

Minutes of the Park Ridge Planning Board
Meeting of May 25, 2011 - 8:00pm

These minutes have not been approved and are subject to change by the public body at its next meeting.

The regular meeting of the Park Ridge Planning Board was called to order by the Chairman, Raymond Mital, on the above date, time and place.

Chairman called for the Pledge of Allegiance to the Flag.

ROLL CALL: Present: Messrs. Browne, Ludwig, Mital, Oppelt, Schwamb, Von Bradsky, Ms. Eisen, Councilman Maguire
Absent: Messrs. Mesiano, O'Donoghue
Also Present: John E. Ten Hoeve, Jr., Esq., Board Attorney
Eve Mancuso, PE, Board Engineer
Brigette Bogart, PP, Planning Consultant

COMPLIANCE STATEMENT:

The Notice for this meeting required by Section 3(d) of the Open Public Meetings Act has been provided by the adoption of a resolution by the Park Ridge Planning Board on January 12, 2011, setting forth a schedule of regular meetings, by mailing of said schedule to the Record and The Review on January 13, 2011 and by posting of said schedule on the Municipal Bulletin Board and the continuous maintenance thereof and by filing the said schedule in the office of the Borough Clerk.

ANYONE PRESENT WISHING TO BE HEARD: (non-agenda items)

There was no one.

PUBLIC HEARING:

MARK PRUSHA SUBDIVISION – 82 Rivervale Road
Lot: 1 Block: 2007

Chairman Mital advised that the applicant's attorney had again requested a month's postponement of the hearing as they had not heard from DEP. Hearing to be continued June 22, 2011.

BUSINESS/COMMERCIAL USES:

DOLLAR TREE STORES, INC. – 117 Kinderkamack Road
Lots: 1&25 Block: 1909

Chairman advised that the applicant had received approval on April 12, 2011 for a change of tenancy. Applicant had applied for variance to erect two non-conforming wall signs. Hearing was held May 11, 2011.

WHEREAS, DOLLAR TREE STORES, INC., a Corporation of the State of Virginia, (hereinafter referred to as "Applicant"), being a prospective tenant in premises located at 117 Kinderkamack Road, Park Ridge, New Jersey, said premises also being known as Lots 1 & 26 of Block 1909 on the Tax Assessment Map for the Borough of Park Ridge, has applied to the PLANNING BOARD OF THE BOROUGH OF PARK RIDGE (hereinafter the BOARD") seeking a variance to permit the installation of signs that do not conform to the sign ordinance of the Borough of Park Ridge; and

WHEREAS, the Applicant previously received approval to occupy the premises by virtue of a Resolution of the BOARD dated April 13, 2011; and

WHEREAS, the Applicant has submitted various sketches and drawings describing the location and size of the requested signage; and

WHEREAS, a hearing was held before the BOARD on May 11, 2011 upon due Notice as required by law, there being no person appearing in opposition to the requested variances.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE THAT THE BOARD HEREBY MAKES THE FOLLOWING FINDINGS OF FACT:

1. Applicant previously received approval to occupy the aforementioned premises pursuant to a prior Resolution of the BOARD. Said Resolution provided that the Applicant would be required to return to the BOARD if the Applicant requested permission to install signage on the premises that did not comply with the Zoning Ordinance of the Borough of Park Ridge.
2. Applicant now returns to the BOARD seeking two variances to permit signs that do not comply with the provisions of the Zoning Ordinance. Specifically, Applicant seeks to install signs having a vertical dimension of 70 inches, greater than the two foot vertical dimension limitation of the Zoning Ordinance. Applicant also seeks to install signs having 30 inch lettering rather than the maximum 24 inch lettering permitted by the Zoning Ordinance.
3. The Borough Planner testified at the aforementioned hearing and confirmed that the proposed signs will be more appropriate in scale than the prior "Eckerd" signs on the premises. Members of the BOARD also indicated that the signs would be "proportionately perfect" as opposed to the prior "Eckerd" signs.
4. The two new proposed signs will be located on the North and West facades of the building. The precise location of the signs, and the size of the signs, were set forth on the sketches marked into evidence at the aforementioned hearing.
5. The BOARD is also cognizant of the fact that the new signs will be replacing prior signage on the building, signage that did not conform to the requirements of the Zoning Ordinance. The Applicant also advised that the BOARD that the proposed signs would be illuminated as were the prior "Eckerd" signs.
6. The Applicant further indicated that it was aware of the restrictions and limitations contained in the prior Resolution of the BOARD dated November 20, 2002, a Resolution that granted site plan approval to the prior tenant, "Eckerd". The Applicant specifically stated that it agreed to be bound by all of the terms and conditions set forth in said Resolution, including, but not limited to, hours of operation and lighting restrictions. The BOARD also finds that there will be no negative impact from a decision to grant the requested variances. The signage will be more appropriate than the preexisting nonconforming signage on the building. The signs will render the new use more visible to the public and provide a health and safety benefit. The signage is more appropriate in scale than prior signage. The BOARD thus finds that the signage will promote the goals and objectives of the Municipal Land Use Law and that the benefits outlined above outweigh any potential detriment resulting from the grant of the variance.
7. The BOARD also finds that a decision to grant the requested variances will not impair the zone scheme or plan of the Borough

and not negatively impact the Zoning Ordinance nor the Master Plan of the Borough.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING

BOARD OF THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70, that the BOARD hereby grants the Applicant's requested sign variances subject to the following terms and conditions:

- A. The Applicant shall be required to comply with all of the terms and conditions of the Resolution of the BOARD dated November 20 2002, a Resolution that granted site plan approval to a prior occupant. All of the terms and conditions of said Resolution (a copy of which is attached hereto are hereby incorporated by referenced in the within Resolution.
- B. Applicant shall secure all required sign permits and any required building permits prior to the installation of any new signage.
- C. All signage shall comply with the sketches and drawings provided to the BOARD at the aforementioned hearing and shall comply with all testimony provided to the BOARD at said hearing.

Offered by: Mr. Oppelt
Second by: Mr. Browne

AYES: Messrs. Browne, Ludwig, Mital, Oppelt, Schwamb, Von Bradsky, Ms. Eisen, Councilman Magurie

NEW BUSINESS:

37 PARK AVENUE, LLC – 37 Park Avenue
Lot: 4 Block: 1505

Chairman Mital explained this was a memorializing resolution to a voice vote taken at the last meeting.

WHEREAS, 37 PARK AVENUE, LLC, 37 Park Avenue, known as Lot 4 in Block 1505, on the tax map of the Borough of Park Ridge had posted a Cash Performance Bond in the amount of \$96,660.00 in 2006; and

WHEREAS, the Cash Performance Bond was reduced to \$89,910.00 in October 2009; and

WHEREAS, the Cash Performance Bond was further reduced to \$17,760.00 in September 2010; and

WHEREAS, the applicant has requested their Cash Performance Bond released; and

WHEREAS, the landscaping still is to be executed on the site; and

WHEREAS, the Planning Consultant has reviewed the plan at the request of the Borough Engineer and submitted a bond estimate for approved landscape plan totaling \$4,341.75, a copy of which is attached; and

WHEREAS, The Borough Engineer has advised that a Maintenance Bond of \$12,082.00 must be submitted prior to the total release of the Cash Performance Bond.

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NOW, THEREFORE, BE IT RESOLVED by the PLANNING BOARD OF THE BOROUGH OF PARK RIDGE that the Cash Performance Bond be further reduced by \$13,418.25 leaving \$4,341.75 in the cash Performance Bond to guarantee the completion of the landscape plan.

AND BE IT FURTHER RESOLVED that no additional funds be released without the submission of the required two-year Maintenance Bond.

Offered by Mr. Oppelt.
Second by Ms. Eisen

AYES: Messrs. Browne, Ludwig, Mital, Oppelt, Schwamb, Von Bradsky, Ms. Eisen, Councilman Maguire.

ADJOURN:

There being no further business to come before the board requiring action, the board adjourned into work session to discuss a variety of planning issues.

Motion made by Mr. Oppelt, Second by Mr. Browne, carried unanimously.

Respectfully Submitted,



Helyn N. Beer
Secretary

(8:15pm)