

December 9, 2025

February 27, 2026 – Revision No. 1

Borough of Emerson
Richard E. Taub, Chairman
Emerson Land Use Board
One Municipal Plaza
Emerson, New Jersey 07630

VIA E-MAIL landusechair@emersonnj.org

Re: Variance Application - Completeness Review – **Revision No. 1**
Applicant: REG-UB Properties, LLC
Old Hook Road & Main Street
Block 1301, Lots 1.01 & 1.02 - RC – Retail Commercial Zone
Borough of Emerson, Bergen County, New Jersey
Neglia File No. EMERSPL25.027

Dear Mr. Taub,

As requested, Neglia Group (“Neglia”) has reviewed the recently submitted variance application at the above-referenced property. The submittal included the following documents:

- Borough of Emerson, Application for Soil Permit, undated;
- Borough of Emerson Application for Development, undated;
- Exhibit A, inclusive of the Deed, Legal Description, Non-Resident Seller’s Tax Declaration, and Affidavit of Consideration for Use by Buyer;
- Exhibit B, an Ownership Diagram;
- Exhibit C, the registered agent in the State of New Jersey;
- Exhibit D, the Description of Property;
- Exhibit E, the List of Variances & Waivers;
- Borough of Emerson, Tree Removal Application Form (Form B), undated;
- Signed and sealed engineering plan, consisting of twenty-one (21) sheets, entitled “Preliminary and Final Site Major Plan for REG-UB Properties, LLC, Proposed Package Liquor Store & Restaurant Pad Site, Block 1301, Lots 1.01 & 1.02; Tax Map Sheet #13 – Latest Revised Dated July 1998, Old Hook Road (CR 502) & Main Street, Borough of Emerson, Bergen County, New Jersey”, prepared by James E. Henry, PE, of Dynamic Engineering, dated September 29, 2025;
- Unsigned and unsealed, Earthwork Analysis sheet, prepared by Joshua M. Sewald, PE, and James E. Henry, PE, of Dynamic Engineering, dated October, 2025;

LYNDHURST

34 Park Avenue
PO Box 426
Lyndhurst, NJ 07071
p. 201.939.8805 f. 201.939.0846

MOUNTAINSIDE

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Mountainside, NJ 07092
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- Signed and sealed architectural plans, consisting of two (2) sheets, entitled, “Regency Centers, New Retail Building, Old Hook Road & Main Street, Emerson, New Jersey 07630”, prepared by William Dahn, RA, dated February 20, 2024, last revised October 14, 2025;
- Signed and sealed, Stormwater Management, Water Quality, and Groundwater analysis for REG-UB Properties, LLC, Proposed Package Liquor Store & Restaurant Pad Site, for Old Hook Road (CR 502) & Main Street, Block 1301, Lots 1.01 & 1.02, Borough of Emerson, Bergen County, New Jersey, prepared by James E. Henry, PE, of Dynamic Engineering, dated October 2025;
- Signed and sealed, Traffic Impact Study, for REG-UB Properties, LLC, Proposed Package Liquor Store & Restaurant Pad Site, for Old Hook Road (CR 502) & Main Street, Block 1301, Lots 1.01 & 1.02, Borough of Emerson, Bergen County, New Jersey, prepared by Kevin Savage, PE, PTOE, and Stacey Jensen, PE, dated October 02, 2025;
- Signed and Sealed Survey, entitled, “Boundary & Topographic Survey, Lots 1.01 & 1.02, Block 1301, Old Hook Road @ Main Street, Borough of Emerson, Bergen County, State of New Jersey”, prepared by Gregory S. Gallas, of Gallas Surveying Group, dated October 10, 2025;
- **Transmittal and response letter, addressed to Marie Shust Board Secretary, for the Reg-UB Properties, LLC Proposed Package Liquor Store & Restaurant Pad Site at Old Hook Road (CR-5025) & Main Street, prepared by James E. Henry, PE, PP, and Conor T. Daly, of Dynamic Engineering Consultants, PC, dated January 15, 2026;**
- **A correspondence letter, from County of Bergen Department of Planning and Engineering, deeming Application No. SP8889 incomplete, signed by Eric Timask, dated January 29, 2025;**
- **Letter from Bergen County Soil Conservation District, consisting of one (1) sheet, signed by Raymond J. Cywinski, dated November 26, 2025;**
- **Signed and unsealed, Environmental Impact Report, consisting of fifty-eight (58) sheets, prepared by James E. Henry, PE, PP, of Dynamic Engineering Consultants, PC, dated January 2026; and**
- **Signed and unsealed, Fidelity National Title Insurance Company, Report of Title, consisting of one hundred and thirty-one (131) sheets, dated May 7, 2025.**

Property Information

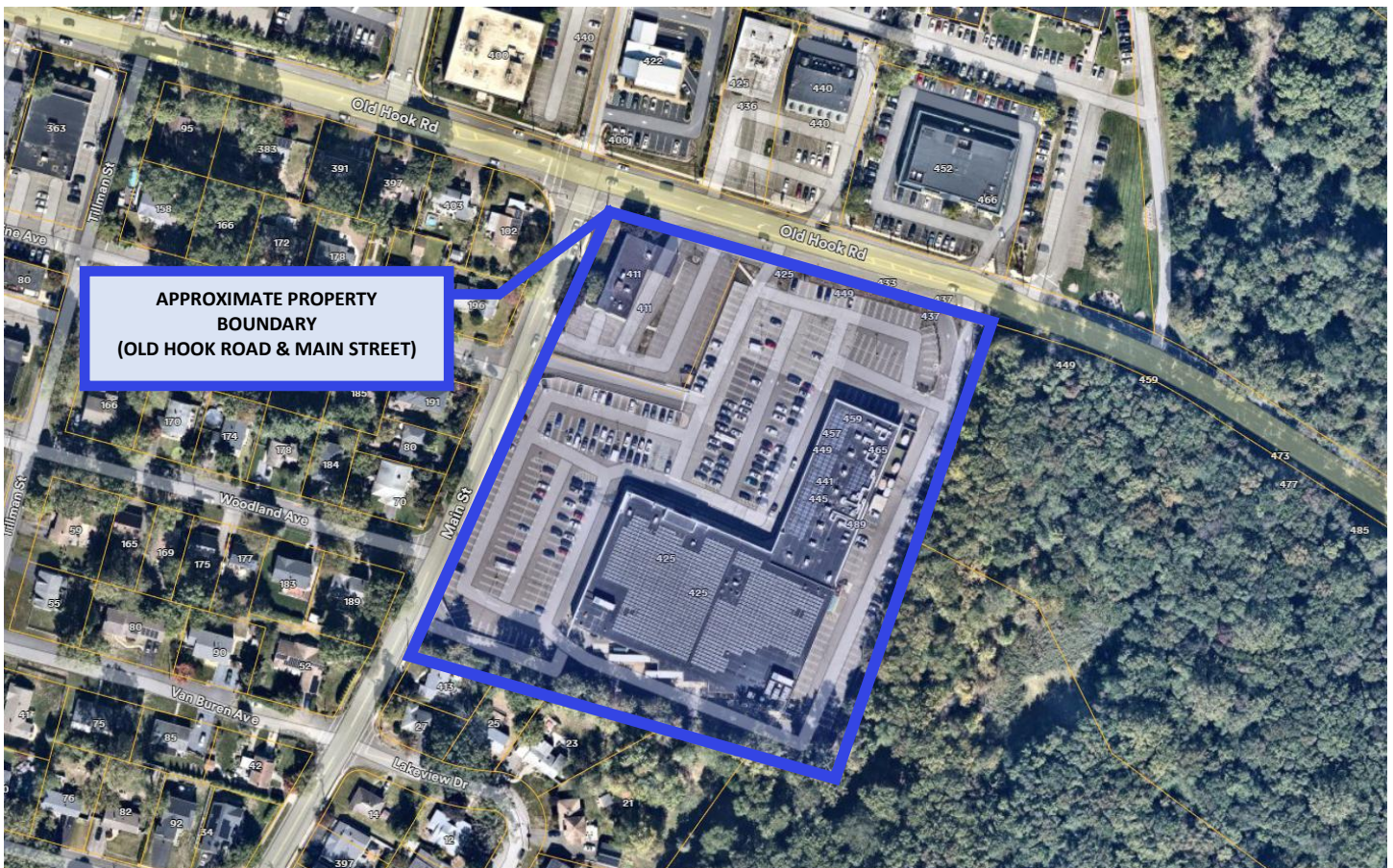
The subject property is identified as Block 1301, Lots 1.01 & 1.02, per the Borough of Emerson Tax Map, commonly referred to as Old Hook Road and Main Street. These lots are located in RC – Retail Commercial Zone, per the Emerson Zoning Map. The subject lots are bordered by Old Hook Road to the north, Main Street to the west, a wooded area (open space conservation zone) to the east, and residential properties to the south. There also appears to be a Slope Easement & 5’ wide road widening easement (granted to the Borough of Emerson) which runs through the west side of both Lots and a 10’ wide road widening easement (granted to County of Bergen) that runs along the north side of both lots along the Old Hook Road (County Route 502).

Lot 1.01 is an L-shaped lot approximately 6.961 acres in area and is currently developed by a 1-2 story commercial building with various stores/facilities such as ShopRite, Glee Nails & Spa, Flynn & O’Hara Uniforms, K9 Doggy Daycare, Local Infusion, Pascack Dental, H&R Block, Club Pilates, Dunkin Donuts, a vacant restaurant, and a vacant office. The building footprint is approximately 70,410 square feet and is commonly referred to as 495 Old Hook Road. Other site features on Lot 1.01 include concrete walkways, concrete ramps, concrete steps, concrete pads, a generator, transformers, bollards, metal steps, an enclosed dumpster area, a compactor, outdoor dog kennels, an asphalt parking lot, concrete curbs, signposts, masonry walls, light poles, utility poles, cart return areas, fencing, and landscaped areas. There are also various

inlets on site which appear to eventually discharge into the existing storm system within the right-of-way on Old Hook Road. There are three (3) exits for this shopping plaza one on the southwest side of the lot along Main Street, another on the northwest side of the lot on Old Hook Road, and a third on the northeast side of the lot along Old Hook Road. There are two (2) entrances for the shopping plaza, one located on the northwest side of the lot along Main Street and the other on the northeast side of the lot along Old Hook Road.

Lot 1.02 is the corner lot, approximately 0.89 acres in area, and is currently developed by a vacant 2-story masonry building (previously a bank and office) and its associated parking lot. The building footprint is approximately 4,166 square feet and is commonly referred to as 411 Old Hook Road. Other site features include masonry walls, lawn areas, trees, concrete curbs, an enclosed dumpster area, concrete islands, concrete walkways, light poles, signposts, a utility box, a water meter, Belgian block curbing, and landscaping. This lot also appears to have inlets along the east side of the lot, which eventually discharge into the existing storm system within the right-of-way on Old Hook Road. Additionally, there are yard inlets on the west side of the lot. On the south side of the Lot, there is a masonry wall that separates the driveway entrance for the shopping plaza and the bank. The exit for the lot is on the northeast side of the lot.

We have included an aerial image of the subject property on the below for the Board’s orientation and reference to the property’s location.



Source: Nearmap

Proposed Improvements

The Applicant proposes to raze all existing features within Lot 1.01, as well as a portion of the existing asphalt parking lot and driveway entrance/exit within Lot 1.02. The Applicant proposed to construct a 7,517 square foot building, which will be comprised of a package liquor store (5,000 square feet) and a restaurant with a maximum of 28 seats (2,517 square feet). The asphalt parking lot will also be reconstructed and now contain a total of 39 parking spaces, inclusive of two (2) ADA parking spaces. The Applicant also proposes reconfiguring the entrance driveways along Main Street to make it a two-way traffic lane (entrance & exit), as well as reconfiguring the exit lane near Old Hook Road. Other site improvements include a monument sign, concrete curbing, bollards, pervious pavers, concrete walkways, concrete retaining walls, a grease trap, a masonry trash enclosure, ADA ramps and handrails, traffic signs, drainage improvements, lighting improvements, and landscape improvements.

Completeness Review

Upon review of the submitted Application, this Application to the Emerson Land Use Board is considered to be substantially **complete**. There are several items which are underlined that remain outstanding, however these items could be considered conditional approval items should the board act favorably upon the application. The conditional items would be submitted after the board approval, unless the board determines these items as critical to the application.

CHECKLIST A: GENERAL REQUIREMENTS FOR ALL APPLICATIONS

1. Application Fee and Escrow Deposit (two separate checks). - **Neglia respectfully defers confirmation of this item to the Board Secretary.**
2. A copy of the latest Deed that associates the property to the applicant, if applicable. - **Received under Exhibit A.**
3. Fourteen (14) copies of the completed Application for Development, plus an electronic copy of all documents emailed to boardsec@emersonnj.org. - **Neglia respectfully defers confirmation of this item to the Board Secretary.**
4. Certification of Payment of property taxes and proof no taxes are due or delinquent on the subject property. - **Neglia respectfully defers confirmation of this item to the Board Secretary / Borough Tax Assessor.**
5. Tree Removal Application Form (FORM 'B'). **Received.**
6. If applicable, a list of stockholders owning five percent (5%) of the stock or having five percent (5%) interest in the corporation; or partnership that owns the subject property, if there are any other than those listed on the application. - **Received under Exhibit B.**
7. Written request for waivers for an item provided in a checklist. – **Received under Exhibit E.**

CHECKLIST D: PRELIMINARY APPROVAL OF SITE PLAN or MAJOR SUBDIVISION WITH or WITHOUT VARIANCE

1. All items listed in Checklist A: General Requirements for All Applications. – **Received.**
2. Fourteen (14) copies of the preliminary Plot Plan showing site plan and/or subdivision proposal, in accordance with Chapter 252 of the Code of the Borough of Emerson, plus an electronic copy sent to boardsec@emersonnj.org. - **Neglia respectfully defers confirmation of this item to the Board Secretary.**

CHECKLIST E: FINAL APPROVAL OF SITE PLAN or MAJOR SUBDIVISION WITH or WITHOUT VARIANCE

1. All items listed in Checklist A: General Requirements for All Applications. – **Received.**
2. Original tracing with signature lines and five (5) prints of approved preliminary Plot Plans with corrections, noting items required by preliminary resolution of approval drawn in and noted on the print. - **Neglia respectfully defers confirmation of this item to the Board Secretary.**
3. Proof of execution of a Developer's Agreement. This is specific to the application and is typically prepared by Applicant's counsel. – **The Applicant shall confirm the applicability of this item. This comment still applies.**
4. Proof of posting of performance and/or maintenance bonds or guarantees, if required. **If the application is approved and resolution compliance is met, our office will prepare a Bond Estimate for which the Applicant will be required to post the required bonds.**
5. Copies of recorded easements, rights-of-way or conveyances of open space or public easements, if required by preliminary approval. – **This item remains outstanding and shall be addressed. This comment still applies.**
6. Bergen County Planning Board approval. Applicant will receive a letter from the Bergen County Planning Board and shall submit the same to the Board. – **The Applicant shall identify any and all outside agency approvals that may be required and provide correspondence regarding status of the same. This comment still applies.**
7. Department of Environmental Protection approval, stream encroachment easements, where required. **The Applicant shall confirm the applicability of this item. This comment still applies.**
8. Bergen County Soil Erosion and Sediment Control Plan approval, where required. **The Applicant shall identify any and all outside agency approvals that may be required and provide correspondence regarding status of the same. This comment still applies.**
9. Federal Army Corps of Engineer approval, specific for wetland development. **The Applicant shall confirm the applicability of this item. This comment still applies.**

Additional Documents required for Completeness:

1. **Environmental Impact Report. - Received**
2. **Planning Report – List of Variances and Waivers has been submitted as the Report - Received.**
3. **Wall stability calculations prepared by a licensed professional engineer in the State of New Jersey for all walls in excess of four (4) feet, including buried depth – Applicant has requested that this information be noted as a condition of approval.**

Final Comments

- 1.1. New and revised materials shall be filed with the Borough and shall not be sent directly to the Board's professionals. The Borough will forward the application and related materials to the Board's professionals when they are finished with their review. Materials submitted directly to Neglia will not be reviewed.
- 1.2. Neglia strongly recommends that the Applicant submit a response letter and/or checklist which addresses each of the items listed above.

We trust you will find the above in order. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Group



David R. Atkinson, P.E., P.P., C.M.E.
For the Borough Engineer
Borough of Emerson
DRA/ko/kf

Very truly yours,
Neglia Group



Katherine Orellana
For the Borough Engineer
Borough of Emerson

Cc: Marie Shust, Board Secretary (via e-mail, boardsec@emersonnj.org)
Joseph Mecca Esq., Board Attorney (via e-mail, joe@jmeccalaw.com)
REG-UB Properties, LLC, Applicant/Owner (via e-mail, joeallegretti@regencycenters.com)
Animo A. Del Vecchio, Esq., Applicant's Attorney (via e-mail, adelvecchio@beattielaw.com)
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