

Paramus Planning Board Meeting
Thursday, June 16th, 2022

Chairman Conte at 7:01PM in the Council Chambers, called a regular meeting of the Paramus Planning Board in the Borough Hall on Thursday, June 16th, 2022.

Pledge of Allegiance

Mr. Feorenzo

Statement of Notification

Acting Chairman Caminiti, Sr. 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

D. Niland
A. Feorenzo
A. Scrivanich
K. Hook
Councilman Kaiser
J. Vergona
Vice Chairman Caminiti

Absent

Chairman Conte
Mayor LaBarbiera
R. Voorhis
C. Philibosian

Also Present

Maryellen Parente	Planning Board Secretary
Susan Bishoff	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

Announcement: Chairman Conte is absent for this meeting, Vice-Chairman Caminiti, Sr. will be acting as Chairman for this meeting. Vice-Chairman Caminiti, Sr. is recusing himself for the first applicant that the Board is

continuing to hear, UE Bergen Mall Owners, LLC. Therefore, Board Member and Commercial Zoning Official, Mr. Hook will be acting Chairman for this applicant only.

Resolution Voting:

Vote to approve **Resolution #22-11, 650 From Road, LLC.**, One Extension of Prior Approvals. Motion to grant request by Mr. Scrivanich, 2nd by Mr. Hook.

In favor
2

Opposed
0

Abstained
0

Resolution Voting:

Vote to approve **Resolution #22-12, Revicki Farms, LLC.**, Motion to grant request by Mr. Feorenzo, 2nd by Mr. Hook.

In favor
5

Opposed
0

Abstained
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Hearing:

**Applicant: UE Bergen Mall Owners, LLC.
Bergen Town Center-West Side
Block 701, Lots 3, 4 & 7.01
Preliminary & Final Site Plan, Variance & Signage
Four Story Medical Building
(Carried from our 5.5.22 meeting)**

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

Discussion:

Applicant Attorney, Mr. Delia continues this application for a four-story medical building in front of the Bergen Towne Center. Mr. Delia states that since the last meeting/hearing, the applicant submitted the proposed

signage for the proposed building. The applicant and its professionals have met with the Signage Committee regarding the proposed signage. Mr. Gregory Sanzari, Engineer for the applicant. Mr. Delia introduces exhibit A-14, a diagram of the proposed building with the proposed signage. The applicant is requesting two ground signs, whereas only one is permitted. Exhibit A-15, a drawing of the two monument signs is introduced. Board Engineer, Mr. TenKate asks the applicant if they will comply with the Borough ordinance pertaining to lighting. Mr. Delia introduced Mr. John Harter, Traffic Engineer, from Atlantic Traffic and Engineering. Mr. Harter describes that the applicant has requested a major permit from NJDOT pertaining to the access from Route 4, in order to reduce 4 curb cuts. NJDOT asked for a traffic study for the Spring Valley Road, southside and northside. Exhibit A-8 was shared, which shows the existing conditions. The applicant will have a new on-site signal with all new equipment including a detection of a backup of vehicles on Route 4. The Traffic Study for this project was done in 2018, when the amount of traffic was pre-covid. There were many ideas that were designed on the property to help with the flow of vehicular and pedestrian traffic. The new building will have a new pedestrian crossing, utilizing the parking garage with a new elevator improving safety. The site will also include a speed table and a refuge in the middle, with a pedestrian walkway. The applicant will have their employees park on the 4th floor of the garage and also have signage directing patients to the 3rd or 4th floors. Board Engineer, Mr. TenKate inquires as to the Traffic Study's estimate of the increase of traffic to be 27% at the Spring Valley Road area, does that include the proposed building and the shopping center? Yes, it includes both. Mr. Delia introduces Mr. Joseph Burgis, Planner for the applicant. Mr. Burgis states that the variances and waivers requested by this applicant are in line with the Master Plan of the Borough. This applicant is eliminating 6 previous variances granted, side yard, rear yard, maximum impervious coverage, minimum planting buffer, parking right of way, and parking space illumination. There are 5 variances being requested, building coverage, whereas 25% exists, proposing 29.3%, # of parking spaces, 3,381 exist, proposed 3,362 proposed, loading space should be in the rear of the building, proposed in the side yard, maxi impervious coverage, 80% permitted, 80% is permitted, 91.7 % exist and 92% is proposed and the minimum planting area, whereas 20% is permitted, 8.2% existing and 8% is proposed. The applicant is asking for a design waiver for the site lighting poles, where 20ft is permit, 30ft exists and proposed is 30ft. Mr. Burgis testifies as to the statutory criteria with explaining the public benefits. Mr. Burgis explains that the applicant is also promoting a visual environment enhancing the site. Mr. Burgis believes that this applicant has no substantial negative criteria based on the Borough's Master Plan. The

applicant agreed with the Board and its professionals regarding the following conditions, repurposing of the parking deck, maintain and clean open drainage, signage for pertaining to employee parking on the fourth floor, 6-month lighting review, and screening of HVAC systems on the roof. The applicant also agrees to a major soil movement permit and to discuss any wayfinding signage.

Voting:

Vote to approve, **UE Bergen Mall Owners, LLC**. Motion to grant requested by Mr. Scrivanich, 2nd by Mr. Feorenzo.

In favor
5

Opposed
0

Abstained
0

Hearing:

Applicant: 113-117 Midland Avenue, LLC.
113-117 Midland Avenue
Block 5102, Lot 3
Minor Subdivision
(Carried from our 10.7.21 and 10.21.21 meetings)

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

Discussion:

Applicant Attorney, Mr. Andrew Kohut describes this applicant which has been pending before the Board for a while. The applicant first submitted a three-property subdivision and has most recently submitted revised plans for a two-property subdivision. Previously the applicant was seeking involvement from the County as to a care taker for the historic house that is on the lot, the Ruffgarten Jersey Dutch house. The applicant was unable to get any involvement regarding the caretaking of the historic house and property. The applicant now seeks to leave the historic house on its own lot and have one other property for building. The historic house has preexisting non-conformity pertaining to front set back and width of the lot. Mr. Kohut introduces Mr. Daniel LaMothe, Engineer for the applicant. Mr. LaMothe describes the property which has deed restrictions pertaining

to wetlands and a historic house, which has two houses. Board member Mr. Niland asks about the historic part of the house, is it going to be preserved and are there are any oil issues with the property? Board Engineer, Mr. TenKate states that the historic house will remain. Mr. Kohut introduces Mr. Burgis, Planner for the applicant explains how this subdivision fits into the neighborhood. After looking at the surrounding properties, 52% of the lots do not comply with the residential zoning requirements. 40% of the lots are smaller than what is proposed. Mr. Kohut states that this subdivision will make the properties more conforming. Board member, Mr. Niland asks about the house that will be built on the non-historic house lot, what is proposed? Mr. Kohut states that they have nothing proposed as of right now, however, they would have to come back to the Board to seek approval. Mr. Kohut states that the non-historic part of the historic house, will be removed. Board member, Mr. Feorenzo inquires as to the zoning requirements of the houses when the non-historic part of the house was built? Mr. Kohut states that he was unable to find out. Ms. Arlene Berlamino, 76 Oradell Avenue, Secretary for the Borough of Paramus Historic Committee asks the Board is it necessary to demo the non-historic part of the house? Mr. Kohut states that by ordinance, demolition of a non-historic house is allowed. Board member Mr. Niland asks if the applicant will put a sign for the historic house? Mr. Kohut states that the applicant agrees to do so. Board Engineer, Mr. TenKate clarifies that the non-historical part of the house is to be demoed, the condition of removal will be in conjunction with the Building Department. He further clarifies that the applicant is able to build on the lot with the historic house. The historic house would be an accessory structure to the principal building of what would be built on the lot. Board member and Commercial Zoning Official, Mr. Hook asks if the historic house is damaged during the demo, will it be fully repaired? Acting Chairman Caminiti states that the historic part of the house should be protected and stabilized during any construction on the property. Board Planner, Mr. Hauben recommends that the agreement of whoever purchases the property with the historic property, would maintain the historic property.

Voting:

Vote to approve, **113-117 Midland Avenue, LLC**. Motion to grant requested by Mr. Scrivanich, 2nd by Acting Chairman Caminit, Sr.

In favor
6

Opposed
0

Abstained
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Hearing:

Applicant: Home Elegance Furniture, LLC.
E. 50 Route 4
Block 605, Lots 2 & 15
Amended Site Plan and Signage

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

Discussion:

Applicant Attorney, Mr. Liebman describes this application for a new furniture store on the lots of Sam Ash and the old Pier One, on Route 4 East. The properties are zoned HCC-2 and are two separate lots, with unusually shaped lots. Mr. Liebman states that he feels the Board will see the improvement to the lot because the property has so many non-conformities. The property also has enough parking. The applicant has met with the Planning Board's Sign Committee to review the proposed signage for the applicant. Mr. Liebman introduces the applicant Architect, Mr. John Bryjak. Mr. Bryjack describes the properties as being long and narrow. He introduces exhibit A-1, which shows the existing conditions. The existing buildings will be demoed and removed, so that the applicant has a safer circulation of the site. Exhibit A-2, a color rendering of ft. of the proposed 2 story building. The applicant is seeking a variance for a canopy for the front entrance. The applicant feels that this canopy will direct visitors to the site as to the entrance and protect them during inclement weather. Pertaining to signage, the applicant is requesting two variances, one for a sign entering a driveway, and the second is for the number of wall signs allowed. The property has one non-conformity as to the location of the freestanding sign. Exhibits A-3, the proposed 1st floor plan, A-4, the proposed 2nd floor plan and A-5, the roof plan with the roof top units were shared. Board member, Mr. Niland asks if the ramp in the rear of the building confirms? Yes, it does. Board Engineer, Mr. TenKate asks if the applicant will put the address on the signage? Mr. Liebman states that all signs will be as per code other than the variances requested by the applicant. Board Planner, Mr. Hauben inquires as to the screening towards the resident side will be all around? Acting Chairman Caminiti, Sr. asks if the screening will be sound attenuating? Applicant Engineer, Mr. La Mothe states yes. Exhibit A-4 shared shows an aerial shot of the existing conditions of the property. The exhibit shows the poor condition of the eastbound side of route 4 and the need of redevelopment. Exhibit A-5, a colorized site plan of the existing conditions

of the higher elevation on Farview by the over pass. Sheet 2 of exhibit A-2, shows the existing site plan conditions. The applicant proposes to reduce the parking in the front and make the parking spots angled. The plan is also to add a sidewalk for pedestrian safety. Mr. TenKate recommends that the applicant install a new fence, trim the trees, clean up the area, and do a heavy-duty pavement of the lot. There is an existing sidewalk at the overpass of Farview from Route 17. This sidewalk ends at the property and starts around where BJ's is. There is no purpose to this sidewalk, so therefore the Board recommends just to leave it. Mr. TenKate also recommended to repair curbing and to do some plantage. Board member Mr. Vergona asks instead of 6ft sidewalk in the front, how about 4ft sidewalk and ballards. Mr. Liebman introduces exhibit A-7, label Parking Stall Layout, shows the proposed parking spaces in front of the building.

(This application has been carried to our next meeting, July 7th, 2022.)

Voting:

Approve Vouchers to be Paid. Motion to approve request by Acting Chairman Caminiti, Sr., 2nd by Mr. Hook.

In favor
7

Opposed
0

Abstained
0

Voting:

Accept Minutes from **June 2nd & June 9th, 2022** Meetings. Motion to grant request by Mr. Hook, 2nd by Mr. Feorenzo.

In favor
7

Opposed
0

Abstained
0

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