

BOARD OF ADJUSTMENT – BOROUGH OF PARAMUS

May 31, 2018

A special meeting of the Board of Adjustment, in Borough Hall, was called to order at 7:30 by Chairman Caminiti.

PLEDGE

Led by Mr. Sheikh

ROLL CALL

Present: Mrs. Gunderson, Messrs. McKenna, Ricchiuti, Caminiti, Sheikh

Absent: Messrs. Cirillo, Putrino, DiNapoli

Also present: Daniel Lagana, Esquire

Valerie Frazita, Secretary

Mark Everett, Planner

Beth Calderone, Court Reporter

Peter Ten Kate, Engineer

NOTIFICATION

The Chairman announced that, in accordance with the Open Public Meetings Act, adequate notice of this meeting was given as follows:

Notice specifying time and place transmitted to the Record and Ridgewood News

Copy of notice posted on the public announcements bulletin board

Copy of same submitted to the Borough Clerk's office.

NEW BUSINESS: Appointment of Board Attorney

Motion by Caminiti, seconded by Gunderson, to appoint the firm of Chasan Lamparello Mallon & Cappuzzo, represented by Daniel Lagana, Esquire, as Board of Adjustment attorney.

FOR: McKenna, Ricchiuti, Gunderson, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

PUBLIC HEARINGS: Commercial

Docket No. 7106

GS Portfolio Holdings

Paramus Park

Stew Leonard grocery store and movie theater

Stuart Liebman, Esquire, representing applicant.

CONTINUED FROM MAY 10, 2018 – POSTPONED FROM MAY 24, 2018.

Mr. Liebman advised that Board had several hearings re use of Sears building – Stew Leonard proposed on first floor, movie theaters on second – require variance for outdoor storage, signs, soil and site – will hear planner and traffic engineer. A-7 (silo attached to building plan).

Jay Troutman, traffic engineer. Advised prepared traffic impact study A-8 (traffic study) Did counts, etc – unique that no increase of retail square footage and to have grocery store in Mall – have many ingresses and egresses – different hours for movie theater and store – intersections looked at during prior approval – feel can operate successfully – can address all Boswell comments – effectively moving movie theater from one point to another.

In reply to Mr. Caminiti, witness said that did traffic study at Midland and From Road.

Mr. McKenna questioned Fire handling with packed parking lot. Mr. Liebman said no negative comments from Fire.

Mr. Caminiti discussed Police report and concerns with large delivery trucks. Mr. Troutman replied that deliveries on West side, radii designed to accommodate. Mr. Liebman added that will have employees parking in that area. Mr. Troutman described stripping, cross walks and guide rail in truck area. Mr. Liebman stipulated that would meet with Police and address their concerns and concerns of OEM.

Mr. Ten Kate questioned encouraging employees to park – feel should implement traffic improvements now. Mr. Liebman suggested condition to be done 12 months after CO. Mr. Ten Kate wants applicant to take care of repair of pedestrian bridge over Sprout Brook now.

Bridgette Bogart, planner. Stated that the key aspect is that is a large site with building at southern end. A-9 (sears photos) Modernizing façade, making more interactive and pedestrian friendly – modified signage to adapt to existing conditions. Requesting 24 foot aisle width which has become typical – reviewed sign variances – the way the letters in logo are set up makes sign much larger – sign not located on business wall because of building division. Feel benefits outweigh detriments for sign variances – signage in keeping with architecture – reducing number of signs previously approved – no visual clutter, thoughtfully done – no public detriment, no residences nearby – need to attract for better and unique experience. Feel Borough Code needs to catch up.

Ms. Bogart continued that will have outdoor display of mostly agricultural products. – proposed activates entire south end – site particularly well suited. Will have covered storage around perimeter – could be considered accessory use – applicant has mitigated concerns by adding safety features, bollards, etc.

Mr. Caminiti wanted CCTV to added to patio eating area and questioned material used to attach silo.

In reply to Mr. Everett, Ms. Bogart said that other businesses may copy sign size but would not be that terrible.

Mr. Ten Kate questioned outdoor storage for other sites in future. Ms. Bogart replied that have to recognize changing environment.

In reply to Mrs. Gunderson, Mr. Liebman said that applicant will have to get tent permit.

Mr. Liebman advised Board that when malls started, all contained a super market - malls now need to get people back in, retail sector struggling. Stew Leonard will bring people in to Mall and Paramus – outdoor storage very minimal, very controlled – retail needs to keep changing – asking for approval for signs, outdoor display of goods, waiver for parking aisle width, soil and site plan. Will be condition for CCTV in patio area, barriers for outdoor area, repair bridge, implement prior approval conditions 12 months after CO of movie theater, tent 3 times a year, employee parking for SL, come back if some items need to be improved and comply with OEM and Boswell.

Motion by Gunderson, seconded by Ricchiuti, to APPROVE with conditions.

FOR: McKenna, Ricchiuti, Gunderson, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

NEW BUSINESS: Minutes

Motion by Caminiti, seconded by McKenna, to approve May 10, 2018, minutes

FOR: McKenna, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

NEW BUSINESS: Bills

Motion by McKenna, seconded by Caminiti, to pay bills

FOR: McKenna, Ricchiuti, Gunderson, Caminiti, Sheikh,

OPPOSED: None

MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Mr. Ricchiuti, seconded by Mrs. Gunderson, that the meeting stand adjourned. All in favor. Meeting adjourned 10:15.

Respectfully submitted:

Valerie Frazita, Board Secretary

