

**MAYWOOD PLANNING BOARD
MINUTES
January 27, 2022**

A regular meeting of the Maywood Planning Board was held on Thursday, January 27, 2022 via the “Zoom” online meeting platform at 7:30pm. “This Virtual Meeting is called pursuant to the provisions of the Open Public Meetings Act. Both adequate and electronic notice of this virtual meeting has been provided by way of publication in the Our Town and The Record newspapers on or about December 16, 2021. In addition, notice of the meeting was posted on the door of the Maywood Municipal Building located at 15 Park Avenue and any handicapped-accessible entrances thereto; posted on the municipal website; provided to the municipal Clerk and distributed to all persons, if any, requesting copies of same. This meeting is being recorded with both audio and video and may be rebroadcast. This meeting is a judicial proceeding, any questions or comments must be limited to the issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times. The public commenting policy for electronic public meetings will also be followed as noted on the Borough website (www.maywoodnj.com).”

Flag Salute

Oaths of Office

Gary Neumann – Class II
Councilperson Ryan Ullman – Class III
Charlotte Panny – Class IV
Douglas Herrick – Class IV
Derek Eisenberg – Alternate #1
Board Attorney Kara Kaczynski administered the Oath of Office.

Call to Order

The meeting was called to order at 7:35pm with the following members present: Mayor Richard Bolan, Councilperson Ryan Ullman, Gary Neumann, Chairperson Charlotte Panny, Vice Chairperson Paul Kuhn, Secretary Anthony Klymenko, John Montel, Harry Hillenius, Douglas Herrick, Derek Eisenberg, Thomas Anzevino (arrived @ 7:54pm), John Gargagliano and Geoffrey Smith. Board Attorney Kara Kaczynski, Board Engineer Gregory Polyniak and Board Planner Michael Kauker were also present.

Reorganization of the Board

Elections

Derek Eisenberg nominated Charlotte Panny as Chairperson of the Board and Paul Kuhn seconded the nomination. All eligible members present voted in favor of the motion.

Chairperson Charlotte Panny nominated Paul Kuhn as Vice Chairperson of the Board and John Gargagliano seconded the nomination. All eligible members present voted in favor of the motion.

Vice Chairperson Paul Kuhn nominated Anthony Klymenko as Secretary of the Board and Chairperson Charlotte Panny seconded the nomination. All eligible members present voted in favor of the motion.

Professional Appointments

Chairperson Charlotte Panny made a motion to appoint Kara A. Kaczynski (McNally, Yaros, Kaczynski & Lime, LLC) as 2022 Legal Counsel to the Board and Vice Chairperson Paul Kuhn seconded the motion. All eligible members present voted in favor of the motions.

Chairperson Charlotte Panny made a motion to appoint Gregory J. Polyniak (Neglia Engineering Associates) as 2022 Professional Engineer to the Board and Derek Eisenberg seconded the motion. All eligible members present voted in favor of the motions.

Chairperson Charlotte Panny made a motion to appoint Michael Kauker (Kauker & Kauker, LLC) as 2022 Professional Planner to the Board and Mayor Richard Bolan seconded the motion. All eligible members present voted in favor of the motions.

Chairperson Charlotte Panny made a motion to appoint Tara Grunstra as 2022 Recording Secretary to the Board and Secretary Anthony Klymenko seconded the motion. All eligible members present voted in favor of the motions.

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

Mayor Richard Bolan made a motion to re-adopt the by-laws adopted 1/22/15 and Gary Neumann seconded the motion. All eligible members present voted in favor of the motions. Board Attorney Kara Kaczynski requested that the Board review the By-Laws and Rules on Citizen Input During Planning Board Meetings. She invited members to propose any changes at one of the March meetings.

Re-adoption of Rules on Citizen Input During Planning Board Meetings Adopted 8/23/18

Vice Chairperson Paul Kuhn made a motion to re-adopt the Rules on Citizen Input During Planning Board Meetings adopted 8/23/18 and Secretary Anthony Klymenko 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 2, 2021 meeting. Vice Chairperson Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Bills None

Correspondence

- 12/6/21 public notice letter from GHD Re: Maywood Chemical Superfund Site Block 124, Lots 17, 29 and 30 Application for Freshwater Wetlands General Permit (GP-4) Equivalency
- 12/15/21 letter from City of Hackensack Deputy Clerk Allison Saabye Re: Ordinance #54-2021 Adopting the Sears Roebuck and Company Redevelopment Plan Within the Main Street Rehabilitation Area Consisting of Block 405, Lots 3 and 14, and Block 406, Lot 1.03 Adopted 12/7/21
- 12/21/21 letter from Board Engineer Gregory J. Polyniak Re: Duke Realty 149-151 Maywood Avenue Revised Completeness, Planning & Engineering Review
- 12/22/21 letter from Andrew S. Kohut Re: Duke Realty 149-151 Maywood Avenue Waivers Request
- 12/22/21 letter from Board Engineer Gregory J. Polyniak Re: Duke Realty 149-151 Maywood Avenue Revised Completeness, Planning & Engineering Review

- 12/23/21 letter from Board Recording Secretary Tara Grunstra Re: Duke Realty 149-151 Maywood Avenue Application Hearing Date 1/27/22
- 12/23/21 memorandum from Board Planner Kauker & Kauker Re: Duke Realty 149-151 Maywood Avenue Application
- 1/11/22 letter from Zoning Officer Dina Lynch Re: Carol McGivney 609 Edel Avenue Denial Letter
- 1/12/22 letter from City of Hackensack City Clerk Deborah Karlsson Re: Ordinance #04-2022 Revising Chapter 175 Zoning
- 1/14/22 cover letter from Andrew S. Kohut for 1/13/22 Bohler Engineering and 1/7/22 Atlantic Traffic & Design Response Letters Re: Duke Realty 149-151 Maywood Avenue
- 1/20/22 letter from Board Engineer Gregory J. Polyniak Re: Duke Realty 149-151 Maywood Avenue Revised Completeness, Planning & Engineering Review

Thomas Anzevino arrived at the meeting at 7:54pm. Board Attorney Kara Kaczynski administered his Oath of Office.

Resolution None

Completeness Hearing None

Application Hearing **Duke Realty**
 149-151 Maywood Avenue
 Block 124, Lot 30
Calendar #2021-11
Variance & Site Plan Applications

Board Attorney Kaczynski advised that all of the Applicant’s experts will testify and then the public may ask questions of the experts. Chairperson Panny indicated that testimony will end by 10:30pm keeping the meeting to 3 hours.

James Jaworski of Wells, Jaworski & Liebman represents the Applicant, Duke Realty Limited Partnership. The subject property is 27 acres with a small portion in Rochelle Park. As such, the Applicant is required to seek site plan approval from Rochelle Park. Mr. Jaworski explained that the Applicant chose to apply for approvals with Maywood first. Chairperson Panny confirmed with Board Recording Secretary Tara Grunstra that the proofs of service and publication were submitted. Board Attorney Kaczynski verified that the Board has jurisdiction. Mr. Jaworski stated that the subject property is located in the Limited Light Industrial (LL) zone which permits the proposed use of warehousing. He anticipated four experts to testify:

1. Alex Lomei of Bohler Engineering
2. John Harter of Atlantic Traffic & Design
3. Scott Daniel of Ware Malcomb
4. Diya Chen of Philip Preiss

Mr. Jaworski introduced Michael Davis of Duke Realty who is available to answer questions on operations. The Applicant is seeking site plan approval, variances for parking and retaining wall height and several waivers. Mr. Jaworski stated that when the site was used previously as a Sears warehouse, the building was approximately 290,000 square feet. The proposed warehouse would be approximately 380,000 square feet. He described the current site condition as derelict. He said that the Applicant will build a LEAD silver certified facility. He stated that an application has been filed with the New Jersey

Department of Transportation in order to alter the Route 17 North access. Regarding the parking variance, Mr. Jaworski explained that the Applicant is proposing 309 parking spaces where 760 parking spaces are required. He believes that the proposed parking is sufficient for the Applicant's needs. Regarding the requested waivers, he believes that Board Engineer Gregory Polyniak supports the waiver relief. Mr. Jaworski said that the Applicant owns 23 warehouses in New Jersey including warehouses in Woodridge, Woodbridge and Lodi for retailers such as Amazon, Home Depot and Target. He also stated that this building is being built on spec and the Applicant does not have a tenant contracted. The building is designed to accommodate a single tenant or multiple tenants, however, most of the Applicant's other buildings are occupied by one or two tenants.

Board Attorney Kara Kaczynski marked the application as Exhibit A-1. She then swore in all of the Applicant's and the Board's witnesses.

1. Alex Lomei of Bohler Engineering
2. John Harter of Atlantic Traffic & Design
3. Scott Daniel of Ware Malcomb
4. Dija Chen of Philip Preiss
5. Michael Davis of Duke Realty
6. Gregory Polyniak of Neglia Engineering
7. Brian Intindola of Neglia Engineering
8. Michael Kauker of Kauker & Kauker

The Applicant's first witness is Alex Lomei of Bohler Engineering who was qualified and accepted. Mr. Jaworski marked the site plans prepared by Bohler Engineering last revised 11/18/21 as Exhibit A-2 and the Environmental Impact Statement dated November 2021 prepared by Bohler Engineering as Exhibit A-3. The colorized site plan sheet C-300 was marked as Exhibit A-4. Mr. Lomei shared his screen displaying the Aerial View prepared by Bohler Engineering dated 1/21/22 marked as Exhibit A-5. He described the existing site conditions. He noted the small section of the site that is located in Rochelle Park, the recently restored wetlands area and the gas line easement that runs along Route 17 North. He then displayed Exhibit A-4 colorized site plan sheet C-300. He described the proposed building and site improvements. The proposed warehouse would be 379,749 square feet with associated loading docks, driveways, trailer and car parking spaces and stormwater and utility infrastructure. He pointed out the ADA accessible parking spaces, electric vehicle charging stations and the designated EV make ready parking spaces. Mr. Lomei also identified the sidewalks along the north and south sides of the building which will be ADA accessible. He then discussed site access from Maywood Avenue, the new proposed acceleration/deceleration lane along Route 17 North and site circulation. He described the proposed two retaining walls that are necessary for grade changes and indicated where they would be located. The retaining wall requiring a variance (7.5' proposed vs. 5.25' maximum permitted) is located adjacent to the auxiliary parking lot in the southern part of the site. Regarding signage, Mr. Lomei explained that the Applicant is proposing 2 monument signs, 1 each at both entrances, and both will comply with Borough code. He identified the location of the two wall signs; southwest corner of the building and the southern side building extension. He assured the Board that both wall signs will comply with Borough code. He deferred to the Applicant's architect for further discussion of the proposed signage. Mr. Lomei described the proposed lighting and landscaping. He emphasized that the lighting will not spill onto adjacent properties and will comply with the Borough code. He said that the landscape will be utilized mostly for screening and identified the bioretention basins for stormwater.

Mr. Jaworski noted that they had received the 1/26/22 letter from the Maywood Shade Tree Commission earlier in the day and would attempt to satisfy all the requests in it. He suggested that Mr. Lomei and

Mr. Davis meet with the Shade Tree Commission and their arborist to determine an agreeable landscape plan before the next hearing. Mr. Lomei explained that the Applicant is seeking a waiver for 22 street trees proposed where 39 minimum street trees are required. Mr. Jaworski stated that the Applicant is willing to accept a satisfactory review from the Shade Tree Commission as a condition of approval. Mr. Lomei described the proposed stormwater infrastructure. He agreed to work with Board Engineer Greg Polyniak on the slope of the stormwater piping. Mr. Lomei believes that the site complies with the NJDEP stormwater requirements and expects that the permit will be approved. Referencing Board Engineer Polyniak's 1/20/22 review letter, Mr. Lomei offered to work with Board Engineer Polyniak regarding the cleaning, dredging, review of drainage ditches and areas of discharge. Regarding the other issues raised in Board Engineer Polyniak's 1/20/22 review letter, Mr. Lomei believes that the Applicant can accommodate the requests. He explained that they are proposing running the electric and telephone utilities underground from the building to a utility pole on-site to the overhead wires on Route 17. Regarding the waivers being requested, Mr. Lomei believes that Board Engineer Polyniak was agreeable to most of the waivers and stated that some waivers may be tied to the conditions of approval. He explained that the Applicant's plan reduces the amount of impervious coverage and complies with the Borough code. He summarized that the bulk criteria are all in compliance with Borough code.

Board Engineer Greg Polyniak noted that there are outstanding comments from his 1/20/22 review letter but he believes that the Applicant will address these comments with a future submission. He understands that LEAD certification emphasizes walking or public transportation instead of driving. He does not see a sidewalk from Maywood Avenue to the building and asked that it be added. Mr. Jaworski does not believe that sidewalks can be added because there is insufficient space next to the recently restored wetlands but will look into it and Mr. Lomei agreed. Board Engineer Polyniak believes that the widening of Maywood Avenue and curbing would damage street trees and has not seen a plan that details the impact to the street trees. Mr. Lomei agreed to provide a plan that details the streetscapes along Maywood Avenue. Board Engineer Polyniak asked how the site would be divided for multiple tenants. He cited the Woodridge location where fencing was installed. He then asked if the site plan could address the potential for vehicles to cut through the site to avoid traffic. Mr. Jaworski deferred this question to traffic engineer John Harter. Mr. Jaworski invited Board Engineer Polyniak to the on-site meeting with the Shade Tree Commission and Board Engineer Polyniak accepted.

The Applicant's next witness is John Harter of Atlantic Traffic & Design who was qualified and accepted. Mr. Harter explained that the NJDOT is focused on trip generation and the type of access permit which is driven by traffic generation. He noted that Maywood Avenue is a county road. He has met with the NJDOT at a pre-application meeting. He stated that the Institute of Traffic Engineers (ITE) publishes the trip generation manual which compiles data from many different land uses specifically during peak hours. In the warehouse category, there are a number of uses but he felt that the fulfillment center warehouse use was most applicable. Since that land use is a relatively new, he said that there isn't much data available. In 2019, his office studied 4 facilities in southern New Jersey in detail. Board Attorney Kaczynski requested that Mr. Harter explain what a fulfillment center is for the members of the Board and public who may not know. Mr. Harter provided the ITE definition as:

Typically of at least 200,000 square feet and is primarily used for the storage consolidation of manufactured goods prior to distribution to their destination.

Based on their in-house research, Mr. Harter's office established rates for morning and evening Peak Hours which is when a warehouse would generate the most significant traffic and coincides with commuter peak hours. The NJDOT has confirmed that the rates are the most appropriate for the proposed land use. Compared to the ITE numbers, Mr. Harter's data is more conservative. NJDOT prefers to compare data to the existing use which would be the Sears distribution center. The Sears land

use is classified as a parcel hub warehouse according to ITE. According to his analysis, Mr. Harter stated that there will be a 35% reduction in trip generation during the AM peak hour and a 15% reduction in trip generation during the PM peak hour with the proposed use as compared to the former use. Specifically, Mr. Harter's analysis shows that the truck trip generation would be higher with the Sears use as compared to the proposed use.

Mr. Harter displayed Exhibit A-4 colorized site plan sheet C-300 and described the new proposed acceleration/deceleration lane along Route 17 North. He explained that the bulk of traffic to and from the site will be employee based. According to the 30-minute radius for travel preferred by the NJDOT, Mr. Harter created a gravity model as to how traffic arrives at the site. Truck traffic is modeled based on anticipated destination which he believes is a smaller volume of trip generation. Mr. Jaworski confirmed that a major access permit has been filed and is pending with the NJDOT. Mr. Harter stated that the Maywood Avenue access point would not warrant a traffic signal as the trip generation numbers were lower. He explained that Bergen County does not like to add traffic signals as it requires widening the roadway significantly. The Applicant proposes that there will be a permissive right out and left in for trucks. Vehicles traveling north on Maywood Avenue making a left turn into the site may block other traffic traveling north. As such, he proposed widening Maywood Avenue by 1'-2' on both sides to allow trucks to exit right properly and increase the width of the northbound lane to permit traffic to bypass vehicles waiting to turn left into the site. He explained that the Applicant is awaiting feedback from Bergen County on the plans submitted. He did review six intersections in total mostly along the Maywood Avenue corridor for the County submission.

Mr. Harter said that his office conducted manual traffic counts in 2019 on Maywood Avenue and Route 17. He learned that the morning Peak Hour was 8am-9am and evening Peak Hour was 4:45pm-5:45pm. The analysis included the no-build condition (based on the Sears distribution facility) and the 2-year build condition. The 2-year build condition traffic volumes are lower than the no-build condition. Regarding the distribution of traffic, he explained that the routing shows 80 vehicles accessing the site from Maywood Avenue and 50 vehicles accessing the site from Route 17 during the AM peak hour. He further stated that the routing shows outbound traffic of 80 vehicles leaving the site via Maywood Avenue and 20 vehicles leaving the site via Route 17 during the PM peak hour. He explained that he doesn't consider the queuing information from modeling to be of concern. He anticipated a D Level of Service for the proposed acceleration/deceleration lane weave analysis which he considers acceptable. Mr. Harter estimates that traffic to and from the subject property via Maywood Avenue would represent 3% of total traffic volume during the AM Peak Hour and 3.5% during the PM Peak Hour. He anticipated an F Level of Service exiting the site based on the weave analysis due to the high traffic volumes which was discussed with Bergen County. Mr. Jaworski marked the Traffic Impact Analysis prepared by Atlantic Traffic & Design dated 4/15/21 as Exhibit A-7 and the NJDOT Access Permit Plans prepared by Atlantic Traffic & Design dated 10/12/21 as Exhibit A-8.

Mr. Jaworski repeated that the parking variance is for 309 parking spaces proposed vs. 760 parking spaces required. Mr. Harter explained that the ITE produces a parking generation manual and the warehouse category recommends ½ of a parked vehicle for every 1,000 square feet of space which translates to 150 parked vehicles for the proposed building size. He added that the Applicant also has the experience of their other locations to project their need for this location. Mr. Harter referenced Board Engineer Polyniak's 1/20/22 review letter and he will review the widening of Maywood Avenue and the impact that it would have on street trees. Mr. Harter was not anticipating vehicles cutting through the site and he will review the plans to provide a mitigation recommendation.

Board Engineer Polyniak asked if Mr. Harter's traffic analysis took into account the potential subleasing situation. Mr. Harter answered that the ITE does not adjust their guidance when it relates to subleasing. He believes that the trip generation would not change as it is based on building size and not number of tenants. Board Engineer Polyniak believes that different warehousing would have different trip generation and used the example of a fulfillment tenant vs. a traditional warehouse. Mr. Harter does not believe the trip generation would vary much. Board Engineer Polyniak questioned if there was a breakdown of the types of vehicles in the trip counts specifically tractor trailers. Mr. Harter replied that Sprinter vans are considered passenger vehicles and were not separated from the car count but tractor trailers which are articulated were specified as trucks. He said that he expects 6 tractor trailers trips in the AM Peak Hour and 6 tractor trailers trips in the PM Peak Hour for this location. He explained that this is considered a low number as most tractor trailer drivers prefer to drive outside of the Peak Hours. Board Engineer Polyniak asked if the Applicant studied the removal of the Maywood Avenue access or utilized it only as an entrance or exit and how that would affect the traffic counts and trip generation. Mr. Harter answered that he did not do an analysis removing the Maywood Avenue access as the Applicant feels that it is essential for site circulation and traffic distribution. He considers relying on Route 17 access exclusively would be problematic given the congestion. He and the Applicant have discussed that trucks exiting the site via Route 17 wishing to travel south would need to travel a distance in order to U-turn properly. He said that the ability for trucks to exit right onto Maywood Avenue and travel south was critical. He stated that the inbound left turn from Maywood Avenue traveling north was also critical due the congestion on Route 17. Board Engineer Polyniak said that he understood the need for a right turn exit onto Maywood Avenue but not the left turn in as traveling on a local road instead of a highway should be avoided. Mr. Harter cited Stepan Company's use of Maywood Avenue for tractor trailers as an example. Board Engineer Polyniak inquired if the Applicant considered a curbed island to limit left turn exits onto Maywood Avenue. Mr. Harter replied that Bergen County has requested an island but it would not restrict left turn exits as that is permitted for passenger cars but signage would be installed that trucks can only make a right turn exit. Board Engineer Polyniak asked about installing a sidewalk from Maywood Avenue to the building and from the satellite parking lot to the building as a pedestrian walking in a roadway would be dangerous. Mr. Lomei interjected that he will review adding pedestrian accessibility and believes that it can be accommodated. Mr. Jaworski added that the Applicant will accept any recommendations from the Board to ensure that tractor trailers would not make a left turn exit onto Maywood Avenue. Board Engineer Polyniak confirmed with Mr. Jaworski that Title 39 where police would be able to enforce traffic signage on private property would be permitted as a condition of approval.

Brian Intindola of Neglia Engineering confirmed that the traffic counts on Howcroft Road were conducted with the access gate in the open position. He noted that vehicles could be using the Hackensack Fitness & Wellness property as a cut through which may have inflated the traffic counts. Mr. Harter does not know if the gate was open or closed. Mr. Intindola understands that the Applicant is developing the property on spec meaning that there are no tenants contracted. He confirmed that the trip generation data was projected for a fulfillment center and panel vans would be used as the delivery vehicle to consumers. He also confirmed that the facility would be in operation 24 hours a day. He asked Mr. Harter to describe a typical day of employee, tractor trailer and panel van traffic to and from the facility. Mr. Harter provided the trip generation data during the Peak Hours:

AM Peak Hour

- 135 inbound trips
- 30 outbound trips
- 6 tractor trailer trips
 - 3 inbound

- 3 outbound

PM Peak Hour

- 67 inbound trips
- 104 outbound trips
- 6 tractor trailer trips
 - 3 inbound
 - 3 outbound

Mr. Intindola questioned the number of tractor trailer trips outside the Peak Hours. He confirmed that the delivery vehicles would be panel vans. Mr. Intindola does not believe that the Sears distribution center was operating 24 hours a day. He confirmed that the NJDOT recognizes that the Sears use was in the near-term window of being active and treats that use as currently active. Mr. Harter concurred and reminded the Board of the no-build vs. the 2-year build analysis. Mr. Intindola advised the Board that the NJDOT takes the specific approach that the virtual warehouse, that does not exist, is included in the roadway network when the Applicant applies for the NJDOT permit and it also applies to Maywood Avenue. He asked Mr. Harter to provide the trip generation numbers for Maywood Avenue during the Peak Hours. Mr. Harter provided the Maywood Avenue trip generation data during the Peak Hours:

AM Peak Hour

- 28 left-turn inbound trips
- 54 right-turn inbound trips
- 12 left-turn outbound trips
- 13 right-turn outbound trips

PM Peak Hour

- 14 left-turn inbound trips
- 27 right-turn inbound trips
- 38 left-turn outbound trips
- 45 right-turn outbound trips

Mr. Intindola described the proposed northbound Maywood Avenue drive aisle as overly wide. He detailed how a truck making a left turn into the property would queue waiting for a break in oncoming traffic and how northbound vehicles would move around the truck on the right so that traffic continued to flow. Mr. Harter agreed with the description. Mr. Intindola asked if it was legal to move around a stopped vehicle near a crosswalk as it is a restricted area. Mr. Harter answered that the issue has not come up during his discussions with Bergen County regarding the proposed plan. He added that Bergen County requested the pedestrian crosswalk be added on the south side of the intersection. Mr. Intindola believes that drivers that pass on the right of a queued tractor trailer may get a traffic ticket as crosswalks are a no-traffic area. Board Attorney Kaczynski requested the site plan to be displayed so that the Board could follow the discussion. Mr. Intindola understands that the use is permitted but he isn't sure that the zoning intended 24 hour a day operation. He suggested that the Board may consider a time restriction on using Maywood Avenue as Route 17 would be less congested overnight. Mr. Harter displayed Exhibit A-8 NJDOT Access Permit Plans prepared by Atlantic Traffic & Design dated 10/12/21 Sheet 27 of 35. Mr. Intindola requested that the study of 4 fulfillment facilities in southern New Jersey that Mr. Harter's office conducted be shared with the Board and Mr. Harter agreed to provide the data. Mr. Intindola inquired if the Applicant's Peak Hour trips were less than 100, would the Applicant be required to apply for an NJDOT permit if reusing the same driveway. Mr. Harter believes that the Applicant would receive a letter of no interest from the NJDOT in that scenario but the Applicant felt that the Route 17 access driveways needed to be reconfigured. Mr. Intindola repeated his concern that the proposed permissive left turn from Maywood Avenue into the site would violate crosswalk clearance zone rules so he would consider the turn as a single lane approach. He shares

Board Engineer Polyniak's thought that a LEAD silver certified facility would have pedestrian access. He believes that if the building is subdivided for multiple tenants and one or more require security fencing, the Applicant may need to go back before the Board. He also asked if the Applicant would need to reappear before the Board should a tenant require refrigeration. He noted that the exit movement onto Maywood Avenue is anticipated to be a Level F backing up onto the subject property but he wanted to know if this was determined using continuous flow or gap studies. Mr. Harter answered that a gap study was not conducted. Mr. Intindola believes that the waiting time that vehicles are idling in the queue to exit could impact the surrounding residential properties. Mr. Harter anticipates that up to 10 vehicles could be queued to exit from the property onto Maywood Avenue compared to 13 vehicles at Howcroft Road. He clarified that this would be a worst-case scenario.

Chairperson Charlotte Panny invited Board Planner Michael Kauker to question Mr. Harter. Board Attorney Kaczynski asked to mark the following exhibits:

- PB-1 – Neglia Engineering Associates review letter dated 12/21/21
- PB-2 – Neglia Engineering Associates review letter dated 12/22/21
- PB-3 – Kauker & Kauker memorandum dated 12/22/21
- PB-4 – Neglia Engineering Associates review letter dated 1/20/22
- PB-5 – Maywood Shade Tree Commission correspondence dated 1/26/22

Board Planner Kauker stated that the Applicant is proposing a high cube fulfillment center warehouse. He noted that there are five other types of warehouses with varying levels of trip generation and high cube fulfillment center warehouse is among the lowest traffic and parking demand generators. He asked if the building is subdivided for various tenants, would the Applicant limit their tenants to the high cube fulfillment center warehouse usage. If they don't intend to have that restriction, he asked would the Applicant return to the Board with a revised traffic impact analysis. He concurs with Board Engineer Polyniak's request for sidewalks to be installed for pedestrian use of the satellite parking lot. When he visited the site, he observed the narrow space between the wetlands and the driveway from Maywood Avenue and the grade change in that area. He suggested that the sidewalk may need to be constructed on the south side of the roadway. Mr. Jaworski agreed to review the issues raised by Board Planner Kauker.

Secretary Anthony Klymenko asked for the Level of Service for vehicles traveling north on Maywood Avenue turning left into the subject property. Mr. Harter answered that they anticipate a B Level of Service which is a 10 second delay. Secretary Klymenko questioned if the Level of Service was for tractor trailers or passenger cars since the timing would be different. Mr. Harter replied that the Level of Service was an average of all vehicles. He agreed that a truck may have a longer wait for clearance than a car. Secretary Klymenko believes that the number of trips generated for multiple tenants would be higher than a single tenant. Mr. Harter has not seen research to support Secretary Klymenko's assessment. Secretary Klymenko asked if the acceleration/deceleration lane extended to the Hackensack Fitness & Wellness property. Mr. Harter explained that drivers exiting Hackensack Fitness & Wellness have a narrow shoulder and would not benefit from the proposed acceleration/deceleration lane. Secretary Klymenko asked for the distance between when vehicles exiting Hackensack Fitness & Wellness merge in to Route 17 vs. the start of the proposed acceleration/deceleration lane. Mr. Harter didn't have the exact distance but Mr. Jaworski answered that it is several hundreds of feet. Mr. Jaworski explained that traffic from Hackensack Fitness & Wellness has already merged into Route 17 traffic before the acceleration/deceleration lane appears.

Derek Eisenberg asked if a pedestrian walking trail with park benches could be installed around the wetlands portion of the property. Mr. Lomei replied that he would need to refer to the DEP code but

suspects that the 50' buffer around the wetlands and grade drop-off may not permit a walking path. Mr. Eisenberg feels that traffic traveling north on Maywood Avenue making a left into the property and traffic exiting left from the property onto Maywood Avenue may be better served using Route 17 North. He believes that a right turn onto Maywood Avenue should be sufficient. From his own experience, utilizing Route 17 North is always faster than Maywood Avenue. Mr. Jaworski reminded the Board that the use is permitted and off-site traffic issues should not be considered by the local Planning Board. He will prepare a memo explaining the case law as traffic was already considered when the governing body zoned the property. He added that the Applicant is reasonable.

Chairperson Panny confirmed that the traffic signal on Maywood Avenue and Beech Street was considered by Bergen County when retail use was considered. Mr. Harter answered that signalization was no longer appropriate due to the anticipated trip generation and need for greater roadway widening to accommodate the traffic signal. He added that the Applicant is awaiting comments from Bergen County on the proposed plans. Chairperson Panny noted the time and that the next meeting was one week away on Thursday, 2/3/22. She understands that the Applicant will be meeting with the Shade Tree Commission in that time. Board Attorney Kaczynski summarized that the Applicant's engineer (Alex Lomei) and traffic engineer (John Harter) have testified and the Board's experts and some Board members questioned the witnesses. She believes that there will be additional questions from Board members and the public did not receive an opportunity to question the two witnesses. She wishes to start the next hearing with continuing questions from the Board and opening for public questions. Chairperson Panny announced to the public that the hearing was adjourned to the following meeting on Thursday, 2/3/22 at 7:30pm via Zoom with no requirement for the Applicant to provide additional public notice.

Informal Hearing None

Closed Session None

Old Business

- Councilperson Ryan thanked Frank Lichtenberger and Peter Cicarelli for their time on the Maywood Planning Board

New Business None

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Vice Chairperson Paul Kuhn seconded the motion. All members present voted in favor of the motion. The meeting was adjourned at 10:38pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary