

Paramus Planning Board Meeting
Thursday, March 2nd, 2023

Councilman Kaiser at 7:02PM in the Council Chambers, called a regular meeting of the Paramus Planning Board in the Borough Hall on Thursday, March 2nd, 2023.

Pledge of Allegiance

Mr. Niland

Statement of Notification

Councilman Kaiser 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
C. Leo
K. Hook
Mayor DiPiazza
Councilman Kaiser
J. Vergona
C. Philibosian

Absent

P. Caminiti
Chairman Conte
A. Feorenzo
F. Capolupo
R. Voorhis

Also Present

Susan Bischoff, 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

Appointment:

Board Secretary, Ms. Maryellen Parente asks for a Motion to appoint Councilman Robert Kaiser to act as Chairman for tonight's Planning Board meeting. Chairman Conte and Vice-Chairman Feorenzo are absent. Mr. Hook made a motion and it was seconded by Mr. Niland. The motion was approved unanimously.

Resolution Voting:

Vote to approve **Resolution #23-06, Rudy Sarkis, 270 Alpine Drive-Major Soil Movement Application.** Motion to grant request by Mayor DiPiazza, 2nd by Councilman Kaiser.

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| <u>In favor</u> | <u>Opposed</u> | <u>Abstained</u> |
| 3 | 0 | 0 |

Resolution Voting:

Vote to approve **Resolution #23-07, JK Farm & Realty, LLC.** Motion to grant request by Mayor DiPiazza, 2nd by Mr. Leo.

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| <u>In favor</u> | <u>Opposed</u> | <u>Abstained</u> |
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Hearing:

**Applicant: Paramus Care, LLC.
461 Route 17N
Block 5302, Lot 16
Minor Site Plan
Parking Variance**

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

Discussion:

Applicant Attorney, Mr. Benjamin Wine, Esq. describes this application which is proposing to renovate the existing building to occupy four tenants. One of the applicants is confirmed to be Medrite Medical urgent care center. At this time, the applicant does not know the other three tenants. Mr. Wine introduces Matthew Seckler, applicant Engineer and Planner. Mr. Seckler describes exhibit A-1 showing the building which previous tenant was Hoffman Koos, but more recently, was occupied by a

COVID-19 test center. Exhibit A-2 was introduced which shows a colorized plan of the proposed Site Plan. Mr. Seckler shares that the applicant will leave the building as a two story and maintain the cross driveway shared with the Verizon store. The first floor, which is 4,600sqft will be occupied by Medrite. Medrite will have 5 employees. Exhibit A-3 shows a rendering with more windows on the rear of the building. Board member Mr. Niland asks if the rear of the building will have any lighting or signage? No signage, and lighting is only for safety. Mr. Seckler states that the rear buffer to the residents remain unchanged but the applicant is planning on adding vegetation to increase privacy. Board member Ken Hook asks if the windows added in the rear on second-floor, can you see into the rear neighbor's homes? Mr. Seckler states that windows are placed higher on the wall and because of the angle, visitors to the building cannot reach the windows to look through. Board member, Ken Hook reminds the applicant that the signage for any future tenants that do not comply with the Borough ordinances will have to come back to the Board for approval. Board Engineer, Mr. Dunlea recommends that the applicant stripe and mill the entire parking lot. The applicant Attorney states that his client agrees. Mr. Dunlea further discusses the landscaping, maintaining snow renewal, trash removal, and drainage pertaining to cleaning the sewer. Board Planner, Mr. Hauben addressed the Board with recommendations of the 3 additional ADA spaces. Mr. Hauben recommends they be re-aligned with a floating sidewalk. The driveway should have signs directing visitors and only allow one-way traffic. Resident, Ms. Nancy Weuste, 15 Columbine Road asks how the applicant came up with the peak hours? Ms. Weuste states that she believes that the property does not have enough parking. Ms. Weuste also has concerns about the E.V. parking spaces near the residences because electric charging stations can cause fires. Mr. Wine reminds the Board and public that E.V. charging stations are required by NJ State. Ms. Weuste also had concern with not knowing the other three tenants of the building. The Board explained that if any of the other tenants are a medical use the tenant would have to come back to the Board for approval. Mr. Marc Weuste, 15 Columbine Rd, asks if the applicant is reducing the rear buffer area near the residents? Mr. Weuste states that the owner of the property never maintains the property. Mr. Weuste also is not happy with the proposed windows on the rear. Ms. Kelly Gutierrez, 12 Columbine Rd expresses concern about the fact that the neighbors do not know the other three tenants. Ms. Gutierrez further explains that if the applicant has 5 employees and with other visitors to the site including the three other tenants, the parking will over flow to streets behind the property, where she lives. This is what happened during COVID, when the building was a Covid testing site. Ms. Gutierrez states that she has the notice for this application and it has lists of all the conditions that the

applicant is asking the Board approval for. Board Attorney, Mr. Gilson explains to the public that the legal notice submitted to the paper by the applicant lists the existing noncomedies with the property, in addition to what the applicant is asking the Board approval for. Resident, Mr. Kenneth Hofsommer, 27 West Midland Avenue expresses concern about the proposed rear windows. Mr. Hofsommer states that occupants of the building can look down onto his back yard and his children. Mr. Hofsommer also asks about the rear entrance. Will any visitors to the site use that? No, it is for safety and employees. Mr. Hofsommer recommends to have a pcv 8ft fence added to the buffer. Board Attorney, Mr. Gilson states that the Borough ordinance only allows for a 6ft fence, therefore the Board would have to approve a variance for an 8ft Fence. Resident, Ms. Weuste asks if the applicant is the previous owner of building back from 2016? Applicant Attorney, Mr. Wine states that the applicant is leasing the building from the current owner.

(Mayor DiPiazza arrives to the meeting at 7:15pm.)

Voting:

Motion to approve, **Paramus Care, LLC.**, requested by Mayor DiPiazza, 2nd by Mr. Leo.

In favor

7

Opposed

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Abstained

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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 address the Board requesting that his client's application be carried to the Board's next meeting, 3.16.23. Mr. Delia states that it is now 9:00 pm, and he knows that the Board adjourns at 10:00pm and the Board still has another applicant, McDonald's application to hear. The Board agreed.

Hearing:

Applicant: McDonald's Corporation
828 Route 17
Block 7403, Lot 4
Site Plan, Variances, Major Soil Movement
Carried from our 11.3.22 Meeting

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

Discussion:

Applicant Attorney, Mr. Benjamin Wine continues with this application carried from our 11.3.22 meeting. The proposed changes include a new building with a redesigned drive thru. Mr. Wine introduces, Mr. Tiego Durante, the applicant Engineer who describes the original Site Plan. Exhibit A-4 is introduced as Site Plan rendering revised. Mr. Tiego calls attention to the loading zone and 6 parking spaces on the north side of the property. The applicant will use the existing fence line and install a 6ft pcv fence with a row of shrubs in front of the fence. Board Engineer, Mr. TenKate states that he recommends that the applicant install warning signs to the ADA spaces and no deliveries before 7am. Board Planner, Mr. Hauben recommends the loading is not used during regular business hours. Applicant Traffic Engineer, Mr. Patrick Downy is introduced. Mr. Downy states that the applicant received a DOT letter of no interest. The current condition with three driveways will remain. Applicant Planner, Mr. Matthew Flynn introduces exhibit A-5, an ariel photo of the existing rectangle building. Mr. Flynn states that the proposed building improves impervious coverage while making the rear set back of the building further from the rear residents. Board Engineer, Mr. TenKate reminds the applicant about the sewer connection and there is a 6-month lighting review from the Borough.

Voting:

Motion to approve, **McDonald's Corporation**, requested by Mr. Niland, 2nd by Councilman Kaiser.

In favor
6

Opposed
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Abstained
0

Voting:

Approve **Vouchers to be Paid**. Motion to approve request by Mr. Niland, 2nd by Mr. Hook.

In favor
7

Opposed
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Abstained
0

Voting:

Approve Minutes from **February 16th, 2023** Meeting. Motion to grant request by Councilman Kaiser, 2nd by Mr. Hook.

In favor
6

Opposed
0

Abstained
0

Planning Board Attorney

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Weiner Law Group, LLP.
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Parsippany, NJ 07054
973-403-1100

Planner

Daniel Hauben, PP AICP
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

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Court Reporter

C/O Beth Calderone, CCR

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