

MAYWOOD PLANNING BOARD

January 22, 2015

A regular meeting of the Maywood Planning Board was held on Thursday, January 22, 2015 in the Council Chambers of the John A. Steuert, Jr. Municipal Complex, 15 Park Avenue, Maywood, New Jersey at 7:30 P.M. "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 December 11, 2014. 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 7:30 P.M. with the following members present: Chairman Frank Lichtenberger, Charlotte Panny, Mayor Gregg Padovano, John Montel, Charles Goebel, Harry Hillenius, John McManus, Ken Terzo, Councilman DeHeer, Al Ballerini and Anthony Klymenko. Also present were James Mazzer Zoning Officer, Board Engineer Tom Lemanowicz and Board Attorney Kara Kaczynski.

Oath of Office was conducted by Mayor Gregg Padovano. Chairman Lichtenberger welcomed the members to the Board.

Elections of the Board

Charlotte Panny nominated Frank Lichtenberger as Chairman to the Board. Mayor Gregg Padovano seconded the motion. Harry Hillenius nominated Paul Kuhn as Vice Chairman to the Board. Mayor Gregg Padovano seconded the motion. Frank Lichtenberger nominated Charlotte Panny as Secretary to the Board. Mayor Gregg Padovano seconded the motion. Frank Lichtenberger asked to cast one ballot for election. All members present voted in favor of the motions. Frank Lichtenberger made a motion to appoint Lynn-Marie Gargagliano as Board Secretary to the Planning Board for 2015 Calendar Year. Charlotte Panny seconded the motion. Ken Terzo made a motion to appoint Kara A. Kaczynski (Scarinci Hollenbeck) as Counsel to the Planning Board for 2015. Charlotte Panny seconded the motion. Harry Hillenius made a motion to appoint Thomas Lemanowicz (Remington, Vernick & Arango Engineers) as Board Engineer to the Planning Board for 2015. John Montel seconded the motion. Mayor Gregg Padovano made a motion to appoint Kauker & Kauker, LLC as Professional Planner to the Planning Board for 2015. Chairman Frank Lichtenberger seconded the motion. All members present voted in favor of the motions.

Adoption of the By-Laws - Frank Lichtenberger made a motion to accept the By-Laws with the Only change being the right to hire a Board Planner. Mayor Gregg Padovano seconded the motion. All members voted in favor of the motion.

Approval of Minutes: Mayor Gregg Padovano made a motion to accept the minutes from the December 4, 2014 meetings. Paul Kuhn seconded the motion. All members present voted in favor of the motion.

Bills: Harry Hillenius made a motion to accept payment of the bills. John McManus seconded the motion. All members present voted in favor of the motion.

Correspondence: Chairman Lichtenberger read all correspondences. Discussion about having Mr. Jaworski come in on February 26th meeting. Looking for relief of the Resolution and make notice.

Resolutions: None

Hearing:

Dean Builders, LLC
728 Coles Street
Blk. 53, Lots 6 & 7
Calendar #2014-18

David S. Lafferty, from Kelly, Kelly, Marotta and Lafferty, 25 E. Spring Valley Avenue. Her on behalf of Dean Builders for Minor Subdivision approval. Have Tom Stearns – Project Engineer Proposal to take two lots Coles/Woodland- subdivide to 3 lots with the 3rd lot being on Woodland. 50 Feet for each backyard. New lot 50x100 new lot will conform. One house been there for a long time is non-conforming both side yards. 4.8 side yard on North – 5 feet required. 7 ½ to south – 15 required. Non-conformity will exist today and tomorrow. Remaining lots will conform. Single family home will comply with setback. If doesn't we will comeback for any further variances.

Board Attorney swore in Thomas Stearns – Engineer since 1998. Been before this board before. Accept as an expert. Are familiar with Maywood and this property? (yes) Existing condition is two lots 8750 sq. feet. 50 x175 feet 1 family dwellings on each lot with 25 ft. setback large rear yards. 7.49 setback. Is this consistent with other lots? All were substandard with 10 feet. Rear of both lots have debris and storage. Yard is not kept well. Mark picture of property as A-1.

Description of the picture is Northeasterly rear building of house 728 Coles. Existing setback are only the 2 side yards are existing non-conforming. All other requirements are met. 125 feet lots. Front yard and rear coverages will comply. 67 foot rear year. Proposal – 50 x100 feet lot facing Woodland Avenue. Sample dwelling meet all bulk requirements. Meets side yard, rear yard and height requirements. Size of dwelling was controlled by the lot coverage. Will construction of home enhance the dwelling? (yes) Cleaning up yards will be a benefit. 30.21 rear – 26.12 front yard. Seepage pit in the front of proposed lot. Would be willing to move to left side to keep pit away from the property. (Neighbors) Chairman Lichtenberger – topography drop off to the right. How will the right side prevent water from the neighbors? Will have a swell, 5ft buffer adjacent to neighbor's property. Require a percolation tests done on soil before building. Builder will ensure that there is no hardship or drainage effects on the neighbors. Tom Lemanowicz stated that the December 31 plans show the grading earlier plan does not have the grading. My report is on the December 31st plan with seepage pit and topography. Mr. Lafferty – 2 variances prior non-conforming that have existed since house was built where the detriment would outweigh only benefit. Don't feel it would be a detriment. Chairman Lichtenberger – no sidewalks – do you propose sidewalks? (up to the Board) Chairman Lichtenberger asked Board Engineer Tom Lemanowicz to discuss his report. My letter of January 20th, Non conformity of lot 6 is side yard and front yard as they were described. Drainage calculations some issues, don't think that they need to be adjustments. Bigger drywell/deeper. With respect to the existing non-conformity gives the property of being intense. Compensation increase is not in contrast to zone plan. 25 feet drop foot where ordinance requires 15 feet. Drainage issues don't see but the overflow pipe – 4" pipe 3" curb face. Seepage pit will cause a deep surface, elevation 51 right corner 50. Eastside with topography (going to be a swale) Entire building goes to drywell. All lots drain to southeast. Proposed case the roof area to the drywell. Weight and volume will not be exceed in the proposed with the system. Hardship positive/negative with 3 lots. Building is a sample height and shape issues. Building inconsistent with architectural plans. Close front porch. Inconsistency addressed if application is approved. Mayor Padovano asked water from driveway

going? (towards Woodland Avenue to the east) Mr. Lemanowicz stated to Mr. Stearns that you have a small berm to further protect the property. Mr. Stearns stated that we can put a curb so no problem to neighbor to ensure prevention of water. Chairman Lichtenberger said he would not want to see any water go out on neighbor's property. Mayor Padovano - spec will comply with both standards 25 feet, how this lines up to neighboring house? (25 feet will line up) Harry Hillenius – backyard pitches down 4 feet – level backyard. Fill should not be brought up 3 or 6 inches on the neighbor's yard. Don't make backyard level. Mr. Stearns- taking away 50 feet of the depth of two lots still have 25% more than other lots. Chairman Lichtenberger complete drawing of what exactly. Mayor Padovano said bulk variance will comply or you will see us again. Attorney Kaczynski swore in Zoning Officer Mazzer – make it smaller have porch or not. Slope – put a pit in driveway that you drive over with a grate serves two purposes water in driveway to pit and serves as an overflow. Only will need the curb on right side. Mr. Lafferty stated that we can comply with that.

Chairman Lichtenberger opened the meeting to public.

Board Attorney Kaczynski swore in Gaetano Ricotta from 10 Lincoln Park Road, Pequannock – owner of 121 Woodland the property next to the proposed property. Basement – 5 feet underground don't want it to increase the head pressure into the ground and have water into our basement. Mr. Stearns stated that willing to move pit to other side and adjust the utilities to other side. Mr. Ricotta stated does have a retaining wall on property. Attorney Kaczynski asked if there is a condition into Resolution how was design and concerns of engineer and neighbors taken into account. We can do that calculations. Charles Goebel – Are the owners of the properties here? Harry Hillenius – Condition – putting sidewalks on the property? Chairman Lichtenberger stated that we have to deal with minor subdivision – existing non-conformities – issues to deal with.

Harry Hillenius made a motion to approve the minor subdivision. Mayor Gregg Padovano seconded the motion subject to the stipulation on record with the drainage and bulk standards. All members with the exception of John McManus (no) and Charles Goebel (abstained) voted in favor of the motion.

Old Business: Chairman Lichtenberger – Review of Borough Ordinances. Got together over the Christmas/New Year's reviewed the changes Kara had come up with. Made some changes for review. Kara will have prepared for review for the February 26th meeting.

New Business: Informal Hearings – should charge a fee to cover Professionals at the meeting. \$250.00 fee. What should we do? (Discussion to amend the fee ordinance.)

Tom Lemanowicz thanked the Board for letting Remington, Vernick and Arango for being Board Engineer for another year.

Adjournment: A motion to adjourn was made by Harry Hillenius; Mayor Gregg Padovano seconded the motion. The meeting was adjourned at 8:43 P.M.

Respectfully submitted,

Lynn Gargagliano
Secretary