

**MAYWOOD PLANNING BOARD  
MINUTES  
January 25, 2018**

A regular meeting of the Maywood Planning Board was held on Thursday, January 25, 2018 in the Council Chambers of the John A. Steuert, Jr. Municipal Complex, 15 Park Avenue, Maywood, New Jersey at 7:30pm. “This meeting was called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was published in the Our Town and The Record newspapers on or about November 23, 2017. In addition, copies of this notice were posted on the bulletin board in the Maywood Municipal Building at 15 Park Avenue, filed with the Borough Clerk and distributed to all persons, if any, requesting copies of the same pursuant to said act.”

**Flag Salute**

**Call to Order**

The meeting was called to order at 7:30pm with the following members present: Secretary Charlotte Panny, Mayor’s Designee Rick DeHeer, Councilman Michael Gervino, Gary Neumann, John Montel, Harry Hillenius, Charles Goebel, John McManus, Anthony Klymenko and John Gargagliano. Zoning Officer James Mazzer, Board Attorney Kara Kaczynski and Board Engineer David Gleassey were also present.

**Oaths of Office**

Rick DeHeer – Class I Mayor’s Designee  
Gary Neumann – Class II  
Councilman Michael Gervino – Class III  
Charlotte Panny – Class IV  
John McManus – Alternate #1  
Board Attorney Kara Kaczynski administered the Oath of Office.

**Reorganization of the Board**

**Elections**

Harry Hillenius nominated Frank Lichtenberger as Chairman of the Board and John McManus seconded the nomination.

Harry Hillenius nominated Paul Kuhn as Vice Chairman of the Board and Gary Neumann seconded the nomination.

Harry Hillenius nominated Charlotte Panny as Secretary of the Board and Rick DeHeer seconded the nomination.

**Professional Appointments**

Harry Hillenius made a motion to appoint Kara Kaczynski (McNally, Yaros, Kaczynski & Lime, LLC) as 2018 Legal Counsel to the Board and Charles Goebel seconded the motion.

Charles Goebel made a motion to appoint David Gleassey (Remington, Vernick & Arango Engineers) as 2018 Professional Engineer to the Board and Rick DeHeer seconded the motion.

Rick DeHeer made a motion to appoint Michael Kauker (Kauker & Kauker, LLC) as 2018 Professional Planner to the Board and Secretary Charlotte Panny seconded the motion.

Secretary Charlotte Panny made a motion to appoint Tara Grunstra as 2018 Recording Secretary to the Board and John McManus seconded the motion.

#### **Re-adoption of By-Laws Adopted 1/22/15**

Rick DeHeer made a motion to re-adopt the by-laws adopted 1/22/15 and John Montel seconded the motion.

#### **Re-adoption of Rules on Citizen Input During Planning Board Meetings Adopted 11/3/16**

Harry Hillenius made a motion to re-adopt the Rules on Citizen Input During Planning Board Meetings adopted 11/3/16 and Secretary Charlotte Panny seconded the motion.

All eligible members present voted in favor of the motions.

#### **Approval of Minutes**

John Gargagliano made a motion to accept the minutes from the December 7, 2017 meeting. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

#### **Bills**

Gary Neumann made a motion to accept payment of the bills. Harry Hillenius seconded the motion. All eligible members present voted in favor of the motion.

#### **Correspondence**

- 12/20/17 letter from Board Engineer David Gleassey Re: Outfront Media 99 Essex Street Completeness Review
- 12/20/17 letter from Board Engineer David Gleassey Re: Jay Zee Realty Corp. 78 West Pleasant Avenue Completeness Review
- 12/20/17 letter from Board Engineer David Gleassey Re: Basile 411 Oak Avenue Completeness Review
- 12/20/17 letter from Construction Official James Mazzer Re: Empire Real Estate Holdings, Inc. Tenant Cease of Use and Vacate the Property
- 12/27/17 letter from Board Recording Secretary Tara Grunstra Re: Outfront Media 99 Essex Street Hearing Date 2/1/18
- 12/27/17 letter from Board Recording Secretary Tara Grunstra Re: Jay Zee Realty Corp. Hearing Date 2/1/18
- 12/28/17 letter from Lapatka Associates Re: NJDEP Flood Hazard Area Verification and Flood Hazard Area Individual Permit for 162 Meadow Lane, Paramus, New Jersey
- 1/2/18 Public Notice for 174 and 178 Route 17 North, Rochelle Park, New Jersey
- 1/2/18 Amended Public Notice for Block 8, Lot 1.01, Rochelle Park, New Jersey and Block 125, Lot 3 and a portion of Lot 4, Maywood, New Jersey
- 1/9/18 letter from Bilow Garrett Group Re: Jay Zee Realty Corp. Detention System Analysis and Calculations

- 1/17/18 letter from Bergen County Department of Planning & Engineering Re: Maywood Marketplace Application
- 1/19/18 letter from Board Engineer David Gleassey Re: Basile 411 Oak Avenue Completeness Review #2
- 1/19/18 letter from James E. Jaworski Re: Outfront Media 99 Essex Street Revised Site Plan
- 1/19/18 letter from Kevin P. Kelly Re: Basile 411 Oak Avenue Revised Notice of Appeal and Site Plan
- 1/22/18 letter from Board Recording Secretary Tara Grunstra Re: Basile 411 Oak Avenue Hearing Date 2/22/18
- 1/22/18 letter from Board Engineer David Gleassey Re: Outfront Media 99 Essex Street Completeness Review Clarification
- 1/23/18 email from NJRA RTI: Real Estate Trends Symposium: Aligning Development strategies for IMPACT & PROFIT
- 1/23/18 Public Notice for Outfront Media 99 Essex Street, Maywood, New Jersey
- 1/23/18 Public Notice for Jay Zee Realty Block 81, Lots 1, 2, 4.01 and 8, Maywood, New Jersey
- 1/24/18 letter from Board Engineer David Gleassey Re: Outfront Media 99 Essex Street Completeness Review #2

Secretary Panny clarified that most of the correspondence was related to hearings scheduled for 2/1/18 and 2/22/18.

**Resolution**

**Maywood Joint Venture**

29 Essex Street  
Block 124, Lot 5

**Calendar #2017-12**

**Minor Site Plan Application**

Resolution updated to reflect factual testimony

Harry Hillenius made a motion to memorialize the resolution as written. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion. Board Attorney Kaczynski instructed Board Recording Secretary Grunstra to resubmit the Public Notice.

**Hearing**

**Suburban Revival**

9 East Pleasant Avenue  
Block 76, Lot 1

**Calendar #2017-17**

**Sign Application**

Heidi Linsalata of Majestic Signs and the applicant Laura Schuster were sworn in. They are proposing an awning sign for the business:

- Lettering measures 20 square feet
  - Falls within the 10% allowance of 22.4 square feet (building height 14' x building façade 16' = 224 square feet)
- Two colors; black awning with white lettering

Zoning Officer Mazzer explained that the business is located in the RC zone. Ms. Shuster described the business location as between the hair salon and tanning salon East Pleasant Avenue. She added that the previous tenant was a local political party. She would like to add lettering to the windows at a later date and was advised by Board Attorney Kaczynski that she would need to come before the Board to do so. Secretary Panny confirmed that there would not be any illumination and felt that the proposed signage would be an improvement. Board Attorney Kaczynski asked if there is an existing awning and Ms. Linsalata answered that an awning was not already in place. Secretary Panny asked if the street number would be added to the awning. Ms. Shuster replied that a number decal is on the door. Secretary Panny asked about the nature of the store and Ms. Shuster answered that Suburban Revival is a vintage boutique. Rick DeHeer observed that the awning shape is different than the neighboring businesses.

Harry Hillenius made a motion to approve the sign application. Gary Neumann seconded the motion. All eligible members present voted in favor of the motion. Zoning Officer Mazzer advised the applicant to contact Borough Clerk Jean M. Pelligra to receive Mayor and Council approval for right-of-way encroachment.

**Closed Session**                                 None

**Informal Hearing**                                 **Carvana**  
167 Route 17 North  
Block 124, Lot 2

Garett Jonilonis of Carvana began his presentation by explaining the Carvana business model. Carvana is a direct to consumer online automotive retailer where customers can purchase used cars, trade in their old cars and arrange pick-up or delivery of their purchased car. All transactions are arranged online. They operate in 44 US markets including Newark, NJ. They are interested in utilizing the location at 167 Route 17 North for a vehicle fulfillment facility aka Car Vending Machine. There are currently 7 Car Vending Machines in the US with 7 more under construction. The location at 167 Route 17 North is in the Limited Light Industrial (LL) zone and is 1.8 acres. They are proposing two curb cuts pending NJ DOT approval. The building would have a 6,000 square foot footprint with an 8-tier glass car tower. The vehicles in the tower will have already been purchased and financed online and are in place for customer pick-up by appointment. The usual time between purchase and pick-up is 24-48 hours. Mature markets have 10-12 vehicles picked up each day. Carvana is not considered a car dealership and NJ does not require them to have a dealership license. Mr. Jonilonis suggested that there could be a 1% tax on each sale for the municipality but conceded that more research into the tax code was needed. The average Carvana purchase price is \$20,000. No cars would be serviced at the location. There would not be any refueling and no fuel tanks are proposed. The cars that would be brought to this location would be from the facility in Philadelphia with deliveries of purchased cars and pick-ups of traded in cars twice a day; morning and evening. The tower is lit with lighting that would not spill outside the property.

Mr. Jonilonis invited questions from the Board. Charles Goebel asked for a list of the other locations and Mr. Jonilonis replied that the other locations are in the four major metro cities in

Texas, Jacksonville, Raleigh, Philadelphia, Charlotte, Tampa, Phoenix and Chicago. There are approximately 11,000 vehicles of all makes and models in the Carvana inventory. Most of the cars are two years old with low mileage. Secretary Panny clarified that the purchased cars are stored in the tower for the customer to collect. No purchased cars will be stored outside. The car hauler from Philadelphia is 74' foot long and holds 9 cars. The 8-tier tower holds 28 cars. The proposed outside parking would conform to Borough code and he expects it to have about 35-40 spaces. The building would conform to the Borough code setbacks and landscape requirements. Rick DeHeer asked about Carvana's history. Mr. Jonilonis answered that the company began in Atlanta in 2012 and has expanded every year since then. He noted that a car vending machine grand opening receives media attention and sales surge. Board Attorney Kaczynski clarified that the property is located between the Hackensack Fitness & Wellness Center and the Sunoco Service Station. When asked by Secretary Panny about drop-in foot traffic, Mr. Jonilonis answered that potential customers would be directed to the website. Carvana offers a 7-day test-own period during which a customer can return a car for a full refund. Councilman Michael Gervino asked if trade-in could be dropped off at this location and Mr. Jonilonis affirmed that they could. Trade-ins are valued based on the VIN #, make/model/trim, mileage and condition. Trade-ins are shipped back to Philadelphia on a daily basis. John Gargagliano asked about the facility rendering and Mr. Jonilonis explained that this rendering represents version 4.0. Secretary Panny asked how many customers also trade-in, but Mr. Jonilonis did not have that information. Trade-in are brought to the one of the logistical hubs in Philadelphia, Atlanta, Dallas and Phoenix and they are planning to add more. These locations have large storage lots with reconditioning areas like paint booths and photoboosts where 360° photographs are taken.

Rick DeHeer asked how tall the 4.0 tower was and Mr. Jonilonis replied 72' above the 15' base building. When asked by Rick DeHeer, Mr. Jonilonis answered that minimal gas is in the car tanks. There is a wet bay in the base building to detail cars if dirty from riding on the car carrier. Rick DeHeer asked about nighttime lighting of the towers and Mr. Jonilonis answered that the towers are lit all night. Mr. DeHeer is concerned that nighttime lighting may disturb residents. Mr. Jonilonis offered to provide a photometric study from existing facilities and said that Carvana would comply with Borough regulations. Secretary Panny asked about the Newark facility and Mr. Jonilonis explained that the Newark facility does not have a car vending machine. The Newark facility is a car lot and an office set in an industrial area. Charles Goebel asked how many employees are on-site and Mr. Jonilonis replied that they have 12-15 employees per distribution center. Charles Goebel asked why 35-40 parking spaces are needed for 12-15 employees. Mr. Jonilonis explained that the parking spaces are for employees, customers picking up that are being driven by a friend or family and trade-in spaces. Harry Hillenius noted that the site plan depicts one ingress/egress but Mr. Jonilonis said that there would be two. Mr. Jonilonis apologized for the mistake and stressed that there would be two access points; one for ingress and one for egress. Mr. Hillenius believes that there should be a deceleration/acceleration lane given that the highway is so busy and car carriers have special requirements. Mr. Jonilonis answered that they would comply with the DOT rules. John Gargagliano confirmed that no cell towers would be installed on the building. Charles Goebel asked if the facility would be reconfigured in the future to reflect updated versions being built in other markets. Mr. Jonilonis answered that the financial investment required to build the facility would prevent future reconfiguring. Mr. Goebel asked about business hours and Mr. Jonilonis

answered that the hours are typical retail hours; managers would arrive at 7:30am and the last appointments would be 7 or 8pm.

Secretary Panny asked Board Engineer David Gleassey if he had any questions. Board Engineer Gleassey has concerns about the ingress/egress onto the highway. He asked if customers could utilize an on-site computer to browse and purchase but Mr. Jonilonis explained that the walk-in customers are directed to use their own computer. The facility is not set-up for customer online use. Board Engineer Gleassey asked where cars delivered would go if the tower was full. He questioned if the cars would be stored outside. Mr. Jonilonis answered that the system would not allow cars to be delivered if the tower was full. Secretary Panny asked if sellers would drop off cars at this location and Mr. Jonilonis replied that after arranging the sale online, a seller could drop off at this location and the car would be shipped via the car hauler to Philadelphia. There is a second option where a car hauler could pick-up a car at the seller's residence. Prior to tonight's meeting, Charles Goebel read a few negative online reviews of Carvana. Mr. Jonilonis explained that Carvana strives for excellent customer service and attempts to satisfy every customer. Secretary Panny advised Mr. Jonilonis to submit the appropriate paperwork should Carvana want to proceed with a formal application.

#### **Old Business**

- Charles Goebel considers the removed windows at the Paul Padro project at 81 West Pleasant Avenue as unsightly and unsecure. He asked Zoning Officer Mazzer for an update on the status. He and Fire Official Tom Tuttle spoke with Mr. Padro and emphasized the need to cover or replace the windows as the highest priority. Zoning Officer Mazzer threatened a violation if action isn't taken quickly.

#### **New Business**

- Secretary Panny is concerned about the health impact of PSE&G Substation on Spring Valley Road in Paramus near the Kohl's shopping center. John Gargagliano and Rick DeHeer assured her that there is no radiation exposure with this facility.
- Councilman Michael Gervino notified the Board of an ordinance revision to Chapter 209 Land Use. A draft copy of the ordinance will be distributed before the next meeting on 2/1/18 and will be discussed at that meeting as New Business.

#### **Open Meeting to the Public**

#### **Adjournment**

A motion to adjourn the meeting was made by Harry Hillenius. John McManus seconded the motion. The meeting was adjourned at 8:35pm.

Respectfully submitted,

Tara Grunstra  
Planning Board Recording Secretary