

**MAYWOOD PLANNING BOARD  
MINUTES  
December 1, 2016**

A regular meeting of the Maywood Planning Board was held on Thursday, December 1, 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 7:26pm with the following members present: Chairman Frank Lichtenberger, Secretary Charlotte Panny, Mayor Adrian Febre (arrived at 8:17pm), Councilman Rick DeHeer, Harry Hillenius, Charles Goebel, John McManus (left at 8:05pm), Ken Terzo, Anthony Klymenko and Gary Neumann. Also present were Zoning Officer James Mazzer and Board Attorney Kara Kaczynski.

**Approval of Minutes**

Harry Hillenius made a motion to accept the minutes from the October 27, 2016 meeting. John McManus seconded the motion. All eligible members present voted in favor of the motion. Secretary Charlotte Panny made a motion to accept the minutes from the November 3, 2016 meeting. Councilman Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

**Bills**

Two bills were added that were not on the agenda:

**Marilyn J. Machlin**

McNally, Yaros, Kaczynski & Lime LLC	\$ 1,296.00
Remington & Vernick	\$ 37.00
Current Escrow Balance	\$ 486.00

Harry Hillenius made a motion to accept payment of the bills. Ken Terzo seconded the motion. All members present voted in favor of the motion.

**Correspondence**

- 11/8/16 letter from Kara Kaczynski to Thomas K. Hynes, counsel for Marilyn J. Machlin Re: Escrow Shortage
- 11/9/16 letter from Thomas Lemanowicz Re: Empire Real Estate Holdings 191 West Central Avenue Completeness Review
- 11/11/16 letter from Kara Kaczynski Re: Rules on Citizen Input During Planning Board Meetings
- 11/21/16 letter from Kara Kaczynski to Thomas K. Hynes, counsel for Marilyn J.

Machlin Re: Escrow Shortage

- 11/22/16 letter Thomas K. Hynes, counsel for Marilyn J. Machlin Re: Escrow Payment

**Resolution #1**

**Bella's Beauty Salon & Spa**  
75C West Pleasant Avenue  
Block 71, Lot 15  
**Calendar #2016-16**  
**Sign Application w/o Variance**

Harry Hillenius made a motion to memorialize the resolution. Councilman DeHeer seconded the motion. All eligible members present voted in favor of the motion.

**Resolution #2**

**My Home Adult Day Care Inc.**  
37 Brook Avenue  
Block 107, Lot 23  
**Calendar #2016-14**  
**Variance Application**

Secretary Panny made a motion to memorialize the resolution. Ken Terzo seconded the motion. All eligible members present voted in favor of the motion.

**Hearing**

None

**Informal Hearing**

Park Avenue Motor Corp & Paul Padro

James Jaworski represents Park Avenue Motor Corp. He introduced the two owners that were present; Roy Sommerhalter and Michael Najdzin. Mr. Jaworski updated the Board that Sears has vacated in the Kin property. He then returned to the Park Avenue Motor Corp informal hearing and said that Park Avenue Acura is interested in purchasing the Maine Evergreen property at 561 Spring Valley Road. Jeffrey Morris of Boswell Engineering and the Maine Evergreen property owner Russell Trocano were also present. Mr. Jaworski explained that automotive manufacturers are requiring dealerships to have interior drive-up service so that patrons stay out of the elements when dropping their cars off for service. In order to accommodate this demand, Park Avenue Acura would need to enlarge their building into their overflow parking lot at the rear of their property. They are proposing utilizing the rear of the Maine Evergreen property which abuts the rear of their property as the new larger overflow lot. This part of the Maine Evergreen property is zoned as Limited Light Industrial (LL). They propose that the front of the Maine Evergreen property on Spring Valley Road be developed as condominiums. This part of the Maine Evergreen property is zoned as Townhouse Use (TH). The Townhouse Use (TH) density is 8 units per acre. Based on the size of this property, the permitted density is approximately 12 units while 20 units are proposed. The condos are either one or two bedrooms and are appropriate for single people or married couples without children. Acknowledging that vehicle traffic on Spring Valley Road should be minimized, there will be gate access between the proposed vehicle storage lot and the service building that fronts on West Passaic Street. Mr. Jaworski's client believes that less than 50 vehicles would be serviced on a daily basis.

Board Attorney Kara Kaczynski asked about the zone boundary. She noted that Block 69, Lot 4 is zoned as LL but is proposed to be developed as TH. Mr. Jaworski answered that the whole TH zone of this property is approximately 1.41 acres. Charles Goebel inquired about the square footage of the condo units and Mr. Jaworski replied 1,400-1,800 square feet. He added that the floorplans have not been finalized. Mr. Goebel asked about community amenities and Mr. Jaworski answered that the project was still in the concept stage. Jack McManus asked about the potential of commercial business on the ground floor with residential units on the second floor. Mr. Jaworski replied that it hadn't been considered but the idea is appealing. Chairman Lichtenberger provided his input on the proposal. He believes vehicle storage is not the best use of the available land but understands that Park Avenue Motor Corp. needs the space. He agrees that commercial businesses facing Spring Valley Road would be interesting. Chairman Lichtenberger asked if the vehicle storage could be cut back somewhat and Mr. Jaworski answered that it could but pointed out that expansion is needed for his client's business to remain in Maywood. Chairman Lichtenberger summarized by saying that the density of condo units is too intense and would need to be revised.

Charles Goebel asked the price per condo unit and Mr. Jaworski answered that it had not been set. Charles Goebel concurred with Chairman Lichtenberger that the density is too intense. He added that the mix of retail and residential would be beneficial for all parties. Chairman Lichtenberger asked if car carriers deliver to the Maywood dealership and Mr. Jaworski answered that car carriers deliver to Lodi and individual cars are driven over by staff. Councilman DeHeer echoed the sentiments of the other Board members where he felt the amount of vehicle storage should be reduced and commercial businesses added. Charles Goebel noted that the condo location would be desirable to young professionals because of the proximity to the West Passaic Street NYC bus stop and the walkability to the West Pleasant Avenue stores. Chairman Lichtenberger asked about 565 Spring Valley Road (Block 69, Lot 3) which is not included in the proposal. Mr. Jaworski answered that Mr. Trocano resides in that home and is not looking to sell. Mr. Jaworski asked about the history of the Maine Evergreen business and Mr. Trocano answered that the business started in 1961 by his grandfather. Charles Goebel believes that a BMW customer is the same demographic as the proposed condo owners. He believes that the size of the unit would need to be increased in order to be considered luxury. Councilman DeHeer is concerned about traffic from the storage area coming out on Spring Valley Road. Mr. Najdzin believes that the bulk of traffic would utilize West Passaic Street and the Spring Valley Road access would be secondary. Secretary Charlotte Panny asked for clarification on the how service customers access the property and Mr. Jaworski answered that they would be directed to the West Passaic Street address. Ken Terzo inquired which cars would be stored and Mr. Najdzin answered that it is new cars, cars being serviced and employee parking for the Acura dealership. Mr. Terzo asked about the 239 West Passaic Street (Block 86, Lot 23) property. Mr. Najdzin answered that the building is currently offices but will be renovated as a delivery center. Harry Hillenius noted that if commercial businesses are added to the proposal, parking will need to be considered.

Mayor Febre arrived at the meeting at 8:17pm. A short recess was taken at 8:18pm. The meeting resumed at 8:20pm with all members present.

Chairman Lichtenberger asked Mr. Jaworski when Fitness & Wellness of Hackensack expects to begin Phase 2 of their project. Mr. Jaworski said that a meeting is being planned between Fitness & Wellness of Hackensack and Kin Properties which will impact the schedule. Additionally, Fitness & Wellness of Hackensack and the Sunoco property owner have been in discussion. Chairman Lichtenberger explained that he would like the Route 17 North property to be redeveloped similar to what was done on Route 17 South in East Rutherford.

James Jaworski represents Paul Padro. Mr. Padro has previously appeared before the Board informally for the 81 West Pleasant Avenue property. His goal is to relocate his existing restaurant at 109 West Pleasant Avenue to this new location. New plans were distributed with a 9/27/16 revision date. Mr. Jaworski summarized the changes to the plans that were presented previously:

- The basement would be utilized for food preparation and baking
- The first floor would be the restaurant and cooking
- The second floor would be overflow restaurant seating
- The third floor would be office and storage space

Chairman Lichtenberger stated that the Board would like to see the property occupied. Mayor Febre asked what the requirements are for a basement kitchen. Zoning Officer Mazzer replied that there needs to be a minimum ceiling height. Mr. Padro explained that the basement will be dug out to accommodate an 8' ceiling. Chairman Lichtenberger noted that these plans do not include the previously proposed expansion to the garage. He added that the previously proposed second floor catering use would create a parking problem. By limiting the second floor use to overflow seating, Mr. Padro eliminated the parking problem. Mayor Febre asked if the new location would be named "Uncle Paulie's" and Mr. Padro confirmed that it would but the signage would also mention "Deserts by Janella". Fire Official Tom Tuttle would prefer for the third floor to be unused. He would also like the resolution to stipulate that the third floor should never have a bedroom space. Mr. Padro agreed to that stipulation. Zoning Officer Mazzer added that the basement and third floor would need a fire sprinkler system and Mr. Padro agreed.

Ken Terzo asked about how the entrance will be made ADA compliant and Mr. Padro answered that he plans to install a wheelchair lift on the side of the building on Palmer Avenue. Secretary Panny asked what the seating capacity is for the current business and Mr. Padro answered that it is 48 patrons. The proposed business would have seating for 70 patrons total (40 on the first floor and 30 on the second floor). The second floor space would not be expected to be filled as it would be overflow seating for the first floor restaurant. Mr. Padro initially wanted to use the second floor for catering but believes that overflow seating is a better use for his needs. He provided an example having to relocate sitting patrons to accommodate an arriving large group. Ken Terzo asked about how maximum occupancy is determined and Zoning Officer Mazzer answered that it is based on square footage. Mr. Padro noted that the planned table layout of the second floor would be adjusted based on demand. Zoning Officer Mazzer emphasized that using the second floor for catering would be a separate use requiring a variance and Mr. Padro reiterated that the second floor would be for overflow only. Anthony Klymenko clarified that having the first floor ADA compliant is satisfactory if the use is the same. Mr. Padro explained the first floor would have a bakery display counter by the entrance.

