

**MAYWOOD PLANNING BOARD
MINUTES
February 23, 2017**

A regular meeting of the Maywood Planning Board was held on Thursday, February 23, 2017 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, 2016. 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 7:28pm with the following members present: Chairman Frank Lichtenberger, Secretary Charlotte Panny, Councilman Rick DeHeer, Gary Neumann, John Montel, Harry Hillenius, John McManus and Ken Terzo. Also present were Board Attorney Kara Kaczynski and Board Planner Michael Kauker.

Approval of Minutes

Gary Neumann made a motion to accept the minutes from the February 2, 2017 meeting. Harry Hillenius seconded the motion. All eligible members present voted in favor of the motion.

Bills

Ken Terzo made a motion to accept payment of the bills. Secretary Charlotte Panny seconded the motion. All members present voted in favor of the motion.

Correspondence

- 2/7/17 letter from Board Attorney Kaczynski to David S. Lafferty, counsel for Dean Builders Re: Escrow Release Approval
- 2/15/17 Public Notice for Bergen Town Center, Paramus, New Jersey
- 2/22/17 email from NJRA Re: RTI: Activating Redevelopment Plans – You Have the Plan, Now What?

Resolution #1

Planning Board Recommendation to Mayor and Council
Revising Board Application to Request 20 Copies of
Applications and Plans from 18 Copies

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

Resolution #2 Maywood Planning Board 2013 Annual Report

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

Resolution #3 Maywood Planning Board 2014 Annual Report

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

Resolution #4 Maywood Planning Board 2015 Annual Report

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

Resolution #5 Maywood Planning Board 2016 Annual Report

John Montel made a motion to memorialize the resolution. Councilman Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Hearing None

Informal Hearing None

Old Business None

New Business Master Plan Reexamination

- Secretary Panny has contacted the 11 apartment complexes in Maywood to determine the number of Section 8/HUD funded units.
 - She has received answers from 8 apartment complexes.
 - 46 units are subsidized of the 453 total units.
 - Bergen County Community Action Partnership offers a weatherization program.
 - 10 Maywood homeowners began the process but ultimately didn't complete the program.
 - Board Attorney Kara Kaczynski asked if we could get the names and addresses for the participants and Secretary Panny believes that an attorney or consultant might have better success.
 - She will provide contact information.
 - Michael Kauker is unsure if the 46 subsidized units would count toward our fair share credits since the tenant (not the unit) is designated as Low and Moderate Income.
 - Secretary Panny is still pursuing 3 apartment complexes which have 12 total units.

- Michael Kauker distributed a 1 page overview listing the major components of the Master Plan Reexamination and a map of the proposed West Pleasant Avenue Restricted Commercial expansion.
 - The Master Plan major components are:
 - Brings the Borough into compliance with the requirements of the Municipal Land Use Law (MLUL).
 - Is consistent with the proposed Fair Share Housing Plan which is also a chapter in the Borough's Master Plan.
 - Provides updated population and supportive demographic data from the 2010 Federal Census.
 - Carries forward the Statement of Objectives from the 2003 Master Plan.
 - Carries forward all Planning and Zoning recommendations contained in the 2003 Master Plan.
 - Identifies those recommendations that were implemented by Zoning Amendments and those that were not.
 - Addresses two major areas of concern:
 - West Pleasant Avenue Central Business District
 - The map of the proposed West Pleasant Avenue Restricted Commercial expansion identifies expansion of the RC for the properties between West Pleasant Avenue and West Passaic Street for Blocks 80, 81, 82 and 83.
 - Recommends second floor apartments with a portion set aside for Low and Moderate Income units.
 - 65-acre Route 17 Redevelopment Area
 - Provides a basis for creating a new Mixed Use Redevelopment Zone for this area.
 - Private redevelopment.
 - Kin Properties has two concept plans on their website.
 - Updates the Master Plan Map.
 - Pages 26-28 of the Draft Master Plan Reexamination and Map of the Proposed Amendments were discussed:
 - Amendment #1 West Hunter Avenue and Maywood Avenue behind existing RC properties where trucks are currently parked
 - This study area consists of three properties designated Limited Light Industrial and commercial on the 2003 Land Use Plan Map. These properties were subsequently rezoned for Townhouses. We recommend that this designation be continued with the addition of a Mount Laurel 20% set aside requirement.
 - Ken Terzo would like to leave the existing RC properties as RC and possibly rezone the rest of Hunter Avenue.
 - Councilman DeHeer noted that the proximity to Stepan Chemical and the railroad tracks would not be desirable as residential housing.

- Mr. Kauker reminded the Board that Special Master Mary Beth Lonergan identified this area for residential development with a with a portion set aside for Low and Moderate Income units.
 - Mr. Kauker added that on further investigation, the Army Corp of Engineers has designated that this area has not been remediated to residential standards.
- Chairman Lichtenberger believes leaving the zoning as RC and Limited Light Industrial (LL) is appropriate.
- Amendment #2 Hoffman Properties on East Hunter Avenue
 - This area is located on both sides of Hunter Avenue which has been owned and operated for a number of years as a landscape/garden center by the Hoffman family. The business is reaching the end of economic life and was rezoned from a L.L. Limited Light Industrial designation and zone to accommodate a Townhouse Zone as shown on the current Borough Zoning Map. We recommend that this Zone be continued as an integral part of the Borough's Housing Plan which would require a 20% set aside for Low and Moderate Income Housing Units. We also recommend that the new Master Plan Land Use Plan designate these properties as Townhouse.
 - Gary Neumann believes that the DPW may expand to the adjacent Maltworks building and should not be included as part of the Route 17 North Redevelopment.
 - Mr. Kauker can separate the designations; Maltworks to remain Limited Light Industrial (LL) and Hoffman properties as Townhouse (TH).
 - There was some discussion about designating some properties as Restricted Commercial (RC) but the consensus was that RC would be too isolated.
 - Board Attorney Kaczynski confirmed that revising the zoning would impact the Housing Element and Fair Share Plan.
 - Mr. Kauker described it as the degree of compliance.
 - Ken Terzo believes that the revising the zoning to residential is beneficial.
- Amendment #3 Garden Apartments on the Westside of Maybrook Drive
 - This portion of our study area also consists of 5 properties, all of which are developed as Garden Apartments. Due to its proximity to adjacent single family homes, we recommend a less dense redevelopment zone at a range of 3-5 stories with appropriate buffers adjacent to single family zone. This area is also an integral part of our fair share Housing Element and will provide a

contribution to our unmet need as specified in the Master Plan Housing Element and Fair Share Plan, dated December 15, 2016.

- Chairman Lichtenberger noted that the map indicates 4-5 stories but the proposal is 3-5 stories.
- Amendment #8 Garden Apartments facing Essex Street and the Eastside of Maybrook Drive
 - This study area is located on the east side of Route 17 with frontage on Essex Street and Maybrook Drive. It consists of five separate parcels, all of which have been zoned and developed since the late 1940s as garden apartments at a density of approximately 22 units per acre. As currently proposed, our Housing Element and Fair Share Plan has designated this area for a redevelopment overly zone to generate revitalization and provide a contribution to the unmet need portion of our Fair Share Housing Plan. Accordingly, we recommend that this Master Plan Reexamination Report designate this area for a Mixed-Use Redevelopment Area, consisting of mid-rise 5-6 story structures with indoor parking and retail/service commercial on the first floor and both market rate and affordable apartment units on the upper floors.
 - Chairman Lichtenberger suggested separating the properties that front Essex Street from the properties that front Maybrook Drive.
 - Redevelopment overlay of 5-6 story structures for both property groups.
 - RC on the first floor of the properties that front Essex Street only (not Maybrook Drive).
 - Ken Terzo asked about a past proposal by the Essex Street strip mall owner that did not come to fruition.
 - Secretary Panny asked if the affordable units would be on an upper or lower floor and Mr. Kauker confirmed that it should be a lower floor but that would be determined by the developer.
- Amendment #4 Southside of West Pleasant Avenue
 - The south side of the West Pleasant Avenue area currently zoned Restricted Commercial Business is proposed to be expanded southerly to include 14 residentially zoned properties in order to provide room for the expansion of the 100 foot deep Central Business Commercial Zone on the south Side of West Pleasant Avenue has a very limited depth averaging 100 feet. There are 14 residential properties immediately to the south of this zone which are located in the middle of the block between West Pleasant Ave and Passaic Street. These parcels do not front on Passaic Street. It is recommended that in order to provide room for a limited expansion of the Business District that these parcels be rezoned from A-1 residential to R.C. Restricted Commercial Business.

- Previously identified on the proposed West Pleasant Avenue Restricted Commercial Expansion Map for the properties between West Pleasant Avenue and West Passaic Street for Blocks 80, 81, 82 and 83.
- Chairman Lichtenberger believes there are only 4 residential properties on the 14 properties, many have already been converted to parking areas either by the adjacent businesses or by the Borough.
- Consider adding second floor apartments with a portion set aside for Low and Moderate Income units.
- Harry Hillenius asked how the property owners get notified when their property is part of an overlay and Mr. Kauker answered that all property owners affected by zoning changes would be notified.
- Amendment #5 Maine Evergreen
 - Modification of the overlay zone at the end of West Pleasant Avenue to include the entirety of the Maine Evergreen property. This Overlay Zone is intended to permit a mixed-use development concept including townhouses and or apartments above retail and professional offices.
 - Ken Terzo thought that expanding the RC zone Block 84, Lots 6, 7, 8 and 9 and Block 85, Lots 1, 2, 3 and 4 from residential with possibly professional offices.
 - Councilman Rick DeHeer was concerned about the demand for parking with additional RC development.
 - Chairman Lichtenberger pointed out that there may be a limit to how much RC would be successful on West Pleasant Avenue.
 - The types of RC may also a concern since there are several of the same type of businesses already existing on West Pleasant Avenue.
 - He recommends on focusing on the Maine Evergreen redevelopment prior to the West Pleasant Avenue expansion that Mr. Terzo proposes.
 - Ken Terzo asked if a tiered parking deck on the Maine Evergreen property would be possible.
 - Tiered parking decks are very expensive to construct.
 - A Parking Authority consisting of local businesses may want to consider parking options.
 - Financial support of a Parking Authority is difficult to find partly because many of the West Pleasant Avenue businesses rent their space.

- Mr. Kauker mentioned that Parking Authorities could have bonding authority and can procure financing.
 - Individual residents or commercial businesses can buy parking spaces thereby paying for the construction.
 - Board Attorney Kaczynski confirmed that there are no on-street parking restrictions except overnight.
- Amendment #6 Route 17 North Redevelopment
 - The Route 17 North Redevelopment Study Area currently under private and federally funded cleanup is proposed to be rezoned from LL Limited Light Industrial to a Redevelopment/Mixed-use designation. The justification for this rezoning is contained in a separate section of this Master Plan Reexamination Report. This section explains the history of this area and presents detailed recommendations for Land Use preferences and zoning regulations designed to foster redevelopment in the best interest of the Borough of Maywood.
- Amendment #7 Southern Section of the Route 17 Redevelopment Area
 - This study area consists of five properties. It is currently zoned L.L. Limited Light Industrial. The 2003 Master Plan recommended a Restricted Commercial Business designation consistent with a similar area on the west side of Route 17; a portion of which was recently developed as a medical /office and wellness complex. A portion of the study area has also been developed by the Hackensack Medical Center for a health and wellness center. We recommend that this area continue to be designated as Restricted Commercial Business and be rezoned for this purpose.
- Next steps are:
 - Michael Kauker will make the changes that were discussed this evening and send the revised document to the Board.
 - Public hearing will be scheduled and noticed as required.
 - Board Attorney Kaczynski asked if the Housing Element and Fair Share Plan needed to be settled before proceeding with the Master Plan.
 - Mr. Kauker said that both documents could be worked on simultaneously.
 - He expects that the Housing Element and Fair Share Plan will be settled prior to the Master Plan being adopted.
- Empire Real Estate Holdings 191 West Central Avenue Update
 - Revised application was distributed to the Board at this meeting.

Open Meeting to the Public

- Ted Gustenhoven of 688 Lotus Avenue in Oradell, NJ asked about the 1/26/17 Minutes related to the Master Plan Reexamination.
 - Propose a Townhouse Overlay Zone for Block 96, Lots 8, 9 and 10 located at the South West corner of the Maywood Avenue/Passaic Street intersection

- He asked that 2 additional parcels be included in the overlay zone; Block 96, Lots 6 and 7
- Clarice Totaro of 491 Maywood Avenue asked that her property (Block 96, Lot 12) also be included in the overlay zone

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Ken Terzo seconded the motion. The meeting was adjourned at 8:57pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary