

BOARD OF ADJUSTMENT – BOROUGH OF PARAMUS

March 24, 2016

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

PLEDGE

Led by Mr. Clark

ROLL CALL

Present: Mrs. Gunderson (left at 9:30) Messrs. Putrino, Clark, Lagana, McKenna, Ricchiuti
Sheikh, DiNapoli

Absent: Mr. Caminiti

Also present: John Ten Hoeve, Board Attorney
Valerie Frazita, Secretary
Beth Calderone, Court Reporter
Dennis Harrington, Engineer
Mark Everett, Planner

NOTIFICATION

Mr. Lagana 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

PUBLIC HEARINGS: Residential

Docket No. 7054

Block 3805 Lot 6

Construct new dwelling with Use variance.

Wanat

224 Concord Drive

Douglas Bern, Esquire, representing applicant.

Mr. Bern advised that proposing a single family dwelling which conforms except for "slight" Floor Area Ratio variance.

Gary Erwin, architect/planner. Described proposed – existing one story dwelling with one car garage – proposing two-story dwelling, four bedrooms, two car garage. A-1 (site plan 2/11/16) No town trees will be removed – no change in curb cut – will add drainage system – FAR necessary for garage and possible bedroom on first floor. Feel will increase value of neighborhood, increase taxes and will not impair zone and Master Plan.

Mr. Sheikh discussed other trees on site.

In reply to Mrs. Gunderson, witness said that will be two people living in house.

Mr. Ricchiuti questioned the location of the bedroom on the first floor. Witness replied that want ability to make for future use of applicant's mother. He also said that he did not know the FAR of houses in the neighborhood.

Mr. Putrino commented that built dwelling next door without variances – problem with hardship – applicant can made modification to existing plan – does not fit on lot – have other lots available in town – difference between what one wants and what one needs – newer houses in area all have deeper lots.

Mr. Ten Hoeve questioned the statement that proposed is in line with neighborhood - existing is mostly ranch houses. Could make smaller house and garage.

Agnes Wanat sworn. Stated that own property – handicapped mother will be living in house – in future, may have to convert living room to bedroom. Mrs. Gunderson questioned how would convert living room to bedroom and where would add bathroom. Should handicap accessible be considered?

Motion by Putrino, seconded by Clark, to DENY application.

FOR DENIAL: Gunderson, Putrino, Clark, Lagana, McKenna, Ricchiuti, Sheikh

OPPOSED: None

MOTION CARRIED.

PUBLIC HEARINGS: Commercial

Docket No. 7053

Block 5203 Lot 2

Carports with solar panels.

Safari Energy

Paramus Park

Michael Beck, Esquire, representing applicant.

Mr. Beck stated proposed in BG zone – proposing solar facility – 3 carport canopies to hold solar panels – small concrete pad which will be fenced – 13’6” in height – all current circulation and parking will remain – Paramus has not as yet addressed solar so application becomes Use Variance – will offset power usage of Mall – New Jersey has amended MLUL to make inherently beneficial. Is value to community – impervious coverage increased with footings which will reduce parking.

Richard Ivins, engineer. Witness testified that will be no conflict with current improvements at Mall – all electrical underground – concrete pad has electric panel – rain and snow will drip through panels which are in a “V” and tilted to avoid snow issue – helps with glare. A-1 (site plan detail)

In reply to Mr. Ricchiuti, witness said that Mall will use all the energy – briefly might back-feed on Sunday, but very rare – Mall has base load.

In reply to Mr. Harrington, Mr. Ivins said that concrete pad is 3 x 3 x6 – electrical equipment is fully enclosed – panels are 6 x 3-1/2 with a gap between for runoff – is possible that could be icing under panels, but have not seen. Mr. Everett was concerned with ice accumulating and falling off canopy.

Mr. Ivins concluded that he felt no negative effect.

C. Rosati, site engineer. Witness said prepared plan – described location. A-2 (location plan) Will be 3000 plus panels – underground conduit into electrical room in Mall. No lot changes or loss in spaces – columns 3 foot in diameter – affects 83 spaces – if restriped, would lose 24 spaces – 3 light stanchions will be removed - ceiling mounted LED lights under panels – will be better lit than now – lights will be photo cell control for safety.

Witness continued that will remove 10 birch trees and will replace – spoke with Shade Tree and will work with them. One handicap space will be relocated – no impact on ring road – special footings over storm sewers – adding some impervious – runoff will be no different than existing. Will submit structural and GEO tech report – will provide signs on base of each column.

Putrino was concerned with adding weight to predominately peat soil – suggested cameras for safety and discussed having repair work in lot completed prior.

Mr. Ten Hoeve also suggested repair before panels. Mr. Beck advised that no paving is currently proposed.

In reply to Mr. Sheik’s question on alternative methods, Mr. Beck said that Mall already has panels on roof.

Mr. Dason questioned effect on wildlife.

J. Towle, Safari Energy. Advised that snow will melt and take care of itself – Mall is aware of maintenance issue – requested that prior repairs not be condition – will do some patching – panels

provide alternative energy – General Growth owns and controls low – have not seen any wildlife nesting issues except for problem with geese. Soil is peat and bedrock.

Mr. Lagana was concerned with covered area and questioned security system. Mr. Towle felt could be installed in a few key spots.

In reply to Mr. Ricchiuti, witness said that General Growth owns project and Safari Energy builds and maintains.

Mr. Ten Hoeve advised that have 3 open issues: security camera, review of Geo tech, condition of lot.

James Kyle, planner. Stated is inherently beneficial – offsetting 9% of Mall energy. A-4 (colored aerial 3/23/16) Buildings on Route 17 cut off view – location fairly isolated – no impact on storm water, etc. – will work with Shade Tree on landscape – increase of impervious di minimus – does not impact parking.

Mr. Beck stated that green energy technology – Board heard witnesses and answered questions – two open questions on security and repair of lot – Board can impose conditions. Agree that will patch and repair – will install 360 degree security camera. Mr. Ten Hoeve added that condition could be that engineer will work with Board engineer on security and paving.

Motion by Ricchiuti, seconded by Gunderson, to approve with condition of security camera and repaving.

FOR: Putrino, Clark, Lagana, McKenna, Ricchiuti, Gunderson, Sheikh

OPPOSED: None

MOTION CARRIED.

Docket No. 7039-Site

Block 5716 Lots 8 & 9
Children's day care facility.

Baghal

E. Midland Avenue

Mrs. Gunderson recused herself a 9:30.

Stephen Sinisi, Esquire, representing applicant.

Mr. Sinisi advised that applicant was granted Use variance and is returning for site plan approval, etc. J-1 (resolution of Use 10/8/15)

Mathew Jarmel, architect. Mr. Jarmel advised that proposed is two-story, 11,960 SF, facility with 598 SF per floor – masonry block with stucco on second level – sloping roof with well for mechanicals – canopy over door with colored letters on columns – playground to right. Playgrounds are regulated by State, 35 SF per child – no more than 40 children in play area at one time – school capacity 188 children. A-1 (arch plan 6/26/15) Witness described floor plan, elevators and signs. Feel building complimentary to neighborhood – not much larger than large home – sign will depict name of business with mascot. Maximum enrolled 188, 23 teachers. Kitchen will be designed within requirements – will comply with all licensing – mechanicals will be in well on roof behind parapet – trash enclosure adequate. Will prepare emergency plan for OEM – need plan in place for State - will have “safe zone” for emergencies.

Mr. Jarmel continued that proposed embodies good civic design in area – inherently beneficial use – aesthetically attractive.

Mr. Putrino discussed the number of day care facilities in the Borough area. In reply to his question on safe zone, witness said that had not as yet been designed – will work with Fire Department.

In reply to Mr. Lagana, Mr. Jarmel said that large playground required as children are separated by age – not likely that will be more than 40 children on playground at one time.

Mr. Ten Hoeve questioned how non-walking children are removed in emergency. Mr. Jarmel explained that use rolling cribs. Every room has two doors – fence around building.

Mr. Putrino asked that an effort be made to minimize colors on the monument sign. Mr. Sinisi assured him that will make an effort.

Straka, Midland Avenue, questioned playground and number of children.

John Sadlon, landscape architect. Discussed landscape plan – 7 foot firs and pines around perimeter – shade trees in parking lot – will work with Shade Tree – two 120 watt light on building – all lighting will conform to Code – parking lot lights will be reduced after closing – trees will be protected during construction - plan complies with and satisfies Borough site plan requirements.

APPLICATION CONTINUED TO APRIL 28, 2016.

NEW BUSINESS: Minutes

Motion by Lagana, seconded by Clark, to approve March 10, 2016, minutes

FOR: Clark, Lagana, McKenna, Ricchiuti, Sheikh, DiNapoli

OPPOSED: None

MOTION CARRIED.

NEW BUSINESS: Resolution

Docket No. 7052 – DCH Honda

Motion by Lagana, seconded by McKenna, to approve

FOR: Clark, Lagana, McKenna, Ricchiuti, Sheikh

OPPOSED: None

MOTION CARRIED.

Docket No. 7046 – Jacovino

Motion by Putrino, seconded by Clark, to approve

FOR: Putrino, Clark, Lagana, McKenna, Sheikh

OPPOSED: None

MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Mr. Putrino, seconded by Mr. Lagana, that the meeting stand adjourned. Meeting adjourned 11:00.

Respectfully submitted:

Valerie Frazita, Board Secretary

