

BOARD OF ADJUSTMENT – BOROUGH OF PARAMUS

November 3, 2016

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

PLEDGE

Led by Mrs. Gunderson

ROLL CALL

Present: Mrs. Gunderson, Messrs. Putrino, Cirillo, Lagana, Caminiti, Sheikh, DiNapoli, McKenna

Absent: Mr. Ricchiuti

Also present: John Ten Hoeve, Esquire
Valerie Frazita, Secretary
Beth Calderone, Court Reporter
Peter Ten Kate, Engineer
Mark Elliott, 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 Clerks Office.

PUBLIC HEARINGS: Commercial

Docket No. 7074

Block 1215 Lot 7

Appeal of zoning officers determination.

Verizon

6 Winslow Place

David Soloway, Esquire, representing applicant.

Mr. Soloway advised that Statutes and FCC order require that applicant must meet criteria for approval for co-location on a tower. Made application for a permit and was denied – appealing denial – proposing co-location at VFW – existing 100 foot cell tower with supporting equipment at ground level – want to put 3 antennas at 75 feet along with ground level equipment behind fence – 15 kw generator – municipalities required to approve co-locating with conditions – meets all criteria except one: that it not violate conditions of prior approval. In 2012 tower approved at VFW with condition no generator – zoning officer said have to come before Board.

Mr. Ten Hoeve agreed with issues and felt should be before the Board in order to modify the conditions of prior approval – should focus on generator.

Robert Marsac, architect. A-1 (plan) Witness described location of generator within compound – will bump out existing compound – meets all noise requirements, well below standard – 15 kw with natural gas – for extended power outage – will enable to use phones.

In reply to Mr. Putrino, Mr. Marsac said that natural gas is more reliable than diesel. Mr. Putrino continued that might lose gas supply. Witness added that diesel is limited to a tank.

Mr. Lagana requested that stipulate will be a six-month review of the sound. Mr. Soloway commented that generator sound is exempt in an emergency – will comply with review – antennas will service only Verizon.

Mr. Ten Kate requested that Boswell do final inspection.

Motion by Putrino, seconded by Gunderson, to approve with stipulations
FOR: Putrino, Cirillo, Lagana, McKenna, Gunderson, Caminiti, Sheikh
OPPOSED: None
MOTION CARRIED.

Docket No. 7068
Block 3901 Lot 6
Renovate gas station.

Golden Fuel
292 Forest Ave

Continued from September 8, 2016.

Carmine Alampi, Esquire, representing applicant.

Mr. Ten Hoeve announced that had certifications from absent members.

Mr. Alampi reviewed the changes to application – free-standing sign will stay in current location – reduced accessory building – agree no retail sales other than car needs – trying to keep a neighborhood station.

Calisto Bertin, engineer. A-3 (rev site 10/3/16) A-4 (colored rendering 11/3/16) Reduced service building to 300 SF – listed sale items on plan – free-standing sign will remain at north, reduced size – one sign on south side of canopy – existing drive to spring valley will be exit only – will replace sidewalks and ramp – adding “do not enter” sign – removed middle drive on Forest – made south drive a little wider – 4 parking spaces by building, 8 spaces under canopy – added 2 additional spaces on south side for a total of 14, 15 required.

Mr. Bertin continued that will be vacuum and air pump – trash same finish as building – met with Shade Tree with new plan – adding 25 evergreens at east, 8-10 feet planted- taking down some trees along curb line – reduced lighting intensity to 19 foot candles under canopy – 1-2 employees – canopy shut off when closed, LED lighting – area lights reduced to 25% capacity when closed – will comply with reports.

In reply to Mr. Sheikh, witness said plan being reviewed by County – will comply with their report.

Mr. Putrino questioned selling diesel – problem with waiting time to fill, 20 minutes – with dispenser in front, will be queuing problem, will make problem worse. Mr. Bertin replied that canopy has 28 feet between aisles, cars can get around – one dispenser will pump 40 gallons per minute. Mr. Putrino continued that will be introducing a whole other problem with trucks using diesel, new element of clientele. Witness said is operational thing and has to be controlled. Mr. Alampi added that hoping to encourage small business and landscapers to use the station.

Mr. Putrino continued that appreciates the quicker pump – canopy has commercial look, highway look. Mr. Lagana suggested making canopy more residential in nature. Mr. Bertin suggested mansard shingle roof – will design like Glen Rock station – brick pillars, mansard roof, etc.

In reply to Mr. Ten Kate, witness said that lighting under canopy is LED flush mounted.

Mullane, 288 University Way. Had concerns with canopy height – fence and wall are 52 feet, canopy is 62 feet – cannot understand why canopy has to be so high – are smaller canopies at other stations. Mr. Bertin replied that 9 feet would not be safe – 15 feet is normal. Mr. Ten Kate said Fire would not agree to 9 feet. Mrs. Gunderson added that also not high enough for ambulance.

Mr. Mullane also questioned maintenance of trees. Mr. Bertin advised have maintenance bond.

Mr. Putrino mentioned that had seen stations with 13 foot clearance with shingled “A” frame. Mr. Caminiti suggested covering only inner pumps. Witness replied that canopy meant to cover customers window – can lower height a bit, but not going to be 13 feet. Mr. Alampi said Mr. Bertin will review canopy choices with applicant.

Brigette Bogart, planner. Witness reviewed the unique features of site – proposing upgrade – undersize lot, irregular shape – between two roads – has natural buffer – station operating since 1957 – benefits

outweigh the detriments – improving many non-conformities – reducing number of variances – canopy height within Code.

Mr. Bertin returned with decision on proposed canopy. Could bring to 14'-6" – will be higher on Forest Avenue with slope – will look similar to Shell station with "A" frame – peak 22'-4", with a foot higher on Forest side – height below code. Water run-off will be the same. Will close gable ends – 56 x 44 canopy – rear yard setback will change.

Mr. Alampi closed with statement that cleaning up site – canopy style will now be residential.

Motion by Cirillo, seconded by Gunderson, to approve with stipulations

FOR: Putrino, Cirillo, Lagana, McKenna, Gunderson, Caminiti, Sheikh

OPPOSED: None

MOTION CARRIED.

NEW BUSINESS: Resolutions

Docket No. 7071 – Darwiche

Motion by Lagana, seconded by Sheikh, to approve

FOR: Putrino, Cirillo, Lagana, Gunderson, Caminiti, 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 10:00.

Respectfully submitted:

Valerie Frazita, Board Secretary