

MAYWOOD PLANNING BOARD
MINUTES
December 3, 2015

A regular meeting of the Maywood Planning Board was held on Thursday, December 3, 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 7:33pm with the following members present: Chairman Frank Lichtenberger, Vice Chairman Paul Kuhn, Secretary Charlotte Panny, Councilman Rick DeHeer, Harry Hillenius, Charles Goebel (left @ 8:30pm) and Anthony Klymenko. Also present were Zoning Officer James Mazzer and Board Attorney Kara Kaczynski.

Approval of Minutes: Vice Chairman Paul Kuhn made a motion to accept the minutes from the November 19, 2015 meeting. Secretary Charlotte Panny seconded the motion. All eligible members present voted in favor of the motion.

New Business

- 1) Army Corp of Engineers Remediation Update presented by James T. Moore, FMSS Project Manager/FUSRAP Field Team Leader and William Kollar, Community Relations Manager
 - a. Thus far, 555,000 cubic yards (cy) of contaminated soil have been removed and disposed of
 - b. He expects to remove the remaining 223,000 cy of accessible soil in the next 5 years
 - i. Estimate 125,000 cy of inaccessible contaminated soil under Route 17, Route 80, Transco gas pipeline, NYS&W and several buildings (including the Sears distribution center)
 - ii. Board Attorney Kaczynski asked if the inaccessible contaminated soil under Route 17 is not cleaned up, would development be allowed on the Kin Properties location and Mr. Moore answered that the area would be able to be developed even if Route 17 is not remediated
 - c. Specifically related to the Kin Properties:
 - i. Sears’s lease expires on 12/31/16
 - ii. He expects the building to be demolished immediately and be down to a concrete pad by February 2017

- iii. The US Army Corp of Engineers will begin remediation and predict it will take 2 years to complete (expected end date of February 2019)
 - 1. Pending no surprises, the remediation level would allow for residential development (residential standard) everywhere except at the Stepan Chemical property (industrial standard)
- iv. Charles Goebel asked if there has been any indication from Kin on how they will redevelop the property and Mr. Moore explained that he has not been privy to that information
- d. Chairman Lichtenberger explained the Board's desire for a Beech Street roadway extension as an alternative to Howcroft Road
 - i. The proposed roadway runs through an area that still needs remediation
 - 1. The leaking pipe has been repaired
 - 2. Open channel section of Lodi Brook
 - 3. Mr. Moore expects that remediation of that area will be complete by September 2016
 - a. The proposed roadway area may be remediated prior to that date
- e. In terms of Route 17, Mr. Moore explained that the accessible areas adjacent to Route 17 have been remediated already to allow for rerouting the roadway in order to access the inaccessible areas
 - i. He expects that remediation of the inaccessible areas will not be started for many years
 - ii. Harry Hillenius asked for clarification and Mr. Moore stated that the site is "capped"
 - iii. Running parallel to Route 17 in several locations are high pressured gas mains which cannot be remediated
- f. Chairman Lichtenberger explained the light rail system that was proposed in the past with station access through Route 17 only
 - i. The Army Corp built a rail spur to fill their gondolas with contaminated soil
- g. Mr. Moore explained the chain of ownership for the 11.7 acres Stepan transferred to the Federal government in 1985. Once it is remediated, if the Department of Energy (DOE) doesn't need it, it will be offered to:
 - i. Any Federal government agency and if no agency wants it, it will be offered to:
 - 1. Any State government agency and if no agency wants it, it will be offered to:
 - a. Any County government agency and if no agency wants it, it will be offered to:
 - i. Borough of Maywood and if the Municipality didn't want it, it will be sold to:
 - 1. A private developer for fair market value
- h. Charles Goebel asked about clarification of the role of the Environmental Protection Agency (EPA) and New Jersey Department of Environmental Protection (NJDEP) in the project

- i. Mr. Moore explained that the EPA and NJDEP have oversight of the DOE and the US Army Corp of Engineers
- i. Mr. Moore expressed concern about any noise complaints and promised to do his best to minimize the noise

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

Correspondence:

- 1) 11/21/15 letter from Tom Lemanowicz of Remington & Vernick Re: J. Magnone Auto Group, LLC 29 Essex Street Completeness and Technical Review
- 2) 11/25/15 letter from Patrick McNamara of Scarinci Hollenbeck Re: Draft Summary of Plan
 - o Chairman Lichtenberger noted that there is overlap between the Housing Element and Fair Share Plan and the Master Plan
 - He suggested that that Master Plan is overdue for an update and the Board should begin preparing their input
- 3) 12/3/15 letter to Jennifer Knarich of Price, Meese, Shulman & D'Armino Re: Hearing Scheduled 1/7/16

Resolutions: None

Hearing: **Healthy Way Group, Inc.**
44 West Pleasant Avenue
Block 80, Lot 2
Calendar #2015-15
Sign Application

The applicant, Xiaoyi Hong is proposing:

- One 2' high x 12' wide wall sign (24 square feet)
- One 1.5' high x 3' wide window sign (4.5 square feet)
- 28.5 square feet total signage is proposed which is less than the 10% allowable of 28.9 square feet
- Three colors are proposed which is compliant with the allowable

Harry Hillenius made a motion to accept the application. Secretary Panny seconded the motion. All members present voted in favor of the motion.

Charles Goebel left the meeting at 8:30pm

Pleasant Avenue Barber Shop, LLC
34 West Pleasant Avenue
Block 79, Lots 3 & 4
Calendar #2015-16
Sign Application

The applicant is proposing:

- One 2' high x 12' wide wall sign on West Pleasant Avenue (24 square feet)
- One 2' high x 9' wide wall sign on Oak Avenue (18 square feet)
- 42 square feet total signage is proposed which is less than the 10% allowable of 96.6 square feet
- Three colors are proposed which is compliant with the allowable
- The existing lettering on the windows will be removed

Harry Hillenius made a motion to accept the application. Councilman DeHeer seconded the motion. All members present voted in favor of the motion.

Informal Hearing: Republic Enterprises LLC
561 Elm Street
Block 78, Lot 14

John M. Tudor is the architect for the developer, Republic Enterprises LLC and presented site plans to the Board:

- The property is located on the corner of East Pleasant Avenue and Elm Street
- Zoned for two-family residential
- Rather than stacking the 2 units, he suggests that placing them side-by-side with the front doors facing East Pleasant Avenue as more aesthetically pleasing
 - There will be a fire wall between the units
- Two (2) two-car garages will be on the basement level with mechanicals and storage
 - Unit A will have the driveway off of Elm Street
 - Unit B will have the driveway off of East Pleasant Avenue

Kami Rehanian is the developer and he has completed several projects already in Maywood (109 Thoma Avenue, 112 Grove Avenue and 114 Grove Avenue). Chairman Lichtenberger explained that another developer has presented a plan informally for this same location and the proposal was similar. Zoning Officer James Mazzer explained the difference between the two proposals was based on the garage locations. The prior plan had the garages on the same side as the front door while this plan moves the garages to side of the units. Zoning Officer Mazzer felt this change was more desirable since there would be space to park two cars in the driveway minimizing the need for on-street parking. When asked by the Chairman, Zoning Officer Mazzer explained that the proposed plan allows for clear sight distance on the corner. He further explained that a front and year yard variance would be required. Harry Hillenius suggested a variance to make the street address on East Pleasant Avenue instead of Elm Street since this is the direction the units would be facing. The grade of the property would put the building height well below the neighboring homes.

Anthony Klymenko expressed concern that the garage on Elm Street will be below grade and may be flooded with storm water run-off. Mr. Tudor explained that he has successfully designed many garages this way. Mr. Rehanian noted that they install a storm water tank to avoid

flooding. Mr. Tudor further detailed that a French drain in front of the garage doors will be installed. If there are any issues, a sump pump will be added. Mr. Rehanian will work with his engineer to determine the appropriate sized tanks to avoid flooding. Chairman Lichtenberger felt that slightly raising the driveway and apron could help mitigate flooding. He then summarized the variances that would be required for this project:

- Front yard setback 25' required, 15'-4" proposed
- Rear yard setback 30' required, 5' proposed

Old Business: None

Open to the Public: None

Adjournment: A motion to adjourn was made by Harry Hillenius. Chairman Lichtenberger seconded the motion. The meeting was adjourned at 9:01pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary