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October 27, 2026

Township of Nutley Planning Board
1 Kennedy Drive
Nutley, New Jersey 07110

Attn: Jessica Liebold

Re: 437 and 441 Franklin Avenue
Preliminary and Final Site Plan
Block 4501, Lots 24 and 25 – B-3 Zoning District

Dear Chairman and Board Members:

We have reviewed the application of Vintom LLC for preliminary and final site plan approval for a new two-story liquor store building adjacent to the existing ShopRite supermarket, together with associated improvements. The subject property is located at 437 and 441 Franklin Avenue, Block 4501, Lots 24 and 25, in the B-3 District. The overall development tract includes additional lots in Blocks 4402, 4501 and 4602.

Documents Reviewed

In preparing this review, we reviewed the following materials included in the application package:

- Revised zoning denial letter issued by David Berry, Zoning Official, dated August 20, 2026;
- Planning Board application for land use action, filed September 29, 2026;
- Architectural plan entitled “Proposed Floor Plan and Exterior Elevations,” prepared by DeBarbieri Architects, LLC, project no. 25-091, dated March 24, 2026, and revised May 28, 2026;
- Four-sheet preliminary and final site plan set prepared by David E. Fantina, P.E., dated March 26, 2026, with revisions noted through July 23, 2026; and
- Recorded PSE&G utility easement materials, including the metes-and-bounds description and easement exhibit.

1. Site and Project Description

The existing two-story masonry ShopRite supermarket fronts on Franklin Avenue. The proposal includes a 64-foot by 83-foot, two-story liquor store building adjacent to the supermarket, with a sales area, beer cooler, wine tasting room, checkout area, storage, office, toilet rooms, two stairways, an elevator and a material lift. Associated site improvements include a loading zone, online-order staging area, accessible parking improvements, relocated cart corrals and light poles, new curbing and concrete, landscaping, a planter, railing and guiderail work.

The overall development tract contains 225,422 square feet. Proposed building coverage is 23.0 percent, and proposed impervious coverage is 81.5 percent. The proposed building height is 34.3 feet and two stories. The proposal includes 303 parking spaces, including 12 accessible spaces, with a calculated parking requirement of 257.15 spaces.

2. Zoning and Bulk Standards

a. Mr. David Berry, Zoning Official, indicates that the application does not require any variances.
b. The proposed building separation/setback at the adjoining condition is 4.5 inches. The applicant should explain the legal and construction relationship between the proposed building and the existing supermarket, including fire separation and maintenance.

3. Plan Inconsistencies and Coordination

The architectural and engineering submissions contain the following discrepancies, which should be reconciled:

a. Building height (Sheet 1 of 4 and architectural Sheet A101): The engineering calculation uses a finished-floor elevation of 93.8 feet, adds 30.0 feet to the roof and subtracts an average front grade of 89.5 feet to obtain a building height of 34.3 feet. The architectural elevations identify wall tops at 32 feet and 35 feet above the first floor. The architect and engineer should reconcile the roof and parapet elevations, verify the average grade used and provide a coordinated height calculation using the applicable ordinance measurement method.
b. Building area and parking basis (Sheet 1 of 4, Sheets 2 and 3 of 4, and Sheet A101): The 64-foot by 83-foot building dimensions yield a rectangular footprint of 5,312 square feet, while the impervious-surface schedule assigns 5,343 square feet to the addition and the parking calculation uses 4,950 square feet for the liquor store. Sheet A101 also includes a second floor containing storage, office and support areas. The applicant should reconcile the footprint and floor-area figures, provide an area schedule for each story and explain which areas are included or excluded from the ordinance parking calculation.
c. Setback schedule (Sheets 1 and 2 of 4): The bulk table lists separate rear-setback requirements of 10 feet and 30 feet without identifying the lot line or condition applicable to each. Sheet 2 identifies a required 10-foot rear setback. The applicant should revise the plans to show the required 30-foot setback adjacent to a residential zone.
d. Independent building versus addition (Sheet A101 and Sheets 1 through 3 of 4): The architectural signage summary describes the new store as independent of the existing ShopRite, while the engineering submission labels the structure an addition and states that existing utility connections will serve it. The applicant should provide a consistent description of the building's physical and operational relationship to the supermarket.

4. Planning Considerations

A. Application Scope and Prior Approvals

1. Prior site plan and variance approvals date to 1990, 1991, 1995 and 1998. The applicant should supply copies of the resolutions and approved plans, and the Board should identify whether prior conditions remain applicable.

B. Proposed Use and Operations

1. The applicant should describe the liquor store's hours of operation, number of employees by shift, anticipated delivery schedule, loading practices, online-order operations and relationship to the existing ShopRite supermarket.
2. A wine tasting room is proposed. The applicant should describe the intended use of this space, its occupancy, hours, licensing and whether food service or special events are contemplated.
3. The applicant should confirm whether the second-floor areas are intended solely for storage, office and building-support functions and identify any portion open to customers.

C. Parking, Circulation and Loading

1. The proposal includes 303 parking spaces, compared with a calculated requirement of 257.15 spaces. Parking continues to be code compliant.
2. Testimony should address the removal and reconfiguration of parking, internal circulation around the new building, online-order staging and loading activity, and safe pedestrian access between the parking field, proposed liquor store and existing supermarket.
3. The applicant should explain loading operations, including vehicle size, frequency, hours, backing movements and measures to avoid conflicts with customer traffic and accessible routes.

D. Architecture and Signage

1. The proposed exterior materials include brick veneer, cultured-stone veneer, EIFS, Hardie plank siding, standing-seam awnings and aluminum storefront systems. The architect should provide a coordinated materials and color board and explain how the new structure relates to the existing supermarket.
2. One 63.62-square-foot illuminated "ShopRite Wines & Spirits" sign is proposed, compared with a calculated permitted sign area of 137.5 square feet. The applicant should confirm all existing and proposed signs for the entire development, including illumination, mounting height, area and compliance with Sections 700-83 and 700-84.

E. Landscaping, Lighting and Streetscape

1. Proposed landscaping includes 37 creeping phlox plants and 16 junipers in planters. The applicant should provide testimony regarding planting locations, mature size, seasonal appearance, maintenance, and irrigation.
2. The plans should clarify whether any streetscape improvements are proposed along Franklin Avenue, including sidewalk and curb work, accessible ramp improvements and restoration within the right-of-way.

F. Grading, Drainage and Utilities

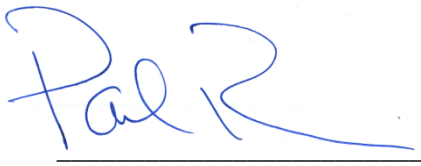
1. Impervious coverage would decrease from 81.9 percent to 81.5 percent.
2. A recorded PSE&G utility easement pertains to electric-vehicle charging equipment. The applicant should explain its relationship to the proposed development and confirm that construction, circulation and landscaping will not interfere with easement rights.

G. Refuse, Recycling and Site Management

1. The plans should identify refuse and recycling storage, enclosure design, screening, collection route and pickup schedule for both the proposed liquor store and existing supermarket.
2. The applicant should explain snow-storage areas, cart management, delivery staging, pavement maintenance and how emergency access will be maintained.

Should you have any questions, please contact us.

Very truly yours,



Paul N. Ricci, AICP, PP
Planning Consultant

cc: Barry Koyzra, Esq., Planning Board Attorney
Dipti Raja, PE, Zoning Board Engineer
David Berry, Zoning Official
Thomas S. Di Biasi, Esq., Applicant's Attorney
David E. Fantina, P.E., Applicant's Engineer
Salvatore Corvino, Applicant's Planning Consultant
Joseph Staigar, P.E., P.P., Applicant's Traffic Engineer
Mohamed Shama, AIA, Applicant's Architect