

BOARD OF ADJUSTMENT – BOROUGH OF PARAMUS

July 21, 2016

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

ROLL CALL

Led by Mr. McKenna

ROLL CALL

Present: Messrs. Lagana, McKenna, Ricchiuti, Caminiti, Sheikh, DiNapoli

Absent: Mrs. Gunderson, Messrs. Putrino, Cirillo

Also present: John Ten Hoeve, Esquire

Valerie Frazita, Secretary

Beth Calderone, Court Reporter

Elliott Sachs, Engineer

Mark Everett, Planner

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.

PUBLIC HEARINGS: Residential

Docket No. 7065

Block 4208 Lot 22

Two-story addition.

Reasoner

30 Ferndale Road

David Reasoner

R. Schlicht, architect

A-1 (photos) Mr. Schlicht described photos – R-75 zone – existing one car garage – four non-conforming conditions – propose to renovate – first floor walk out bay, move front door, rework steps. All bedrooms will be on second floor – will match front wall of second floor – FAR below. Second floor requires variance – will tear down and put back – colonial style with gable roof. Will maintain existing non-conforming conditions.

Motion by Ricchiuti, seconded by DiNapoli, to approve

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

OPPOSED: None

MOTION CARRIED.

PUBLIC HEARINGS: Commercial

Docket No. 7051

Block 4110 Lots 16 & 17

Construct townhouses.

GLFC Realty

W. Midland Avenue

Continued from June 9, 2016.

Carmine Alampi, Esquire, representing applicant.

Mr. Alampi advised the Board that this is the fourth hearing – application originally 18 units, down to 16 – number of bedrooms reduced .

Brigette Bogart, planner. A-16 (planning outline 6/9/16) Ms. Bogart stated was in R-100 zone, requires a Use variance – 84,118 SF site – two tax lots – could be subdivided for homes or “something else” – St. Andrews Brook and country club are buffers – site will accommodate necessary parking – each unit has porch and deck – 51 and 92 foot setbacks – significant buffer – less impact than if divided up for dwellings – less noise impact – owners association would prevent hot tubs, etc. Church or school could be built on site – mixed neighborhood with church, etc – Midland is a County road – discussed Master Plan “encourage senior housing” – must prove that can further the MP or Board can deny – feel can accommodate all necessary parking on site.

Ms. Bogart continued that heard questions on school impact. Center for Urban Policy Research figures indicate 32 residents: 1 preschool, 2 school age, 18 of 18-44, 7 of 45-64 and 5 senior citizens. Witness discussed per capita costs for school children – would be adding 1-2 children to school system. No negative impact on school system – MP indicates desire to remove commercial in residential zones. Proposed allows alternate form of living for residents wanting to stay in Paramus – can walk to pool, etc.

Application complies with all bulk requirements – existing buffers will remain – no negative impact regarding variances – R-100 permits height of 32 feet, proposed is under – buffer requirements have been met with existing naturally and proposed. Have to prove special reasons for Use – feel aesthetically improved – no substantial detriment to public good – no negative impact to public good – no substantial detriment to zone plan – feel meets negative criteria – site particularly suited for use – benefits outweigh the detriments – meets statutory burden.

In reply to Mr. Lagana, witness said that calculations on seniors are only estimates – Paramus has no other options for seniors .

In reply to Mr. Ten Hoeve, Ms. Bogart said that does not believe triggers affordable house. Mr. Alampi also said does not. Deed restrictions will prevent accessories such as pools, etc.

Mr. Everett questioned school age children in Paramus and age restricted housing.

Siniscalchi, 15 Kind Road questioned influence of Route 17 corridor and abandonment of non-conforming uses. Mr. Ten Hoeve explained that disappearance of non-conforming has to be defined, has to be a permanent abandonment – case sensitive. Mr. Siniscalchi also questioned exiting on Country Club road and visitors parking.

Locicero, 30 Alden Road, questioned hardship and new changes to the zoning ordinance. Mr. Ten Hoeve answered that must apply law applicable when application is filed. Mr. Locicero also questioned third bedroom/office.

Trapp, 123 Midland, questioned single family homes, variances and Master Plan.

Toppo, 119 Midwood, questioned other townhouses in Paramus, age restrictions, single family homes, noise and buffer requirements.

Capone, 465 Evergreen, questioned visitors parking setback and number of spaces and lighting in the parking lot.

Lukasiewski, 110 Midland, questioned benefits of location on Midland, prior zoning ordinances and, if denied, when can come back.

Matteo, 450 Evergreen, question size of property.

Siniscalchi, 15 King, advised Board that is not against town houses – should have looked at other options – with traffic on Midland, cannot come out of complex.

Trapp, 123 Midland, discussed process of application – have problem with den on second floor which will be a bedroom – problem with snow at Evergreen side, gate will be blocked – dumpster enclosure should have roof – not enough parking – will be 16 of everything, AC, etc. – Borough will lose lawsuit if approved – no hardship – will be spot zoning.

Leider, 121 Midwood, discussed existing sites and traffic on Midland and witnesses. Mr. Caminiti advised homeowner that public has a right to hire any witness it wants to counter act applicants witnesses. Mr. Leider also discussed snow removal, soil contamination, traffic lights on Midland.

Mr. Miele, 462 Kossuth, discussed new zoning code – wants to make sure that no Paramus official is involved in application – spot zoning opens up all of Paramus. Mrs. Miele added that new zoning ordinance shows R-100 to remain. Mr. Caminiti replied that purpose of Board is to take applications case by case – Master Plan is suggested use – there are always exceptions. He continued that comments made on elected officials involved is insulting. Mr. Ten Hoeve added that Board acts with significant integrity.

Matteo, 450 Evergreen, said that have homes on oversize lots in area – snow is a problem

Sondej, 465 Kossuth, wants to see neighborhood remain as is – traffic will be a problem at peak hours – cannot assume the number of occupants and cars.

Lukasiewski, 110 Midland, felt proposal not appropriate for area – only a few trucks left Holland Acres – concerned with visitors parking, water runoff, chemicals in soil – spoke about owners of Holland Acres.

Capone, 465 Evergreen, advised her property is at end of Evergreen – have “community” neighborhood – concerned with A/C, exhaust fans, etc. – could be one family – concerned with lights, traffic, dumpster – should be right turn only.

Weuste, 15 Columbine , was concerned with traffic – not conducive to neighborhood.

Toppo, 119 Midwood, said that traffic is dangerous – should be single family homes – heard nothing on soil – will change the character of neighborhood.

Mr. Alampi advised that had no new evidence or witnesses – will look into roof on dumpster, etc.

APPLICATION CONTINUED TO AUGUST 11, FOR FINAL SUMMATION AND VOTE.

NEW BUSINESS: Bills

Motion by Ricchiuti, seconded by McKenna, to pay bills
FOR: Lagana, McKenna, Ricchiuti, Caminiti, Sheikh, DiNapoli
OPPOSED: None
MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Mr. Lagana, seconded by Mr. McKenna, that the meeting stand adjourned. Meeting adjourned 11:30.

Respectfully submitted:

Valerie Frazita, Board Secretary

BOARD OF ADJUSTMENT – BOROUGH OF PARAMUS

July 14, 2016

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

PLEDGE

Led by Mr. Cirillo

ROLL CALL

Present: Messrs. Cirillo, Lagana, McKenna, Caminiti, Sheikh, DiNapoli, Ricchiuti
Absent: Mrs. Gunderson, Mr. Putrino
Also present: John Ten Hoeve, Esquire
Valerie Frazita, Secretary
Beth Calderone, Court Reporter
Dennis Harrington, Engineer
Richard Arango, Planner

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

PUBLIC HEARINGS: Commercial

Docket No. 7064
Block 1408 Lot 2
Signs for outlet store

Raymour & Flanigan
165 Route 4 W

Stuart Liebman, Esquire, representing applicant.

Mr. Liebman advised the Board that R&F currently on Route 17 – opening an outlet store in shopping center anchored by Kohls – 41,000 SF – will be located at east end near Forest Avenue ramp and overpass – proposing two wall signs: one facing Route 4 200 SF – One at east 175 SF – have large elevation – necessary for safety.

William Mottin, project manager for national sign company. A-1-5 (set of plans 5/16) Witness described sheets – R&F occupying two floors – proposed colors purple and white, internally illuminated, using non-corrosive anchors, 9-1/2 inch deep – below roof line – feel appropriate for wall area – building set back from highway at an angle – appropriate with other signs in Center..

Witness continued that sign on east elevation is 175 SF – proposing one half of what could be on wall – internal illumination. Replacing panel in existing free standing sign – applicant will put address in 4 inches letters but does not have landlord consent as yet. Will fill in name on hanging sign – using all LED illumination.

Mr. Caminiti said he was curious on how sign compares to other signs in the Center.

Mr. Sheikh questioned if side sign was necessary. Mr. Liebman said can see from Forest Avenue. Mr. Cirillo added that side sign looks over-sized – front sign is appropriate. Mr. Liebman replied that is tricky area to navigate – trying to do best with what have – will help to identify. Mr. Caminiti said that not hearing how side sign will affect business.

Mr. DiNapoli suggested eliminating one half of the sign. Witness noted that copy would be too small. Mr. Harrington questioned traffic target for east sign. Mr. Liebman advised that new store, new concept – want to make sure are found – trying for best identification.

In reply to Mr. Arango, Mr. Mottin said that location of street number on sign will be discussed with the property owner.

Mr. Liebman advised that minimum of 150 SF on east is necessary – will try to raise up – colors remain the same – lettering may be different.

Mr. Caminiti questioned if applicant would consider two matching 175 SF signs to which Mr. Liebman agreed.

Motion by Cirillo, seconded by DiNapoli, to approve two 175 SF signs with matching copy.

FOR: Cirillo, Lagana, McKenna, Ricchiuti, Caminiti, Sheikh, DiNapoli

OPPOSED: None

MOTION CARRIED.

Docket No. 7056

Block 5903 Lot 6

Day care center.

Primrose School

639 Paramus Road

Continued from May 12, 2016.

Carmine Alampi, Esquire, representing applicant.

Mr. Alampi advised Board that relocated A/C to rear and adjusted roof line.

Mark Pavey, architect. A-10 (rev elevations 7/7/16) Lowered roof 18 inches which makes building appear smaller. A-11 (Rev site 7/7/16) Moved A/C to rear – erecting 6 foot solid fence. Could make lobby smaller but would not function as well. Height now 28 feet.

In reply to Mr. Ricchiuti, he said that would take 7 minutes to drop child off by his experience.

In reply to Mr. Lagana, witness said that if put HVAC on roof, would have to raise height and sound would be greater – have two barriers on ground level.

McGee, 146 Seneca questioned HVAC on roof

Carpenter, 148 Seneca, questioned difference between child care and pre-school and buffers.

Jaramillo, 144 Seneca, questioned height.

Naccase, Park Ridge, affiliated with church, questioned number of parking spaces.

Raghav Varma, principal. Stated that have to be pre-qualified with NJ Dept Child Care and Families prior to submitting plans – bought existing day care and found needed an “up lift”. A-12 (age breakdown) Witness explained chart – 11,800 sf building not including elevators and staircases. Children 36 months and under must be on first floor – Primrose is child care center that provides education –not a baby sitting facility, prepares for school system. Drop off starts around 7:00 – have breakfast and start curriculum of math, reading and outdoor activity – all do not go outside at one time – have prep kitchen, food comes in and is heated – will be breakfast, lunch and two snacks – may be some summer field trips.

Mr. Varma continued that self-imposed limitation on number of children – 192 this site. Visited other Primrose sites – described coming in with child – 7 minutes on average. Minimal traffic after 10:00 – have two staff rooms. A-13-14 (photo 625 and 627 Paramus Road) Designed school to look like homes in area – smaller homes turning into larger – described floor plan – not open on weekends – HVAC turns on when open and off when close.

Mr. Cirillo questioned accreditations and teachers. Mr. Varma replied that curriculum delivered to school on monthly basis – teachers have college degree.

In reply to Mr. Caminiti, witness said that at 8:00 maximum 2 parents – all staff does not come at same time – not all classrooms open at opening – 20% show up before 8:00 – 35% at 8-8:30. Remainder of children 8:30-10:00.

In reply to Mr. Lagana, Mr. Varma said that designated schedule of 20 minutes of outdoor time – maximum 24 children out – start around 9:30, latest 6:00 – 10,771 SF play area.

In reply to Mr. Caminiti, witness said that chef prepares fruits, vegetables, etc. – heats food – no raw food brought in – use convection oven.

Mr. Sheikh questioned parking for graduation and special occasions. Mr. Caminiti advised that with 40 parking spaces, Board would stipulate no graduation ceremonies.

Mr. Lagana questioned type of truck delivering food and would like a stipulation as to what will be. Mr. Varma replied that can dictate to company what type truck to use.

In reply to Mr. Ten Hoeve witness said that currently 70 children enrolled in existing. Mr. Ten Hoeve felt that 27 spaces will be filled by 8:30 – parents may be spending time with child.

Mr. Cirillo discussed square footage of rooms, including furniture.

Robertson, 15 Clauss, questioned the number of Primrose Schools in residential areas and footprint.

Coniglio, 2 Clauss, asked where would proposed students come from.

Saliba, 634 Paramus Road (church) questioned current operation and overflow.

Day, 3 Troast Road, question appearance of building.

Carpenter, 148 Seneca Court, questioned the number of full and part time teachers.

Mr. Ten Hoeve asked what would happen if get 30-35 drop offs at the same time.

In reply to Mr. Caminiti, witness said that both full and part time come in – 3:00 on, generally part time – 3-5 minute overlap.

Ohannessian, 643 Paramus Road, questioned occupancy on weekends.

Grindler, 3 Clauss, questioned staffing

Vartolone, 6 Clauss, questioned ages and play ground.

APPLICATION CONTINUED TO SEPTEMBER 22, 2016.

NEW BUSINESS: Resolutions

Paramus Park Extension of Time

Motion by Cirillo, seconded by DiNapoli, to approve

FOR: Cirillo, Lagana, McKenna, Ricchiuti, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

Bergen Town Center Extension of Time

Motion by Lagana, seconded by McKenna, to approve

For: Cirillo, Lagana, McKenna, Ricchiuti, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

Docket No. 7060 – Millennium-Cupola

Motion by Cirillo, seconded by McKenna, to approve

FOR: Cirillo, Lagana, McKenna, Ricchiuti, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

NEW BUSINESS: Minutes

Motion by Cirillo, seconded by Ricchiuti, to approve June 23, 2016, Minutes

FOR: Cirillo, Lagana, McKenna, Ricchiuti, Caminiti, Sheikh, DiNapoli

OPPOSED: None

MOTION CARRIED.

ADJOURNMENT

There being no further business to come before the Board, it was moved by Mr. Lagana, seconded by Mr. McKenna, that the meeting stand adjourned. Meeting adjourned 11:15.

Respectfully submitted:

Valerie Frazita, Board Secretary