

Paramus Planning Board Meeting
Thursday, February 16th, 2023

Acting Chairman Feorenzo 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. Vergona

Statement of Notification

Acting Chairman Feorenzo 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
K. Hook
A. Feorenzo
Councilman Kaiser
J. Vergona
R. Voorhis
C. Philibosian

Absent

P. Caminiti
C. Leo
Chairman Conte
Mayor DiPiazza
F. Capolupo

Also Present

Beth Calderdone, CCR Court Reporter
Daniel Hauben, PP, AICP DMR Architect, Planner
Pete TenKate, P.E. Boswell McClave Engineering, Board Engineer
John Dunlea, P.E. Neglia Engineering Group, Board Engineer
Matthew E. Gilson, Esq. Weiner Law Group, LLP., Planning Board Attorney

Announcement:

Board Secretary, Ms. Maryellen Parente announces to the Board and the public that pending Board applicant, **99 Paramus, LLC., 681 Paramus Rd & 143 W. Ridgewood Avenue, Block 6701, Lot 7, Preliminary & Final Site Plan, Variance, Major Soil Movement Permit** (formally known as A2 Enterprises, LLC.) which was carried from the Board's 1.7.21, 3.3.22, 5.5.22 and 6.9.23 meetings, **HAS BEEN WITHDRAWN BY THE APPLICANT** without prejudice.

Appearance:

Applicant: UE Bergen East, LLC.
Bergen Town Center-Eastside
Block 803, Lot 2
Preliminary & Final Major Site Plan
Conditional Use Approval/Variance Approval
Major Soil Movement
Mixed Use Multifamily & Retail Building

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

Discussion:

Applicant Attorney, Mr. James Delia addresses the Board requesting this matter be carried to the Board's next meeting, 3.2.23 meeting. Mr. Delia explains that in complying with Land Use Law, he made 200ft notice for this application, which included the Maywood residents behind the proposed property. He was advised that some of the Maywood residents were not notified. The Borough of Maywood's 200ft list was not correct and did not include residents on one street. Mr. Delia states that by law, he could proceed with presenting this application tonight, as he made notice and since the error made was by the Borough of Maywood. Mr. Delia feels that would not be in the best interest of his client and the neighbors. Therefore, he would like to request of the Board to carry this application to the Board's next meeting, 3.2.23. Mr. Delia states that he will make notice again to all parties involved.

Hearing:

**Applicant: Amit Krishnatry
158 Summit Drive
Block 1705, Lot 1
Major Soil Movement Permit**

**Attorney: The Law Office of Stephen P. Sinisi, LLC
Stephen P. Sinisi
2 Sear Drive
Paramus, NJ 07652
201- 599.1600**

Discussion:

Applicant Attorney, Mr. Stephen Sinisi describes this application for a Major Soil Movement Permit for a new residential house, retaining wall and pool in a R-150 zone. Mr. Sinisi introduces the Board applicant Engineer, Mr. William Page. Mr. Page describes introduced exhibit A-1, Site Plan for the proposed changes. This property backs Arcola Country Club. The applicant proposed was going to ask for a variance related to parking in front of the house, however, the applicant has eliminated the request. The applicant is coming before the Planning Board because of the Major Soil Movement Permit. The soil movement is to help level the property for the patio and pool. The applicant will bring in the fill and use some of the cut from the property as part of the fill. Mr. Page states that there is a 25-foot drop to the south east corner, where the applicant has proposed a 14ft retaining wall. Mr. Page describes the retaining wall via exhibit A-2, Site Plan. There are storm water management for the property. Board member Mr. Niland asks about the storm water management. Mr. Page states that they will have piping and a basin for water runoff. Acting Chairman Feorenzo suggests that the applicant has inlets on each corner. Board member Mr. Philibosian asks why he does not have a copy of the Site Plan? The Site Plan was not given with the application packet. A Major Soil Movement Permit does not require submitting a Site Plan. Board Attorney Mr. Gilson explains that residential properties that are requesting a variance need to appear before the Board of Adjustments, not Planning Board. Mr. Page testifies as the applicant Planner. Mr. Page states that the height of the retaining wall is justified because of the hardship of the water management on this property. Board Planner, Mr. Hauben asks why are we hearing a Planner's testimony on a Major Soil Movement Permit? Applicant Attorney, Mr. Sinisi states that the applicant needs a variance for the height of the retaining wall. Mr. Sinisi further explains that the Planning Board can hear residential variance requests. Board Attorney Mr.

Gilson explains that the Planning Board will not be in a position to grant a residential variance for the height of the retaining wall. The applicant would have to go before the Board of Adjustments. If the applicant would like approval on the retaining wall, then they would have to go to that Board. The Planning Board can approve the Major Soil Movement Permit only.

Voting:

Motion to approve, **Amit Krishnatry-158 Summit Drive, Major Soil Movement**, requested by Acting Chairman Feorenzo, 2nd by Mr. Philibosian.

<u>In favor</u>	<u>Opposed</u>	<u>Abstained</u>
7	0	0

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 Uses” and Section 429-135 Titled “Regulations Applicable” and Adding A New Section 429.-124.1 Titled “Designed Standards for Self-Storage Buildings

Review:

Mayor and Council requested the Planning Board to review amendments to Chapter 429, specifically, 429-121, 429-121 and 429-124.1. Board Planner, Mr. Reiner explains the proposed changes to the Code with this proposed amendment, to the Board and public. Proposed ordinance # 2023-07 pertains to storage facilities. The changes proposed would only allow storage facilities 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 buildings have height requirements? 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. The Board agreed that they will suggest that

the storage facilities monitor the storage of hazardous materials. The Board's Attorney, Mr. Gilson will write a letter to Mayor and Council with the Board's suggestions pertaining to the amendment of the code.

Voting:

Motion to send a **Report of the Board's Review and Recommendations of Proposed Mayor and Council Ordinance # 2023-07**, requested by Acting Chairman Feorenzo, 2nd by Mr. Hook.

In favor
7

Opposed
0

Abstained
0

Voting:

Approve **Vouchers to be Paid**. Motion to approve request by Councilman Kaiser, 2nd by Acting Chairman Feorenzo.

In favor
7

Opposed
0

Abstained
0

Voting:

Approve Minutes from **February 2nd, 2023** Meeting. Motion to grant request by Councilman Kaiser, 2nd by Acting Chairman Feorenzo.

In favor
4

Opposed
0

Abstained
0

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Borough Engineer 2023

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