

**MAYWOOD PLANNING BOARD
MINUTES
February 25, 2016**

A regular meeting of the Maywood Planning Board was held on Thursday, February 25, 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 7:30pm with the following members present: Chairman Frank Lichtenberger, Vice Chairman Paul Kuhn, Secretary Charlotte Panny, Mayor Adrian Febre, Councilman Rick DeHeer, Chief David Pegg, John Montel, Harry Hillenius, Charles Goebel, John McManus and Anthony Klymenko. Also present were Zoning Officer James Mazzer, Board Attorney Kara Kaczynski and Board Engineer Tom Lemanowicz.

Approval of Minutes

Councilman Rick DeHeer made a motion to accept the minutes from the February 4, 2016 meeting. Vice Chairman Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Bills

Vice Chairman Kuhn made a motion to accept payment of the bills. Harry Hillenius seconded the motion. All members present voted in favor of the motion.

Correspondence

- 2/4/16 letter from Bergen County Soil Conservation District Re: 2015 Roadway Improvement Program
- 2/12/16 letter from James T. Moore of US Army Corps of Engineers Re: Ongoing Remediation of Parcels Along Route 17 North, Maywood, NJ
- 2/24/16 letter from Board Engineer Tom Lemanowicz Re: J. Magnone Auto Group Traffic Review

Old Business

COAH Update

- 2.16.16 Philly.com Article
 - Fair Share Housing Center, an affordable housing advocacy group, is requesting New Jersey judges reject the methods that Econsult Solutions Inc. used to calculate the affordable housing obligations for 565 municipalities
 - Fair Share Housing Center projects a statewide obligation at 202,000 new units vs. Econsult Solutions’ of 37,000 new units

- 2.18.16 Mount Laurel Opinion
 - Court order finds that the State of New Jersey has the ability to render a determination as to a municipalities affordable housing obligation during the 1999 to 2015 “gap period”
 - No municipality shall not be required to address a fair share obligation of more than 1,000 units for this “gap period”

Hearing **J. Magnone Auto Group, LLC**
29 Essex Street
Block 124, Lot 5
Calendar #2016-01
Variance Application

Harry Hillenius made the motion to adjourn the application to the 3/3/16 meeting without need to notice and Chief David Pegg seconded the motion. All eligible members voted in favor of the motion.

Informal Hearing None

New Business Introduced & Approved Ordinances

Based upon suggestions of the Planning Board, the Governing Body initiated various changes to the Land Use Code by way of the introduction of ordinances on first reading at its public hearing on 2/23/16. In accordance with the provisions of the MLUL, the Governing Body referred the following ordinances to the Planning Board for review, comment and recommendation:

- Ordinance #3-16
- Ordinance #4-16
- Ordinance #5-16
- Ordinance #6-16
- Ordinance #7-16
- Ordinance #10-16

Board Engineer Tom Lemanowicz asked to clarify Ordinance #5-16 Section 4(b) defining building height:

“The vertical distance of a building measured from the top of the highest point of a structure to the average finished grade taken six (6) feet from the building foundation at the midpoint of each building wall and at a point measured diagonally at forty-five degrees (45°) from each corner. Where new grades are proposed, the grade measurement cannot exceed a height established at more than one foot six inches (1’6”) above the existing grade.”

Anthony Klymenko clarified the Ordinance verbiage:

“Where new grades are proposed, any new grade measurement cannot exceed one foot six inches (1’6”) above the existing grade.”

Zoning Officer James Mazzer felt that he could work the Ordinance as it was clarified. Board Attorney Kara Kaczynski will include that clarification in her report to the Mayor and Council. Vice Chairman Kuhn made the motion to accept the ordinances as amended with the Ordinance #5-16 clarification. Secretary Panny seconded the motion. All eligible members voted in favor of the motion.

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 8:01pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary