

**MAYWOOD PLANNING BOARD
MINUTES
October 27, 2016**

A regular meeting of the Maywood Planning Board was held on Thursday, October 27, 2016 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, 2015. 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 7:29pm with the following members present: Chairman Frank Lichtenberger, Vice Chairman Paul Kuhn, Secretary Charlotte Panny, Councilman Rick DeHeer, John Montel (arrived at 7:32pm), Harry Hillenius, Charles Goebel (arrived at 7:37pm), John McManus (arrived at 7:33pm), Ken Terzo, Anthony Klymenko and Gary Neumann. Also present were Board Attorney Kara Kaczynski and Board Planner Michael Kauker.

Approval of Minutes

Vice Chairman Paul Kuhn made a motion to accept the minutes from the September 22, 2016 meeting. Councilman Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Bills

Harry Hillenius made a motion to accept payment of the bills. Secretary Charlotte Panny seconded the motion. All members present voted in favor of the motion. Chairman Frank Lichtenberger noted that additional escrow has been requested for the Machlin Minor Subdivision and Variance application but the applicant has not responded. Board Attorney Kara Kaczynski suggested that she draft a letter to the applicant’s attorney stating that escrow payment is a condition of approval. If the escrow shortage is not paid within a certain time, the Board application approval will be rescinded.

Correspondence

- 9/22/16 letter from Tom Lemanowicz Re: My Home Adult Day Care Completeness Review
- 9/28/16 letter from Francis A. Ciambrone, counsel for My Home Adult Day Care Re: Request for Hearing Date
- 9/29/16 public notice for 304 Essex Street, Lodi, New Jersey
- 9/30/16 letter from Zoning Officer James Mazzer Re: Park Avenue Auto Group Denial Letter
- 10/4/16 2016 New Jersey Planning Officials Official Ballot
- 10/7/16 letter to Francis A. Ciambrone, counsel for My Home Adult Day Care Re:

Variance Hearing Date 11/3/16

- 10/11/16 letter from Francis A. Ciambrone, counsel for My Home Adult Day Care Re: Testimony Overview
- 10/24/16 letter from Francis A. Ciambrone, counsel for My Home Adult Day Care Re: Revised Site Plan

Resolution #1

Spirit Halloween

93 Spring Valley Avenue
Block 2, Lot 9.3

Calendar #2016-12

Sign Application w/o Variance

Councilman DeHeer made a motion to memorialize the resolution. Secretary Panny seconded the motion. All members present voted in favor of the motion.

Resolution #2

Crossings at Maywood

129 Maybrook Drive
Block 131, Lot 12

Calendar #2016-13

Sign Application w/o Variance

Harry Hillenius made a motion to memorialize the resolution. Vice Chairman Kuhn seconded the motion. All members present voted in favor of the motion.

Hearing

None

Informal Hearing

None

Old Business

Draft Master Plan Housing Element and Fair Share Plan

- Chairman Lichtenberger noted that previous Master Plan recommendations have been implemented:
 - Bergen Town Center development
 - SID Pleasant Avenue improvements
- Board Planner Michael Kauker noted that the Draft Master Plan Housing Element and Fair Share Plan was submitted on August 15, 2016 by Special Counsel Patrick McNamara to Special Master Mary Beth Lonergan for the Court
 - She reviewed the document and participated in a field visit to the Borough the week prior to this meeting
 - Board Planner Kauker, Special Counsel McNamara and Special Master Lonergan viewed all the sites that are relevant to the Housing Element
- The Housing Element and Fair Share Plan represents 80% of the Master Plan
- The Vacant Land Adjustment determines a community's ability to provide additional housing and is used to establish the Realistic Development Potential (RDP)
 - Maywood's RDP is 4 low and moderate income housing units
 - Represents 20% of total housing units that are developable of vacant land in Maywood (20 units)

- Vice Chairman Paul Kuhn asked for a definition of vacant land and Board Planner Kauker explained that vacant land does not have existing structures in the tax assessment records
 - Ken Terzo confirmed that park land is not considered vacant
 - Developable land has a presumptive minimum density of 6 units per acre but Special Master Lonergan would prefer the density to increase to 8 units per acre to reflect the existing density in the Borough
- Based on Special Master Lonergan field visit observations, additional land parcels were added to the developable land total and the density was increased to 8 units per acre resulting in an increased RDP of 10 low and moderate income housing units from the previous 4
 - Represents 20% of total housing units that are developable of vacant land in Maywood (50 units)
- Based upon averaging the Econsult Report and the Kinsey Report, Board Planner Kauker believes that the Borough of Maywood has total obligation of 196 low and moderate income housing units
 - Municipalities can prove that there is not enough developable land to satisfy this obligation which is the Vacant Land Adjustment
- The difference between the 196 unit obligation and the 10 unit RDP is an unmet need of 186 low and moderate income housing units
 - To demonstrate to the Court that the Borough is committed to providing additional low and moderate income housing, zoning overlays are proposed
 - Garden Apartment Overlay Zone
 - Existing 490 units are 70 years old and zoning is 20 units per acre
 - Stimulate redevelopment with an overlay zone
 - 4-5 story condominiums
 - 40 units per acre zoning multiplied by existing area of 20 acres would result in 800 housing units
 - 15% set aside as low and moderate income housing would translate to 120 units satisfying some of the 186 unit unmet need over the next 10 years
 - Townhouse Use and Townhouse Use Overlay Zone
 - Satisfy the 10 unit RDP
 - Maine Evergreen and Herman Hofmann properties would be appropriate for this zone
 - 1 acre property on West Hunter Avenue behind the Maywood Avenue stores would be included
 - Zoned at 8 units per acre
 - Chairman Lichtenberger noted that the malt works on East Hunter Avenue may close and the Maywood DPW might expand into the space
 - Zoned at 8 units per acre would generate 14 low and moderate income housing units
 - Represents 20% of total housing units that are developable in this zone (70 units total)

- Chairman Lichtenberger asked for clarification on the Borough's obligation status as compared to what was presented previously where it appeared that the Borough had a surplus
 - Board Planner Kauker answered that the 10 unit Realistic Development Potential (RDP) based on the Vacant Land Adjustment will not satisfy the 196 low and moderate income housing unit obligation
 - The Borough has 167 low and moderate income housing credits from:
 - Lydecker Manor (135 credits)
 - Maywood Center for Health and Rehabilitation (12 credits)
 - Supportive/Special Needs Group Homes (20 credits):
 - Children's Aid and Family Services (4 credits)
 - Devereux Foundation (5 credits)
 - Neighbors Inc. (1 credit)
 - NIPD of New Jersey (4 credits)
 - Spectrum for Living (6 credits)
 - Secretary Panny asked if there is a comprehensive list of Section 8 certificate housing
 - Board Planner Kauker answered that he did not know how to access that information since he believes that it is privileged
 - While the 490 units in the Garden Apartment Zone cannot be credited, Special Master Lonergan is familiar with them
 - The Kinsey Report lists the Borough's obligation as 214 low and moderate income housing units
 - When the 167 credits are applied, the Borough's unmet need is 47 low and moderate income housing units
 - Garden Apartment Overlay may create 120 low and moderate income housing units
 - Townhouse Use and Townhouse Use Overlay Zone may create 14 low and moderate income housing units
 - Chairman Lichtenberger asked if this development would put pressure on the municipal infrastructure specifically the school system
 - Board Planner Kauker pointed out that the zoning could be revised after meeting the 47 unit unmet need
- Board Planner Kauker explained that COAH is negotiating obligation with individual municipalities
- Vice Chairman Kuhn asked if the low and moderate income housing need could be grounds for denying a variance application if the use is non-residential
 - Board Planner Kauker answered that any non-residential use in a residential zone could be denied since the property is a component in the Borough housing element
 - The Borough would need to pass an ordinance establishing that a portion of all residential development be set aside as low and moderate income housing
- Board Planner Kauker then reviewed the map entitled "Proposed Master Plan Amendments"
 - The map identifies 8 areas with the current zoning vs. the proposed zoning

- 1. West Hunter Avenue behind the Maywood Avenue stores – Townhouse Use does not change
 - Zoned for 8 units per acre but Special Master Lonergan may push for 12 units per acre
 - 2. Herman Hofmann Nursery on East Hunter Avenue – Previously zoned as Limited Light Industrial but was revised as Townhouse Use which is recommended to remain
 - Chairman Lichtenberger discussed the DPW expanding on East Hunter Avenue
 - 3. Garden Apartment on Maybrook Drive, Beech Street, Hammel Place, Howcroft Road and Demarest Place – Recommended for redevelopment overlay previously discussed (4-5 story buildings)
 - Ken Terzo noted that the height ordinance would need to be revised and Board Planner Kauker agreed
 - Chairman Lichtenberger added that the Garden Apartment zone to the east of Maybrook Drive could be 4-5 stories while the western side of Maybrook Drive that borders residential homes could be lower in height
 - 4. Single Family Residential on West Passaic Street bordering the West Pleasant Avenue – Recommended for commercial use
 - Chairman Lichtenberger mentioned that previously the Board wanted to maintain the residential edge on West Passaic Street and utilize interior side street properties for potential parking areas
 - Board Planner Kauker informed the Board that Special Master Lonergan suggested adding second story residential apartments above existing businesses on West Pleasant Avenue
 - Chairman Lichtenberger replied that the Board would be willing but parking becomes an issue
 - Board Planner Kauker asked about the Gustenhoven property on the corner of Maywood Avenue and Passaic Street
 - He would be interested in changing the zoning from Single Family Residential to Townhouse Use for that parcel as well as the 2 adjacent homes
 - Charles Goebel mentioned that location would be attractive for young professionals commuting to Manhattan
 - 5. Two locations:
 - Maine Evergreen Nursery – Zoned as Limited Light Industrial and Townhouse Use does not change
 - Several properties on the western end of Prospect Avenue – Zoned as Townhouse Use does not change
 - 6. Route 17 North Redevelopment Area – Zoned as Limited Light Industrial but recommended for mixed use commercial/office use
 - Minimal remediated parcels deemed appropriate for unrestricted use which includes residential
 - Located closest to Route 17 North which is not a desirable location for residential development

- Charles Goebel informed the Board that he was contacted by an adjacent property owner to present a proposal to the Board
 - Sears has vacated the Kin property
 - 7. Former Design Spree property – Zoned for Limited Light Industrial but recommended as Restricted Commercial use or commercial mixed use
 - 8. Garden Apartment bordering Essex Street – Recommended for redevelopment overlay of mixed use residential/commercial use
- Chairman Lichtenberger read from the 2003 Master Plan Redeveloper Highlights which contained several recommendations:
 - Redevelop areas at the perimeter of the municipality where applicable
 - Develop a mid-rise development on the north side of Essex Street
 - Redevelop Townhouse Use at the westerly terminus of Prospect Avenue at the Rochelle Park boundary
 - Redevelop the triangular area east of Hackensack-Lodi Railroad for Restricted Commercial use
 - Redevelop the northbound and southbound ramp areas flanking Route 17 for Restricted Commercial use
 - Develop Maywood property abutting the Bergen Mall
 - Redevelop Stepan property and other nearby properties with mixed uses and light rail
- Board Planner Kauker will continue to work on the Master Plan reexamination

New Business None

Open Meeting to the Public None

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. John McManus seconded the motion. The meeting was adjourned at 9:08pm.

Respectfully submitted,

Tara Grunstra
 Planning Board Recording Secretary