

Paramus Planning Board Meeting
Thursday, February 2nd, 2023

Chairman Conte at 7:00PM in the Council Chambers, called a regular meeting of the Paramus Planning Board in the Borough Hall on Thursday, February 2nd, 2023.

Pledge of Allegiance

Mr. Caminiti, Sr.

Statement of Notification

Chairman Conte advised that The Planning Board has complied with the open public meeting act (The Sunshine Law) by notifying two newspapers, The Record and The Ridgewood News of Tonight's meeting with the agenda. Also Posted is a copy of the agenda on the Bulletin board, and a copy of the agenda is on file in the Borough Clerk's office.

Roll Call

D. Niland
P. Caminiti
C. Leo
Chairman Conte
Mayor DiPiazza
A. Feorenzo
J. Vergona
R. Voorhis
C. Philibosian

Absent

K. Hook
F. Capolupo
Councilman Kaiser
J. Vergona

Also Present

Susan Bischoff	Court Reporter
Francis Reiner, PP, LLA	DMR Architect, Planner
John Yakimik P.E.	Boswell McClave Engineering, Acting Board Engineer
John Dunlea, P.E.	Neglia Engineering Group, Board Engineer
Matthew E. Gilson, Esq.	Weiner Law Group, LLP., Planning Board Attorney

Review:

Mayor and Council Ordinance Proposed:

2023-07 An Ordinance to Amend Chapter 429 of the Code of the Borough of Paramus Titled "Zoning" and specifically section 429-6 Titled "Definitions", Section 429-121 Titled "Permitted Used" and Section 429-135 Titled "Regulations Applicable" and adding A New Section 429-124.1 Title "Design Standards for Self-Storage Buildings"

Review:

Mayor and Council requested the Planning Board to review proposed ordinance, # 2023-07. Board Planner, Mr. Reiner explains the ordinance to the Board and public. Ordinance 2023-07 pertains to storage facilities. The ordinance proposes that storage facilities will only be allowed if they are 500 ft off a state highway. The ordinance continues with addressing a set of design standards regarding 60% of the façade will be required to be brick or decorative block. Board member Mr. Niland asks if the proposed building have requirements of height. Board Planner, Mr. Reiner states that all other building requirements would be required to meet the code for HCC zone. The requirements are 36 ft max height and rear set back with be 25 ft except if there it backs up to a residential property, then it would be 100 ft. Mr. Reiner explained that there are only a limited amount of properties in the Borough that would meet the requirement of 500 ft off a state highway, and they don't back up to a residential property. Board member Mr. Niland suggest that the Borough should add that the rear of the storage facility should have the same as the front façade. Vice-Chairman Mr. Feorenzo asks if the Borough can advise the developer what to put on the outside? Board Planner, Mr. Reiner states no. Board member, Mr. Philibosian asks about parking requirements? Mr. Reiner states the development would have to meet the current Borough requirements. Board member Mr. Caminiti mentions that the ordinance should have wording that prohibits the storage of hazardous materials. Board Attorney, Mr. Gilson advises that there should be wording in the ordinance with language pertaining to rental units not being used for personal entertainment, adherence to the blue laws, and no storing of hazardous materials. Board member, Mr. Leo inquires as to the loading docks and the site plan. Mr. Reiner states that the developer would have to come to the Planning Board for Site Plan approval.

Voting:

Motion to send a **Report of the Board's Review and Recommendations of Proposed Mayor and Council Ordinances 2023-01, 2023-02, 2023-3, 2023-04**, requested by Mr. Caminiti, 2nd by Vice-Chairman Feorenzo.

In favor

Opposed

Abstained

Hearing:

Applicant: JK Farm & Realty, LLC.
Pascack Road
Block 7701, Lots 2.Q, 3.Q & 4
Block 7003, Lot 1.QQ
Preliminary & Final Site Plan & Signage
Senior Housing
Carried from our 1.5.23 & 1.19.23 meetings

Attorney: Stuart D. Liebman, Esq.
Wells, Jaworski & Liebman, LLP.
12 Route 17 North
Paramus, NJ. 07652
201-587-0888

Discussion:

Applicant Attorney, Mr. Liebman continues with this application which was carried from our 1.5.23 and 1.19.23 meetings. Mr. Liebman re-introduces applicant Engineer, Mr. Daniel LaMothe who describes exhibit A-7 revised page 2, with the existing berm (mount of soil) and with the proposed fence added, as the residents requested. The 8 ft fence requires a variance. The applicant also moved the ADA parking to underneath the building. They lost one spot, but this application has plenty of parking. Board Planner, Mr. Reiner acknowledges that the applicant has added additional landscaping by installing evergreens at the size of 8-10 ft. Mr. Liebman introduces applicant Planner, Mr. Joseph Burgis who describes that this application is helpful to the community by allowing residents to age in place. There is two parts to this proposed community, senior housing and assisted living. There are two variances being requested with this application. One for the 8ft fence, where 6ft is allowed. Mr. Burgis explains that granting this variance has no negative criteria as it is a public safety issue and the surrounding neighbors want the fence. The other variance requested, 3 short dead-end isles. The applicant is requesting a waiver for the lighting in the parking areas, which would add visibility. The applicant is providing 24.3 affordable housing units and 10% of assisted living beds. Resident, Mr. William Bushman, 328 Georgian Drive mentions that there is no sidewalk on Pascack Road and it's a public safety issue. One of his neighbors was hit and killed on that road. Board Attorney, Mr. Gilson states that he spoke to the Director of Planning for Bergen County

and the County said that they would be looking at that request. Resident, Mr. Norman Gin, 329 Georgian Drive inquires as to the sewer impact with this project and Solider Hill project. Mr. Liebman states that the applicant is following the requirements by the Borough as to the sewer system.
(Board Planner, Mr. Reiner left the meeting at 8:10pm)

Voting:

Vote to approve, **JK Farm & Realty, LLC**. Motion to grant requested by Vice-Chairman Feorenzo, 2nd by Mr. Leo.

In favor
7

Opposed
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Abstained
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Hearing:

Applicant: Rudy Sarkis
270 Alpine Drive
Block 1605, Lot 3
Major Soil Movement Permit

Engineer: Mr. Perry Frenzel, PE
Azzolina & Feury Engineering, Inc.
30 Madison Avenue
Paramus, NJ 07652
201-845-8500

Discussion:

Application Engineer, Mr. Perry Frenzel describes this Major Soil Movement application for the demo of a house and pool. This property is zoned R-150. This property has an existing non-conformity pertaining to the density of the lot. The applicant will use some of the soil movement to spread out on the property and build up the grade to make a flatter area for the pool. The property will have seepage pits for drainage. The property will remove 10 trees. Board Engineer, Mr. TenKate asks if the applicant can realign the proposed retaining wall. This will save 4 trees. If the retaining wall is over 3ft the Borough needs to see plans and the Engineer needs to sign off on the plans. In addition to the seepage pit, there are 3 catch basins for better drainage on the property.

Voting:

Vote to approve, **Rudy Sarkis, 270 Alpine Drive, Major Soil Movement Permit**. Motion to grant requested by Mr. Caminiti, Sr., 2nd by Mr. Philiboisan.

In favor
7

Opposed
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Abstained
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Hearing:

Applicant: Paramus Ridgewood, LLC.
677 Paramus Road
Block 6702, Lot 1
Preliminary & Final Site Plan, Bulk Variance
Carried from our 1.20.22 Meeting

Attorney: Benjamin Wine
Prime & Tuvel
1 University Plaza Drive # 500
Hackensack, NJ 07601
201-883-1010

Discussion:

Applicant Attorney, Mr. Benjamin Wine, explains this application for a convenience store which was carried from the Board's 1.20.22 meeting. The applicant Attorney reminds the Board of that the property for this proposed development is located in a Neighborhood Business zone. Mr. Wine introduces Mr. Matthew Seckler, who is the applicant Engineer and Planner. This application is requesting 8 variances and 3 design waivers. Mr. Wine shares exhibit A-7, an ariel view. Exhibit A-8, the Site Plan, which shows the building, is propose to be home plate style. The applicant has eliminated one driveway. This proposed development has county roads on both sides, which will need Bergen County approval. The proposed development proposes 15 parking spaces including 1 ADA space and 1 employee stall in front of the dumpster. Deliveries would be 40ft box truck once a week. The applicant proposes a 6ft high board on board fence around the building, which keeps the activity of the site away from the residents. The applicant will a lot more landscaping. The proposed lighting will have a zero percent candle spillage. Exhibit A-9 is introduced showing the architectural plans. Mayor DiPiazza asks how far is the nearest neighbor's property? 10.2 feet is the closest and 37.7 from the house to the building. Board member Mr. Voorhis asks about addressing the east corner and the activity that has 2 bus stops? Board Engineer, Mr. TenKate confirms with the applicant, that they are taking the proposed propane exchange removed from this application. Yes, it has been removed. The applicant has eliminated one driveway and the other curb cut is proposed at 30 feet wide, which the applicant will need County approval. Board member Mr. Caminiti, asks the applicant do they have a tenant for

this proposed convenience store? How can the Board be reviewing and possibly approval this application and not know who the tenant will be? Mr. Wine states that it will most likely be a national chain. Mr. Wine introduces Mr. Uzat Maciyan, the applicant principal who states that he owns many convenience stores. He states that he has his own brand of convenience stores, and most likely that what will be established here. He will have 2 employee and will not be open 24 hours. Board member, Mr. Caminiti asks if the owner will pursue a liquor license? Mr. Maciyan states that if the laws change, he might. Board member, Mr. Caminiti states that he doesn't know how the other Board members feel but, he feels that he would like to see that the County has approved the proposed development, curb cut and driveway traffic before moving forward hearing this application. The Board decided that they will wait for the County approval/comments regarding this application. Resident, Mrs. Schiling, of 148 Douglas Drive asks the Board and the applicant Attorney for a list of the 16 variances that the applicant is requesting. Applicant Attorney, Mr. Wine, will get that list to the Board Secretary, who can forward to the Mrs. Schiling. Dr. Bhatt, a resident of Douglas Drive thanked the Board for keeping the residents informed and for asking very important detailed questions of the applicant.

Voting:

Approve **Vouchers to be Paid**. Motion to approve request by Chairman Conte, 2nd by Mr. Voorhis

In favor

6

Opposed

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Abstained

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Voting:

Accept Minutes from **January 5th, 2022** Meeting. Motion to grant request by Chairman Conte, 2nd by Vice-Chairman Feorenzo.

In favor

3

Opposed

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Abstained

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Planning Board Attorney

Matthew E. Gilson, Esq.

Weiner Law Group, LLP.

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Parsippany, NJ 07054

973-403-1100

Planner

Francis A. Reiner, PP, LLA
DMR Architects
777 Terrace Avenue, 6th Fl, Suite 607
Hasbrouck Heights, N.J. 07604
201-288-2600

Borough Engineer up to 2022

Boswell Engineering
Pete TenKate, PE
330 South Phillips Avenue
South Hackensack, N.J. 07606
201-265-2100 ext. 619

Borough Engineer 2023

Neglia Engineering
John Dunlea, PE
34 Park Avenue
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Lyndhurst, NJ 07071
201939-8805 ext. 119

Court Reporter

C/O Beth Calderone, CCR
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