholders/individual partners exceeding 10% ownership criterion have been listed.

Outfront Media LLC

By:   
SIGNATURE OF OFFICER/PARTNER  
Patrick J. Smith, Assistant Gen. Counsel

5/5/2017  
DATE

Outfront Media LLC

By:   
SIGNATURE OF APPLICANT CORPORATION/PARTNERSHIP  
Jon Antal, General Manager

# **Exhibit 2**



# State of New Jersey

DEPARTMENT OF TRANSPORTATION  
P.O. Box 600  
Trenton, New Jersey 08625-0600

CHRIS CHRISTIE  
*Governor*

JOSEPH D. BERTONI  
*Acting Commissioner*

KIM GUADAGNO  
*Lt. Governor*

*New Location  
Bk 4703  
Lot 10*

## OUTDOOR ADVERTISING PERMIT

**CBS Outdoor**  
**185 U.S. Highway 46**  
**Fairfield, NJ 07004**

Application No.: **75257**

Pursuant to the provisions of Chapter 413, P.L.1991, as amended, this permit has been issued to the named permittee, indicating approval by the New Jersey Department of Transportation to erect, maintain, or use an outdoor advertising structure or other object for the display of outdoor advertising matter within public view at the location described in his / her original application, which location, type, number of spaces and square foot area are also described below.

This permit does not grant permission to erect or maintain an advertising sign on State highway right-of-way. This permit is conditional, unless a public hearing has been held in accordance with the provisions of section 6 of P.L.1975, c.291 (C.40:55D-10) and, where the permit applicant is a private entity, all relevant local approvals required by the municipality have been received by the private entity seeking the permit.

This permit shall be in effect from the date of issue and will expire on May 15, 2015. It may be renewed under the same terms and conditions as the original application, unless canceled or revoked. This permit is not transferable unless ownership is changed in accordance with regulations.

Description of Permitted Location: **Route N.J. 17** **Milepost 17.40 S.R.D.**  
**W/S, 950 Feet North of Exit to County Route 62 (Franklin Turnpike) - Multimessage**  
**50' X 20' Back-to-Back**  
**Ridgewood Village** **Bergen County**

Dealer #: **600002** Sq. Ft. Area: **2,000** No. of Spaces: **2** Type: **Ground**

Issued by:

*Michael J. McGuire*

Michael J. McGuire  
Supervisor of Outdoor Advertising  
Office of Outdoor Advertising Services

Permit Fee: \$ **635.00**

Date of Issue: **07/07/2014**



# **Exhibit 3**

**APPLICATION ADDENDUM  
OUTFRONT MEDIA LLC**

**500 N.J.S.H. Route 17, Village of Ridgewood, New Jersey  
Block 4703 Lot 10  
Office Building (OB-2) District**

**I. Introduction**

The Applicant, Outfront Media LLC ("Outfront" or "Applicant"), seeks approval to construct and operate a 10'6" x 35'8 1/4" back to back, multmessage outdoor advertising sign ("Proposed Sign") at property located at 500 N.J.S.H. Route 17, Village of Ridgewood, New Jersey and shown on the Village of Ridgewood Tax Map as Block 4703, Lot 10, within the Office Business ("OB-2") District (the "Property"). Outfront is a lessee of a portion of the Property which is owned by Simpson, (Trust) % Sunoco KE Andrews and presently operated as a tire/auto repair center.

The Proposed Sign is intended to be visible to New Jersey State Route 17 and will consist of the following:

Number of panels	2
Height	40'
Dimensions of Digital Face	10'6" x 35'8 1/4"
Square Footage	374.7 sq. ft. per sign face
Total Square Footage	749.4 sq. ft.

The New Jersey Department of Transportation ("NJDOT") has issued to Outfront a state permit for the Proposed Sign which specifically allows for digital multi-message technology. The Proposed Sign will change sign copy every eight seconds in conformance with NJDOT regulations, N.J.A.C. 16:41C-11.1. Thus, the number of ad-

turns that a passing motorist would see on a multmessage digital sign would be essentially the same as he or she would see on a static sign, i.e. one turn. Further, as per State requirements, the Proposed Sign will instantly change copy and not be animated, blink or flash. Id.

The LED technology represents a newer, more efficient manner to change sign face advertising copy. Now, rather than requiring a truck and crew to visit a location and either paint, post or physically remove and install new advertising copy, the same can be instantaneously changed from a central office computer. As a result, LED off-premise signs are increasingly becoming the mode of choice for outdoor advertising installations. In addition to convenience, and providing flexibility to the advertiser, the ability to immediately and remotely change sign copy makes LED signs ideal for posting emergency alerts such as Amber Alerts, police notices, and weather warnings.

## **II. Relief requested**

Pursuant to Section 190-122(B)(a) of the Zoning Regulation of the Village of Ridgewood ("Code"), off-premise advertising signs are not permitted within the OB-2 Zone. Therefore, Outfront requests d(1) use variance relief to construct and operate an outdoor advertising sign at the Property.

The Applicant is also seeking Preliminary and Final Site Plan Approval. To the extent Outfront does not comply with some of the items specifically identified in the Application Checklist, Outfront submits that the installation and operation of the Proposed Sign will have a *de minimis*, if any, affect upon traditional site plan concerns (e.g. sewer, vehicular circulation, storm water management, etc.). As a result, many of the checklist items are not applicable. Finally, in the event it is required, Outfront

reserves the right to seek variances, waivers or other relief from any other condition or requirement of its application at the time of the hearing not expressly heretofore identified.

**A. Outfront is entitled to Use Variance Relief Pursuant to N.J.S.A. 40:55D-70(d)(1)**

Generally, an applicant for a use-related variance must show a) that special reasons exist for the variance and b) that the variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and the zoning ordinance. Alpine Tower v. Mayor & Council Borough of Alpine, 231 N.J. Super. 239, 248 (App. Div. 1989). Outfront respectfully submits that it qualifies for a use variance relief to erect the Proposed Sign. With respect to the Property, and as Outfront's testimony will support, the Proposed Sign is well suited to this particular location because it is adjacent to a major highway and readily visible to motorists.

In addition to the suitability of the site, multi-message technology offers numerous advantages over static illumination. Specifically, the adaptive lighting regulates itself based upon the light at the current moment, such that the message will always appear at no more than 0.3 foot candles above ambient no matter the time of day or surrounding weather conditions. In addition, the lighting is directed through interior louvers towards the traveling public, preventing spill to adjacent areas or sky reflection.

Multi-message technology offers further benefits by (1) providing real time messaging, (2) being more readily accessible to local and national advertisers, (3) allowing advertisers the flexibility to update sign copy images instantaneously, and (4)

providing public service and emergency announcements to the municipality and the region. Importantly, in recent years, multi-message signage has been used by the FBI to capture suspects, during major storms to alert the public as to road and bridge conditions and evacuation routes and for Amber Alerts to locate missing children. Thus, this state of the art technology offers a wide range of benefits to the municipality, the region and the advertisers.

As for the negative criteria, testimony will show that there will be no substantial detriment to any neighboring property. The Proposed Sign is oriented towards the highway and visible primarily to traffic on Route 17. In addition, the Proposed Sign is well buffered by the highway and other commercial uses in the area.

### **III. Conclusion**

At the time of the hearing, Outfront shall, by competent factual and expert engineering and planning testimony and exhibits, establish that the Applicant is entitled to preliminary and final site plan approval with use and any other necessary relief for a double-sided multimessage off-premise sign.

The Applicant reserves the right to provide additional factual and legal arguments at its hearing.