

**BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
May 17, 2016
REGULAR MEETING**

The Public Meeting of the Zoning Board of Adjustment of the Borough of Park Ridge was held at Borough Hall on the above date.

Chairman Raman stated that the meeting was being held in accordance with the Open Public Meetings Act. He then asked everyone to stand and recite the Pledge of Allegiance.

Roll Call Board:

Chairman Sid Raman	Present
Mr. Robert Brennan	Absent
Mr. Jake Flaherty	Absent
Mr. Thomas Hoskins	Present
Mr. William Walker	Present
Dr. Eric von der Lieth	Present
Mr. John Sigillito	Present
Mr. Tom Lepore, Alt. #1	Present
Mr. Eric Wagner, Alt. #2	Absent

Also Present:

Ms. Marla Taus	for the Board Attorney
Mr. Robert Ludwig	Zoning Officer
Ms. Eve Mancuso	Board Engineer
Mr. Kevin Kain	for the Board Planner

APPROVAL OF MINUTES

April 19, 2016

Mr. Hoskins made a motion to approve the minutes. The motion was seconded by Mr. Walker and approved all.

RESOLUTIONS OF APPROVAL

APPLICATION #ZBA 16-01

Lollipop Nursery School
Block 503, Lot 90
67 Spring Valley Rd.
Expansion of Non-conforming Use

Motion to approve: Mr. Von Der Lieth

Second: Mr. Flaherty

Ayes: Mr. Hoskins, Mr. Sigillito, Mr. Von Der Lieth, Mr. Flaherty, Chairman Raman

Nays: None

APPLICATION #ZBA 16-03

Todd Walder
Block 1312, Lot 1
65 Fremont Ave.
Front Yard Setback, Rear Yard Setback, Driveway Width

Motion to approve: Mr. Hoskins
Second: Mr. Flaherty
Ayes: Mr. Von Der Lieth, Mr. Sigillito, Mr. Hoskins, Mr. Flaherty, Chairman Raman
Nays: None

MEMORIALIZING RESOLUTIONS

APPLICATION #ZBA 16-02

David Alvarez
Block 708, Lot 2
145 North Ave.
Rear Yard Setback

Motion to approve: Mr. Hoskins
Second: Mr. Walker
Ayes: Mr. Sigillito, Mr. Hoskins, Chairman Raman
Nays: None

APPLICATION #ZBA 16-04

Keith and Sharon Marsh
Block 2302, Lot 12
105 Rivervale Rd.
DW Expansion, Added Curb Cut

Motion to approve: Mr. Walker
Second: Mr. Sigillito
Ayes: Mr. Hoskins, Mr. Walker, Mr. Sigillito, Chairman Raman
Nays: None

APPLICATION #ZBA 16-05

Joe Maire
Block 903, Lot 22
8 Willow Ct.
Maximum Building Width

Motion to approve: Mr. Walker
Second: Mr. Sigillito
Ayes: Mr. Hoskins, Mr. Walker, Mr. Sigillito, Chairman Raman
Nays: None

APPLICATION #ZBA 16-06

Paul Matiko
Block 1310, Lot 6
14 Bear Brook
Side Yard Setback

Motion to approve: Mr. Hoskins
Second: Mr. Walker
Ayes: Mr. Sigillito, Mr. Hoskins, Chairman Raman
Nays: None

HEARINGS

APPLICATION #ZBA 16-07

Madison Enterprises
Block 1406, Lot 6
161 Kinderkamack Rd.
Amended Site Plan

Mr. Walker read the list of exhibits into the record.

Mr. Jason Tuvel, Esq. came forward to represent the applicant and describe the changes to the site plan.

The original plan that was approved proposed a gas station and a convenience store. The applicant would now like to construct a Dunkin Donuts with a drive-thru in place on the convenience store. Mr. Tuvel explained that the operating hours would not change from what was originally approved. He further stated that the freestanding sign that was approved would also not change in sign, only in wording on the sign. He further stated that the applicant's engineer has been in touch with both County Engineers and the Chief of Police and have come to a consensus that the Northern curb cut on Kinderkamack would be for egress only and the Southern curb cut would be for ingress only.

Mr. Tuvel then called the applicant's engineer to testify.

Mr. John Palus from Dynamic Engineering was accepted by the Board to offer expert testimony.

Mr. Palus presented the site plan dated 5/17/16, marked as exhibit A-15 including Bergen County comments. A color rendering of the proposed Dunkin Donuts (SK-2) was also presented and marked as exhibit A-16.

Mr. Palus described the Dunkin Donuts building as having 1654 sq. feet with a drive thru window and 15 seats inside. It is slightly smaller with less building coverage and impervious coverage than was previously approved to accommodate a proper driving lane for the Drive Thru.

While 6 parking spaces are required this plan provides for 9 spaces. The gas station portion including the canopy is unchanged on the plan. The lighting for the drive thru is controlled by motion sensors and will only be on when there is a car in the lane. The trash receptacle is moved toward the northern property line and screened by a six foot fence. Trash pickup would be 2-3 times per week. The retaining wall is the same height, however the inner tier has been removed to accommodate the drive thru lane. The ADA access to the building and parking is compliant and unchanged from the original approval.

Chairman Raman asked Mr. Kain to comment on whether the lighting at the back of the building for the drive thru would be a nuisance to neighbors. Mr. Kain stated that the two mounted lights at the rear of the building shine down on the building and any bleed off would be blocked by the retaining wall.

Mr. Tuvel then called Mr. Nicholas Verderese of Dynamic Traffic was accepted by the Board to offer expert testimony.

Mr. Verderese reiterated the agreement mentioned earlier by Mr. Tuvel reached between the applicant, County engineers and the Park Ridge Police Chief. He further stated that the lot was big enough to accommodate the drive thru and that there was enough room for approximately 11 cars to stack at the drive thru, while the traffic studies conducted states the during peak operation only 8-9 cars would need to be accommodated.

Ms. Mancuso asked how the ingress and egress requirement would affect the flow of traffic to the gas tanks. The applicant agreed that adding striping on the northern tank to direct the flow of traffic would be appropriate.

Mr. Tuvel then called Mr. John McDonough of Dynamic Engineering to provide Planning testimony. Mr. McDonough was accepted by the Board to prove expert testimony.

Mr. McDonough stated that he feels the Dunkin Donuts is an appropriate use for the lot and does not require a variance as the Use is allowed in the Zone. He stated that the Menu sign does require a C variance but is required for the restaurant and drive thru to function properly. He further stated that it will point away from any neighboring residents so it will not cause a nuisance. Mr. McDonough believes the plan proposes an efficient use of the site and good traffic flow. The sound on the drive thru window adjusts to the ambient sound surrounding so that it will not be intrusive. Mr. McDonough stated that the plan complies with the objective of the Master Plan to upgrade and update commercial sites. The landscaping of the site is unchanged from the original approval.

Chairman Raman then opened the meeting to the public.

Jordan Fragiaco
114 Berthoud St.

Mr. Fragiaco expressed concern about traffic and lighting from the signs.

The applicant answered that the traffic has been studied extensively and the lighting will not reach the neighboring residents.

Eleanor Fragiacomio
114 Berthoud St.

Ms. Fragiacomio echoed Mr. Fragiacomio's concerns and added an additional concern over construction debris.

The Board, the applicant and the Fragiacomios embarked on a lengthy conversation over traffic flow. The applicant assured the Board that the extensive traffic study concludes that traffic will not be an issue and that they made the changes in ingress and egress requested by the Police Chief.

The meeting was then closed to the public.

Mr. Tuvel concluded that he believes what the applicant is proposing is in keeping with the Master Plan, requires only a sign variance as the Use is permitted and they have complied with the traffic adjustment proposed by the Park Ridge Police Chief.

The Board discussed the application and a motion was made by Mr. Hoskins to approve the application. The motion was seconded by Mr. Walker.

Ayes: Mr. Von der Leith, Mr. Flaherty, Mr. Sigillito, Mr. Hoskins, Mr. Walker,
Chairman Raman
Nays: Mr. Lepore

The application was therefore approved by a vote of 6-1.

A motion was offered by Mr. Hoskins, seconded and approved by all to adjourn at 9:46 pm.

There being no more business before the board, the meeting was adjourned at 9:40 pm.

Respectfully submitted,

Julie Falkenstern
Zoning Board Administrator

