

Paramus Planning Board Meeting
Thursday, April 6th, 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, April 6th, 2023.

Pledge of Allegiance

Mayor DiPiazza

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

C. Leo
K. Hook
Chairman Conte
A. Feorenzo
Mayor DiPiazza
Councilman Kaiser
R. Voorhis
C. Philibosian

Absent

D. Niland
P. Caminiti
F. Capolupo
J. Vergona

Also Present

Francis Reiner, PP, LLA	DMR Architect, Board 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 Member Resignation

Planning Board Attorney Matthew E. Gilson announces and reads into the record that Board member and former Board Chairman Peter Caminiti, Sr.

has submitted his resignation. Chairman Conte thanked Mr. Caminiti for his many years of service to the Board and Borough.

Resolution Voting:

Vote to approve **Resolution #23-09, McDonald's Corporation.** Motion to grant request by Councilman Kaiser, 2nd by Mayor DiPiazza.

<u>In favor</u>	<u>Opposed</u>	<u>Abstained</u>
4	0	0

Resolution Voting:

Vote to approve **Resolution #23-10, Paramus Care, LLC.** Motion to grant request by Councilman Kaiser, 2nd by Mayor DiPiazza.

<u>In favor</u>	<u>Opposed</u>	<u>Abstained</u>
6	0	

Request for Extension of Approvals:

Applicant: Margaret A. Mowle, as Trustee of Margaret Scanelli Revocable Trust
391 Harrison Street
Block 5508, Lot 10.01
Minor Subdivision

Attorney: James Delia, Esq.
Jennifer Berado, 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 an extension of approvals for Board applicant, Margaret A. Mowle, as Trustee of Margaret Scanelli Revocable Trust which was approved by the Board with Resolution # 22-25. Mr. Delia further explains that the when his firm went to file the deed for subdivision there was an incorrect lot number used, therefore he needs an extension to correct and file the deed with the correct lot number.

Voting:

Motion to approve **an extension on the Approvals for Margaret A. Mowle, as Trustee of the Margaret Scanelli Revocable Trust, Resolution # 22-25** requested by Chairman Conte. Hook, 2nd by Mr. Philibosian.

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

Applicant: T-Mobile Northeast, LLC.
285 East Midland Avenue
Block 5706, Lot 9
Waiver of Site Plan-Upgrade of Existing FCC License Wireless
Telecommunication Facility with Monopine Extension

Attorney: Frank Ferraro Esq.
Ferraro & Stamos, LLP.
22 Paris Avenue, Ste. 105
Rockleigh, NJ 07647
201-767-4122

Discussion:

Applicant Attorney, Mr. Frank Ferraro describes this application for a waiver of Site Plan approval for an upgrade to the existing telecommunication pole. Mr. Ferraro states that there are 9 antennas existing and T-Mobile is looking to increase the coverage with adding equipment. Board Attorney Mr. Gilson states that there is a Federal Law that allows telecommunication companies to be granted a waiver as to approval for site plan when doing this. Board Engineer, Mr. Dunlea states that pertaining to Engineering comments on this waiver, he has no exception. Mr. Dunlea does recommend to the Board that they ask for more screening of the west parking lot. Mr. Ferraro states that his client, T-Mobile does not own the pole and there is not able to make upgrades to the property. Vice-Chairman Mr. Feorenzo asks how many companies are servicing from that pole? Mr. Ferraro states four carriers.

Voting:

Motion to approve **waiver of Site Plan for T-Mobile Northeast, LLC.**, requested by Councilman Kaiser, 2nd by Vice-Chairman Feorenzo.

<u>In favor</u>	<u>Opposed</u>	<u>Abstained</u>
8	0	0

Hearing:

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
Carried from our 3.16.23 Meeting**

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

Discussion:

Applicant Attorney, Mr. James Delia continues with this application which the Board has carried from our 3.16.23. Mr. Delia states that his client and professional team has met with the Borough of Paramus' Police and Fire Departments. The applicant has welcomed the Department's suggestions. Mr. Delia re-introduces applicant Engineer, Mr. Daniel LaMothe, who shares again exhibit A-2 Exhibit Site Plan and A-3, a rendering of the Site Plan. With exhibit A-4, layout, Mr. LaMothe states that from the feedback from Police and Fire Departments the applicant is changing the crosswalk between Buildings A & B, at the northerly end. The applicant is eliminating the pedestrian crosswalk and will install a railing that directs walkers to the main pedestrian cross walk. Another change from this meeting, the applicant has added a loading area to Building B. Exhibit A-5, Shepard Way, as per suggested by the Police, the applicant has made a change to the two lanes where the property meets at Shop Rite, one for going straight and one turning left. The applicant eliminated the two lanes and now will direct everyone into one lane into Lowes, which will eliminate the movement of lanes. Chairman Conte asks will this change going to cause confusion with drivers? Mr. LaMothe states that it frees up traffic. Maywood resident, Mr. Alex Bushong, 61 Locust Drive, is the new loading area for residential move ins or only retail? Will the loading area generate noises? The loading area is for both, the residential move ins will be scheduled. Pertaining to the noise element, the complex will not allow large scale trucks to unload, only smaller box trucks. Mr. Bushong questions the retaining wall by Lowes and how the building height was calculated on the south side. Mr. LaMothe states that the building height, the side grades and the calculations comply with Borough code. Mr. LaMothe states that the applicant has applied for a BCUA sewer permit and the Borough's Department of Public Works' report has no concerns. Resident and Councilperson Jackie DeMuro and resident and Councilperson Jacquie Flynn both have concern about the

buffer zone and the soil erosion. They both wonder what are the applicant's plan? Specificity, they are concerned about the residents on Locust Drive. Mr. Delia states that the applicant is working with the residents and the applicant's Landscaping Designer, who will be testifying at the applicant's next hearing. Both Councilpersons also has concern about the lighting and it meeting code or else have shielding to nearby residential properties. They would also like to see speed tables and concerned about removing trees and addressing draining issues. Mr. Delia states that the applicant's Landscaping Engineer will address. Vice-Chairman Feorenzo states that these drainage issues are ongoing. Maywood resident, Joseph Camisa, 105 Locust Drive, thanked the applicant for meeting with the residents pertaining to the landscaping and further screening the Locust Drive residents. Maywood resident, Nancy Bousli inquired as to the Soil Movement how will long will that take? Mr. Delia states that it is done in stages and will be done within 3-6 month. He further states that the applicant will do everything to control dust and erosions. The applicant will work with the Borough Police. They will use tracking pads and a sediment fence. Mr. Delia introduces Mr. John Harter, Applicant Traffic Engineer. Mr. Harter states that the change of the traffic pattern generated by building this proposed development will actually be smaller in volume, but different patterns. The site will have 6 points of access. The applicant shares exhibits A-6, a letter from DOT letter of no interest. Mr. Harter mentions that when the applicant's Professional team met with the Police and Fire Departments, the Fire Department advised that the fire trucks can enter and exit the site. As applicant Engineer, Mr. LaMothe mentioned the Police and Fire Department meeting brought a concern with the right into the area between both Building A & Building B with the pedestrian crosswalk. The applicant has chosen to remove the cross walk and install a pedestrian railing. Mr. Harter also mentions the change of the entry to the property from two lanes to one. Mr. Delia mentions exhibit A-6, the Traffic Report, revised 3.24.23. Chairman Conte asks if there are any proposed traffic lights? The applicant has contacted Bergen County several times regarding a signal for the Best Buy driveway several times, but the County states that there is not a need for a signal. Chairman Conte mentions that a previous application in the area posted monies for a signal light in case a light was needed. Vice-Chairman Feorenzo wants to make sure that the move in hours need to be regulated. Councilman Kaiser asks if there will be back up of traffic from Forest Ave exit ramp to Route 4? Applicant Attorney, Mr. Delia states that the traffic study shows that would not be a concern. Board Engineer, Mr. TenKate states the applicant met with the Police and Fire Departments within the Borough. Both Departments had concerns about Building A only having one exit and they were looking for a second means for egress. Board Planner, Mr. Reiner asks if the Traffic Study pertaining to peak hours,

did it or didn't it include the trip estimates of the proposed small retail in the development? Applicant Attorney states yes it was included. Mayor DiPiazza would like the applicant to make sure the signage will help with the changing of the lanes for Shepard Way. Mayor DiPiazza states that there should be way finding signs for the residential development property and Shop Rite property. The applicant agrees. Maywood resident John Brown, 41 Stealing Avenue, had mentioned concerns with the east side of the property by Lowe's parking lot and Shop Rite. The plans shared with the Board and the public didn't have Building B extended as far as it should. Mr. Brown also expressed concern with the traffic generated from this proposed property on Maywood Avenue. Mr. Delia states that this is a permitted use for this property and the applicant has done a Traffic Study. Mr. Brown states that the applicant asked the Planning Board if there were any future projects in the area, for the purpose of conducting this Traffic Study, and at the time, the Planning Board said that there were not. Mr. Brown states that he feels that the applicant knew that there was a proposed medical building proposed in front of Bergen Town Center. Mr. Brown mentions the two-story house on the property of 25 East Spring Valley Road? Will that be development. Board Attorney, Mr. Gilson states that the public is not permitted to ask about property that is not included in the application. A representative from the Borough's Environment Committee has questions, which they submitted to the applicant's Attorney. Mr. Delia states that he will respond to the Committee's questions and concerns at the next hearing date.

(This application has been carried to our 4/20/23 meeting. The applicant then carried from our 4/20/23 meeting to our 5/4/23 meeting.)

Voting:

Approve **Vouchers to be Paid**. Motion to approve request by Vice-Chairman Feorenzo, 2nd by Mr. Leo.

In favor
8

Opposed
0

Abstained
0

Voting:

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

In favor
5

Opposed
0

Abstained
0

Planning Board Attorney

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