

Paramus Planning Board Meeting
Thursday, April 7th, 2022

Chairman Conte at 7:04PM in the Council Chambers, called a regular meeting of the Paramus Planning Board in the Borough Hall on Thursday, April 7th, 2022.

Pledge of Allegiance

Mr. Philibosian

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

A. Scrivanich
A. Feorenzo
K. Hook
Chairman Conte
Vice Chairman Caminiti
C. Philibosian
Mayor LaBarbiera
R. Voohris

Absent

Councilman Kaiser
D. Niland
J. Vergona

Also Present

Maryellen Parente	Planning Board Secretary
Beth Calderdone, CCR	Court Reporter
Dan Hauben	DMR Architect, Planner
Pete TenKate, P.E.	Boswell McClave Engineering, Board Engineer
Stephen Pellino, Esq.	Basile, Birchwale, & Pellino, LLP, Planning Board Attorney

Resolution Voting:

Vote to approve **Resolution #22-07, Fogo de Chao Churriscaria, LLC.**

Motion to grant request by Chairman Conte, 2nd by Mr. Hook.

In favor
6

Opposed
0

Abstained
0

Resolution Voting:

Vote to approve **Resolution #22-08, Two River Fitness, LLC**. Motion to grant request by Chairman Conte, 2nd by Mr. Hook.

In favor
6

Opposed
0

Abstained
0

Hearing:

Applicant: 650 From Road, LLC.
650 From Road
Block 6303, Lot 1
Major Preliminary & Final Site Plan
Conditional Use Approval
Major Soil Movement
Drainage Permit
Signage
(Carried from our 2.10.22 Virtual/Teleconference Meeting)

Attorney: Allyson Kassetta
Prime and Tuvel, LLC.
2 University Plaza
Hackensack, NJ 07601
201-883-1010

Discussion:

(Board member Mr. Philibosian recues himself for this application.)
Applicant Attorney, Allyson Kassetta continues testimony from the Board's virtual/teleconference special meeting, 2.10.22. Ms. Kassetta marks exhibits that were introduced at the last meeting on the record. Mr. Matthew Seckler, Traffic Engineer for the applicant is introduced. Mr. Seckler discusses the warrants that were conducted regarding two intersections and whether traffic signals are needed. The two intersections that are in questions are Mack-Cali Drive and the intersection between building A and building B. The warrant on Mack-Cali Drive shows that the

intersection does not need a traffic signal if you count right hand turns. The intersection between buildings A and B doesn't require a signal light according to the warrant. The applicant would like to wait until the units are mostly occupied and when the hospital will be completed to determine the full impact of the traffic in the area as to the need of traffic signals at these intersections. The Board agreed to waiting as to the full impact of the development in the area. Exhibit A-9, A-10 and A-11 are introduced, showing the traffic circulations and drop off areas for both buildings of large trucks including fire trucks. Chairman Conte inquires if the applicant has considered the recommendation of a generator from the Borough's Office of Emergency Management for both buildings? Ms. Kassetta reminds the Board that this matter was discussed at the last meeting, 2.10.22, and advises that the applicant will have back up power for the elevators and common areas in the event of power loss. Mayor LaBarbiera mentions that this is more than required of the Building Code Life Safety. Mr. Stuart Liebman, Attorney for The Valley Hospital makes an appearance. Mr. Liebman reminds the Board that just because an intersection issues a warrant does not mean that the intersection needs a traffic light. Vice-Chairman Caminiti inquires if the Board is going to determine if the signal lights are required when The Valley Hospital is open and the proposed buildings are 50% occupied? Vice-Chairman Caminiti asks the applicant, why won't you at least put the light(s) on the plans? Applicant Attorney, Ms. Kassetta states that the applicant is proposing that in the Developer's Agreement, it will be stated that once the property is at 80% occupancy and the hospital is open, they will review the need for traffic lights. The applicant will also post a bond separate for this matter. Board Attorney, Mr. Pellino states reminded everyone that warrants do not generate the need for a traffic light. Ms. Kassetta states that the final determination as to the need of traffic signals will be the Traffic Engineer. Mayor LaBarbiera states that the Borough wants the assurance that if needed the applicant will be responsible for these traffic lights. Mayor LaBarbiera states that putting money aside for this matter alone would address this concern. Vice-Chairman Caminiti recommends that he would still like to see it on the plans in addition to the bond. Mayor LaBarbiera states it just needs to be shown, no design. He further explains that it is another layer of assurance. Ms. Kassetta discusses the proposed conditions. Mayor LaBarberia asks Mr. Seckler if he has any issues with the matters listed in Board Engineer, Mr. TenKate's report? Mr. Seckler states that he does have any issues. However, the only issues were the traffic signals and a conceptual walkway from The Valley Hospital past their property to Paramus Park Mall, which is yet to be designed. Ms. Kassetta states that they have the assurance from The Valley Hospital as to work on a design of this walkway. This is confirmed by The Valley Hospital's Attorney, Mr. Liebman. Ms. Kassetta was not sure if the applicant will offer

a shuttle or walkway to Paramus Park Mall. They will be contacting the mall to discuss. Board Engineer, Mr. TenKate states that the Borough would like the concept of the walkway, as much as they can design. Vice-Chairman Caminiti mentions that he did inspect Sprout Brook and the brook moves very well. He reminds the applicant that they are to maintain the brook that is on their property. Mr. Seckler is introduced as the applicant Planner and describes the waivers and variances. The waivers pertain to the parking spot diameter and parking garage illumination. The variances pertain to the signage. Mr. Seckler state that there is no reasonable impact this proposed project would have on the area. Chairman Conte advised that the applicant met with the Sign Committee and adjusted the original signage plans submitted as per the committee. Board Attorney, Mr. Pellino mentions that the applicant will make the payment for affordable housing to the State in lieu of offering units. Applicant Attorney, Ms. Kassetta reviews the conditions discussed at this hearing that both the applicant and the Borough has agreed upon. Board Engineer, Mr. TenKate questions when to make the decision when the traffic signal review will happen? Mayor LaBarbiera recommends when the hospital is open and this applicant proposed development is 80% occupied or two years, which ever comes first. Also to have the option to extend the two years, if the Board so desires. Mr. TenKate also mentions that the applicant must agree to the following: will be no parking on Mack-Cali Drive, no future subdivisions, cleaning and maintenance of Sprout Brook and roof screening of the HVAC units. Mayor LaBarbiera also mentions that the parks on the property be open to the public. Mr. Liebman, Valley Hospital's Attorney mentions that the applicant has agreed to way finding signs on the property to the hospital. Mr. TenKate states that theses signs will be approved by the Board Engineer.

Voting:

Vote to approve, **650 From Road, LLC.**, Motion to grant requested by Mr. Feorenzo, 2nd by Vice Chairman Caminiti.

In favor
7

Opposed
0

Abstained
0

Hearing:

Applicant: BJ's Wholesale Club
30 Route 17
Block 501, Lot 5, Block 502, Lots 9 & 2.02
Site Plan and Signage for a Fueling Station

(Carried from our February 6 & November 5, December 3, 2020, January 21 and July 1, 2021 meetings)

**Attorney: Andrew Kohut, Esq.
Wells, Jaworski, & Liebman, LLP.
12 Route 17 N
Paramus, NJ 07652
201-587-0888**

Discussion:

Applicant Attorney, Andrew Kohut reminds the Board that this application was originally for a gas station. The applicant has revised the application to an Amended Site Plan for site improvements. Mr. Kohut states that the applicant is going before the Board of Adjustments for the Borough of Paramus for approval of a propane station. Mr. Kohut states that the improvements will include more green areas and improve site circulation for customers and deliveries. The plans show where the proposed propane pad would be located. If the proposed propane station is not approved by the Board of Adjustments, then this applicant will come back to this Board to approve parking space in that area. Mr. Matthew Szalay, Engineer for the applicant is introduced. Board Engineer, Mr. TenKate asks Mr. Szalay why the plans are prepared by Greenberg Farrow Engineering and Mr. Szalay works for Menlo Engineering. Mr. Szalay states that the plans were prepared by Greenberg Farrow, but he will be testifying on behalf of the applicant. Mr. Kohut introduces exhibit A-1 Site Improvement and references the reconfigured site improvements. Mr. Szalay states that the improvement will be safe for all visitors to the site. From the Route 17 egress entrance the middle driveway will be large. Pertaining to the landscaping the applicant will add 27 new shade trees and sod. The applicant is asking for waivers pertaining to the lighting which will be brighter. The applicant agrees to the 6 months review of the light by the Borough. Chairman Conte asks if the increased light will affect the residents? Mr. Szalay states that the new lighting proposed is not near the residents. Board Engineer, Mr. TenKate inquires as to the proposed employee parking? Mr. Szalay states that parking will be west of the retaining wall. Board Planner, Mr. Hauben inquires as to the fence proposed on the retaining wall, will it match the retaining wall? Mr. Szalay states that they will try. Mr. Hauben also asks about the closing of the store and when the lights will be turned off? Mr. Szalay states that the store closes at 10pm and once the employees leave the lights will be turned off. Resident, Ms. Sonya Raimen, 32 Maple Street, inquires as to the lighting. Is there any modification to the existing light on the resident's sides? Mr. Szalay states no change in that area. Mr. TenKate states that

the applicant will need to make sure that any lights on for security need to be reduced at night. Ms. Anin Ramian, 32 Maple Street states that branches from the existing trees have landed in her back yard and her grandkids are not able to play in her yard. Mayor LaBarbiera states that any issues you have with the BJ's property should be address by the Borough's Quality of Life office. The Mayor further recommends that the applicant check with the Borough's Shade Tree Commission for trees that would be more suitable to plant. Mr. Kohut introduces Mr. Matthew Seckler, Traffic Engineer for the applicant. His firm did a parking count and he feels that the site improvements will improve circulation significantly. Exhibit A-1, ariel view of the property is introduced. With the present conditions truck deliveries have circulation issues and often times backs up the customer and pedestrian traffic. Board Engineer Mr. TenKate states that the applicant should have the trucks waiting to unload keep away from the areas that abut to the residents. Mr. Joseph Burgis, Planner for the applicant, testifies that this applicant's site improvement is consistent with the Borough's Master Plan's need to enhance the commercial corridor. The site design pertaining to landscaping also reflective of the Master Plan. This application is requesting a C1 Variance, pertaining to physical features for the plant buffer. Currently, it is 20.9%, whereas 25% is required, the applicant is proposing 23.04%. Enhancing landscaping also reduces urban heat. This applicant is also requesting waivers for isle widths and lighting. Mayor LaBarbeira states that this is a very improved circulation plan. He also asks that the applicant check with the Borough's Shade Tree Commission about maintaining the trees.

Voting:

Vote to approve, **BJ's Wholesale Club**. Motion to grant requested by Mr. Hook, 2nd by Chairman Conte.

In favor
8

Opposed
0

Abstained
0

Voting:

Approve Vouchers to be Paid. Motion to approve request by Mr. Hook, 2nd by Mayor LaBarbiera.

In favor
8

Opposed
0

Abstained
0

Voting:

Accept Minutes from **March 17th, 2022** Meeting. Motion to grant request by Chairman Conte, 2nd by Vice Chairman Caminiti.

In favor
6

Opposed
0

Abstained
0

Planning Board Attorney

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201-945-8812

Planner

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Board Engineer

Mr. Peter Ten Kate, P.E.
Boswell Engineering
330 South Phillips Avenue
South Hackensack, N.J. 07606
201-265-2100 ext 619

Court Reporter

C/O Mrs. Beth Calderone, C.S.R.
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