

**MAYWOOD PLANNING BOARD
MINUTES
March 7, 2024**

A regular meeting of the Maywood Planning Board was held on Thursday, March 7, 2024 in the Council Chambers of the Maywood Municipal Building, 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 December 7, 2023. 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 same pursuant to said act. This meeting is being recorded with both audio and video and may be rebroadcast. This meeting is a judicial proceeding, any questions or comments must be limited to the issues that are relevant to what the Board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

Flag Salute

Call to Order

The meeting was called to order at 7:31pm with the following members present:

Councilperson Ryan Ullman

Chairperson Charlotte Panny

Vice Chairperson Anthony Klymenko

Secretary Gary Neumann

Cynthia Petersen

John Gargagliano

Harry Hillenius

Douglas Herrick

Thomas Anzevino

Rick DeHeer

Farhana Hassan Choudhury (arrived @ 7:33pm and left @ 9:25pm)

Board Attorney William Sullivan

Board Engineer Gregory Polyniak

Bills

John Gargagliano made a motion to accept payment of the bills.

Rick DeHeer seconded the motion.

All eligible members present voted in favor of the motion.

Board member Farhana Hassan Choudhury arrived at 7:33pm.

Correspondence

1. 2/12/24 letter from Board Member Rick DeHeer Re: Suggested Land Use Fees Update
2. 2/20/24 City of Hackensack Amended 123 Anderson Street Redevelopment Plan
3. 2/20/24 City of Hackensack 111 Essex Street and 142-144 Kansas Street Redevelopment Plan
4. 2/21/24 letter from Board Engineer Gregory J. Polyniak Re: Mady Properties 930 Spring Valley Road Revised Completeness & Engineering Review
5. 2/22/24 letter from Board Engineer Gregory J. Polyniak Re: Stepan Company 100 West Hunter Avenue Revised Resolution Compliance Review

- 6. 2/22/24 letter from Shade Tree Commission Re: Mady Properties 930 Spring Valley Road Shade Tree Commission Review
- 7. 2/28/24 Adopted Borough Resolution #73-24 Amending Area in Need of Re-development Study
- 8. 2/28/24 letter from Board Recording Secretary Tara Grunstra Re: Mady Properties 930 Spring Valley Road 4/25/24 Hearing Date
- 9. 2/28/24 letter from Eric V. Timsak of Bergen County Department of Planning & Engineering Re: New Look Home Design, LLC 341 Maywood Avenue Subdivision Application
- 10. 2/29/24 letter from Zoning Officer Dina Lynch Re: Bennin 730 Grant Avenue Denial Letter
- 11. 2/29/24 letter from Fire Official Thomas Tuttle Re: Mady Properties 930 Spring Valley Road Fire Prevention Bureau Review

Resolution None

Completeness Hearing None

Application Hearing **JW Congregation Support, Inc.**
 439 Maywood Avenue
 Block 103, Lot 7
Calendar #2023-15
Variance & Site Plan Applications
Bulk Variances & Design Waivers/Exceptions:
 1-Parking space dimension (9' x 18' required vs. 7.6' x 17.6' proposed)
 2-Curb width (8" on top/9" on bottom required vs. 6" on top/8" on bottom proposed)
 3-Curb cut width (19' maximum permitted vs. 22.8' proposed/existing)
 4-Number of curb cuts (2 maximum permitted vs. 3 proposed/existing)
 5-Turn around access to/from driveways on County roads (1 required vs. 0 proposed/existing)
 6-Impervious lot coverage (65% maximum permitted vs. 73.4% proposed)
 7-Impervious coverage of front, side and rear yard (40% maximum permitted vs. 69.8% proposed)
 8-Number of wall mounted signs (1 permitted vs. 3 proposed)
 9-Freestanding sign area (12 square feet maximum permitted vs. 32 square feet proposed)

From the Applicant:

Attorney Jason Tuvell of Prime & Tuvell
 Owners' representative, design coordinator and congregant Joshua Modglin of JW Congregation Support, Inc.
 Civil Engineer Afton Savitz of Stonefield Engineering & Design
 Traffic Engineer Nicholas Kennedy of Stonefield Engineering & Design
 Professional Planner TJ Ricci of Stonefield Engineering & Design

From the Board:
Board Attorney William Sullivan
Board Engineer Greg Polyniak

From the Public:
Chris Timmins of 419 Oak Avenue
Brad Basile of 411 Oak Avenue
Sarita Rodriguez of 13 Thoma Avenue
Sue Dyrness of 411 Oak Avenue

Exhibit List:

Exhibit A-1 Colorized Aerial Exhibit Dated 6/23/23
Exhibit A-2 Colorized Site Plan with Landscaping Plan Overlay Dated 2/5/24
Exhibit A-3 Colorized Exterior Elevations Dated 1/12/24 (2 pages)
Exhibit A-4 Proposed Materials Example Board
Exhibit A-5 Colorized Sign Details and Examples

Jason Tuvell represents the Applicant, JW Congregation Support, Inc. He summarized the application:

- Proposed house of worship which is a permitted use in the A-1 One Family Residential District
- The Applicant came before the Board informally almost a year ago and took the feedback into consideration when designing the proposed building
- The existing structure will be razed and new building constructed
- The proposed building is smaller than what is existing and they propose to improve the landscaping, stormwater retention system and lighting
- The proposed building will be further away from the adjacent residential home to allow for a better buffer and landscaped area
- They are proposing a substantial increase in the number of trees on-site
- Congregants would worship and hold meetings at the proposed building
- Congregants would meet for 1 hour and 45 minutes each time and they would meet only 6 times in total each week
- Congregants would not meet prior to 9am nor start a meeting later than 6pm on the weekends
- Mr. Tuvell noted the location across the street from the school and emphasized that meetings would not occur during standard school hours
- On the weekdays, meetings would be in the evenings when school would not be in session
- There are no employees and no kitchen or food preparation
- Congregants have chores including trash removal and off-site disposal so there is no need for a dumpster
- They will not rent out the space
- The application complies with the parking requirement and they have a few extra parking spaces
- The Applicant can comply with nearly all the comments from Board Engineer Greg Polyniak's review letter but noted that a trash enclosure is not needed

Board Attorney William Sullivan swore in Board Engineer Greg Polyniak.

Mr. Tuvell called his first witness, Joshua Modglin of JW Congregation Support, Inc. who was sworn in. Mr. Modglin stated that he is the owners' representative, design coordinator and congregant. He described the operations of the proposed Kingdon Hall:

- There are 3 congregations that would use the facility on Tuesday, Wednesday and Thursday evenings during the week and all three congregations would use the facility on Sunday
- Each congregation would pick their own schedule so a congregation could select a Friday or Saturday service over Sunday
- Congregants usually arrive 30 minutes before the scheduled meeting time and the meetings include prayers, songs and a lecture or discussion
- The service duration is 1 hour and 45 minutes
- During the week, meetings would start at 7pm or 7:30pm and the meeting would end by 9pm or 9:15pm
- During the weekend, the 3 congregations would each have a service and there is a required minimum 45-minute buffer between each of the services
- Service would not start before 9am nor start after 6pm
- There were no employees, no kitchen or food preparation and the congregants would take any trash with them so there was no need for a dumpster or enclosure
- They would not rent out the space
- Most congregants are part of a family unit which attend the weekday meetings and weekend services together

Chairperson Charlotte Panny invited the Board to ask questions of Mr. Modglin:

- Rick DeHeer asked if the congregations would have a band playing songs and Mr. Modglin answered that the music is played digitally
- Mr. Tuvell confirmed that congregants can choose to attend meetings and services remotely using Zoom
- Farhana Hassan Choudhury questioned if there is a designated person that opens the building when maintenance is required or prior to meetings and services. Mr. Modglin replied that each congregation has a body of elders that assign tasks and would be responsible for opening the building
- Chairperson Panny inquired how many people are in each congregation and Mr. Modglin responded that they anticipate 150 attendees on average which represents 70% of the congregation of 220
- Thomas Anzevino clarified that the maximum capacity is 220 seats
- Cynthia Petersen questioned if music would be playing until 9:15pm during the week and Mr. Modglin replied that the last song would occur at 9:10pm
- Chairperson Panny confirmed that the music would not be so loud that it could be heard outside of the building
- Mr. DeHeer asked how the building would be secured and Mr. Modglin answered that they will have security cameras
- Mr. Tuvell offered to consult with the Maywood Police Department on security measures
- Harry Hillenius confirmed that 3 congregations meet twice a week with 6 total meetings/services per week

Chairperson Panny invited Board Engineer Greg Polyniak to ask questions of Mr. Modglin:

- Board Engineer Polyniak inquired if additional congregations would be added if needed. Mr. Modglin responded that the neighboring Kingdom Halls have 4 congregations but that would be the maximum
- Board Engineer Polyniak confirmed that with 4 congregations there would be 8 meetings/services per week
- Board Engineer Polyniak questioned how they would address if more than 220 members tried to attend a meeting/service. Mr. Modglin said that they have never had all the congregants come to meeting/service
- Mr. Modglin added that congregants are encouraged but not required to stay in their congregation to keep attendance consistent
- Mr. Modglin stated that they would abide by the occupancy and parking requirements
- Board Engineer Polyniak summarized that the building would be used for approximately 16 hours per week and would be vacant for the rest of the time. Mr. Modglin said that some congregants may meet or carpool there but there would be no scheduled large events
- Board Engineer Polyniak asked for further testimony regarding the carpooling. Mr. Modglin explained that if congregants are already at the building, they may organize themselves to tell others about their faith and encourage bible reading
- Board Engineer Polyniak questioned if food was ever brought in and Mr. Modglin answered that they don't eat there as their focus is education and worship
- Board Engineer Polyniak asked how congregants would travel to the building and used walking or driving as examples. Mr. Modglin does not believe that any of the congregants would be walking or using public transportation but he deferred to the traffic engineer

Chairperson Charlotte Panny invited the Board to ask any additional questions of Mr. Modglin:

- Ms. Choudhury started to ask about EV charging spaces but Mr. Tuvell asked for that question to be directed to the engineer. He added that the EV charging spaces are mandated by State of NJ statute
- Ms. Choudhury questioned how they would prevent people that are not congregants from using the parking lot. Mr. Tuvell said that they would handle it similarly to how shopping centers do by monitoring cameras and telling them not to park there. Mr. Modglin said that the security system would be virtual so that the congregations could review the cameras on their phones with motion alerts
- Board Engineer Polyniak confirmed that congregation elders would have the building access and Mr. Modglin stated that some but not all congregants would have access to the building
- John Gargagliano confirmed that no exterior garbage cans would be needed and Mr. Modglin does not expect that to change. Mr. Tuvell agreed that it makes sense to establish a garbage can location should the need arise in the future
- Mr. Gargagliano emphasized the occupancy requirements and Mr. Tuvell agreed
- Chairperson Panny clarified that there is no on-site custodian. Mr. Modglin confirmed that all maintenance is done by the congregation by the direction of the operating committee
- Vice Chairperson Anthony Klymenko asked if the congregation is responsible for landscaping and Mr. Modglin said that lawn maintenance is the responsibility of congregation volunteers who would arrange for yard waste disposal

- Ms. Petersen requested clarification on the structure of the 3 congregations that would occupy the building. Mr. Modglin said that the operating committee is made up by individuals from the 3 congregations and oversee the operations and property maintenance. He added that congregants volunteer and follow the requirements as part of their agreement with the congregation
- Mr. DeHeer asked if there was a JW building nearby that would be similar in size to what is proposed and Mr. Modglin said that there are smaller buildings in Hackensack, Passaic and Englewood

Chairperson Charlotte Panny invited the public to ask questions of Mr. Modglin:

- Fire Official Thomas Tuttle asked about the fire alarm system and Mr. Modglin said that they are proposing an addressable fire alarm system
- Fire Official Tuttle requested that there be central station monitoring and Mr. Modglin agreed
- Fire Official Tuttle inquired about the sprinkler system and Mr. Modglin said that the building is not required to have a sprinkler system
- Fire Official Tuttle requested that a Knox Box be installed and Mr. Modglin agreed
- Fire Official Tuttle said that he will be marking the fire zones on the approved plans and Mr. Modglin agreed
- Mr. Tuvell suggested that they could meet with him to satisfy his requests as a condition of approval and all agreed
- Chris Timmins of 419 Oak Avenue began to discuss traffic and safety but Chairperson Panny advised him that he would need to wait until the Applicant's traffic engineer testified to ask those questions
- Ms. Choudhury asked for clarification of Mr. Modglin's position at JW Congregation Support. Mr. Modglin said that his title is Design Coordinator
- Ms. Choudhury then asked if the congregants pay a monthly fee to utilize the space. Mr. Modglin said that the operating costs are shared by the 3 congregations
- Thomas Anzevino questioned if additional congregations would be added and Mr. Modglin said that this location should satisfy their needs for the next 10 years

Mr. Tuvell called his next witness, Afton Savitz of Stonefield Engineering & Design who was sworn in, qualified and accepted. She described the proposed development:

- Displayed a colorized aerial exhibit dated 6/23/23 which was marked as Exhibit A-1
- Described the property location and zoning, adjacent properties and their zoning, existing conditions and adjoining roadways
- Should the Board approve the application, the Applicant would be required to seek Bergen County approval as Maywood Avenue is a Bergen County roadway
- Displayed a colorized site plan with landscaping dated 2/5/24 which was marked as Exhibit A-2 and colorized exterior elevations dated 1/12/24 which was marked as Exhibit A-3
- Described the proposed building and how it is orientated on the property
- The existing 5.7' side yard setback to the adjacent northern property has been increased to 20.4' with the proposed development
- Confirmed that the proposed building complies with all setback regulations
- Explained the various existing non-conformities which are a result of the existing conditions

- Noted the additional ADA parking spaces which contributes to the imperious coverage deviation
- Identified the proposed walkway from Maywood Avenue
- Summarized that new lighting is proposed which will be shielded and the existing fencing will remain
- The proposed landscaping will act as a buffer to the adjacent property and agreed to work with the Board on adding more plantings
- The existing parking lot is in good condition and will be preserved with a mill and overlay
- Applicant is proposing stormwater mitigation and new utility connections, where required
- Due the reduction in building size and operational characteristics, she does not agree with Board Engineer Polyniak that a sewer flow study is necessary. She agreed to have the line televised to ensure that it is in good condition
- Described the landscape plan along the northern buffer and explained that the concrete pad for the egress door behind the building will not be used regularly so a sidewalk would not be necessary
- Agreed to work with Board Engineer Polyniak on adding a sidewalk to Oak Avenue
- Stormwater management, lighting and landscaping will be improved based on the proposed development
- Confirmed that all comments from Board Engineer Polyniak's review letter will be addressed other than the dumpster, flow study and the sidewalk behind the building
- Summarized the proposed signage and noted that the total square footage of the proposed 3 wall signs was a fraction of the size that would be permitted for 1 wall sign per the Borough code
- The proposed wall signs will not be illuminated
- The freestanding sign would be located near the location of the existing sign
- Summarized that the proposed 2 EV parking spaces complied with the Borough code and the total proposed 66 parking spaces exceeded the required 55 parking spaces
- Described the waivers needed for parking stall size dimensions, curb cuts and widths and said that deviations are due to existing conditions
- She does not believe that there would be any negative impacts in granting the waivers

Chairperson Panny invited Board Engineer Polyniak to ask questions of Ms. Savitz:

- Board Engineer Polyniak inquired if the review by Bergen County would change anything that is being proposed. Ms. Savitz said that Bergen County had concerns that the roof leaders could splash at grade which influenced their proposed stormwater management improvement of adding another drywell
- Board Engineer Polyniak said that a sidewalk from Oak Avenue would be a safer alternative than walking through the parking lot and suggested a location which Mr. Tuvell agreed with
- Board Engineer Polyniak confirmed that a proposed mechanical equipment enclosure on a concrete pad located on the western side of the building would contain the AC unit
- Board Engineer Polyniak confirmed that there is no transformer nor a generator proposed
- Regarding grading and drainage, Board Engineer Polyniak stated that a new drywell is proposed. He asked about the 4 existing drywells near Oak Avenue which are older and if they had been inspected and work properly. Ms. Savitz said that she has personally observed them and they appear to be in good order. Board Engineer Polyniak asked that they be cleaned, tested and be replaced if they are not working as intended. Ms. Savitz agreed

- Board Engineer Polyniak said the stormwater sheet flows off into adjoining roadways and asked that the runoff be captured through an inlet or trench drain. Ms. Savitz replied that they will comply with the request on Oak Avenue but Bergen County has jurisdiction over Maywood Avenue. She said that they have requested that all roof leaders go to the drywell system. Board Engineer Polyniak requested that they ask Bergen County about the trench drain and Mr. Tuvell agreed to do so
- Board Engineer Polyniak agreed with Ms. Savitz assessment that the sewer flow study was not necessary. He asked that if they use the existing lateral, it should be cleaned and televised and Mr. Tuvell agreed
- Regarding the proposed northern and southern planting areas, Board Engineer Polyniak asked that they be graded so that water does not sheet flow into the adjoining lots
- Regarding the proposed lighting, he requested a post construction light survey be conducted as a condition of approval. Mr. Tuvell agreed to a 6-month lookback
- Board Engineer Polyniak acknowledged that some of the planting beds are narrow and asked that the largest size planting that would survive be used. He requested additional landscaping on the frontage
- Given the large number of plantings proposed and that the congregation being responsible for landscape maintenance, he requested that an irrigation system be installed and Mr. Tuvell agreed
- Chairperson Panny asked if there any other open issues and Board Engineer Polyniak answered that the Applicant would need approvals from the Bergen County Soil Conservation District. Ms. Savitz confirmed that they had received soil erosion certification in December 2023. Mr. Tuvell believes the only outside approval that they are waiting for is from Bergen County
- Regarding the three driveway locations, Board Engineer Polyniak inquired if the driveways are proposed to change in anyway. Ms. Savitz responded that that the driveways are not proposed to change but they are proposing that the parking lots get an asphalt overlay

Chairperson Charlotte Panny invited the Board to ask questions of Ms. Savitz:

- John Gargagliano asked if the sewer would be replaced and Ms. Savitz answered that here is an existing connection which will be televised to ensure that it is in good condition
- Cynthia Petersen requested the size of the proposed monument sign and Mr. Tuvell replied that the sign is 32 square feet vs. 12 square feet maximum permitted. Ms. Savitz stated that it is 4'-2" tall
- Board Engineer Polyniak confirmed that the monument sign is not internally illuminated but does have a down light
- Douglas Herrick questioned the size of the existing parking spaces and Ms. Savitz answered that the existing and proposed parking space size would be the same. She added that most of the parking spaces comply but there are some that are deficient
- Mr. Gargagliano confirmed that the lighting on the monument sign would be on a timer
- Rick DeHeer inquired if the existing electrical service connection is sufficient and Ms. Savitz responded that they are working with the utility to confirm this information but they don't anticipate needing a transformer
- Mr. DeHeer asked about the parking lot asphalt overlay and Ms. Savitz answered that approximately 2" of new asphalt would be added to the parking lot maintaining the current grade and most of the curbing would be replaced

- Board Engineer Polyniak questioned the location of the transformer if it was determined that it was needed and Ms. Savitz replied that they would locate it where it would not be in plain sight

Chairperson Charlotte Panny invited the public to ask questions of Ms. Savitz but no one came forward.

Mr. Tuvell requested a short break at 8:43pm. The meeting resumed at 8:52pm with all members present.

Mr. Tuvell called his next witness, Traffic Engineer Nicholas Kennedy of Stonefield Engineering & Design who was sworn in, qualified and accepted:

- Referenced the Traffic Impact Study dated 11/8/23
- Provided the existing conditions of the roadways; Maywood Avenue and Oak Avenue
- The peak hour trip generation from this facility will be different than the peak trip generation at the Maywood Avenue School located across the street on Maywood Avenue
- Exceeds the parking requirement of 55 parking spaces required vs. 66 parking spaces proposed
- Two EV parking spaces are proposed which satisfies the code
- Regarding the existing undersized parking space, the size is should be satisfactory
- All new parking spaces including ADA will meet the code
- Regarding the driveway width, Mr. Kennedy believes that the driveways provide safe and efficient access to the site and allow for safe turning maneuvers
- Most congregants will use Maywood Avenue to enter and exit. Approximately 10-20% of congregants will use Oak Avenue to access the 21 parking spaces only reachable from Oak Avenue
- Sight distances are safe and appropriately designed
- Adding the sidewalk from Oak Avenue and the other proposed improvements, pedestrians may access the building without walking through the parking lot
- Regarding trip generation, there should be no significant traffic impact on the surrounding roadways

Chairperson Panny noted that there are three other houses of worship in the immediate area. She asked about the traffic impact on Sundays when those congregations would be meeting for services. Mr. Kennedy summarized the peak trip generation on Sundays:

- Fifty trips entering and leaving in the peak hour which should not impact the roadways
- Duration of services is longer than the typically Sunday service; 2 hours vs. 45 minutes
- Earliest services will commence at approximately 9am and the latest services will end at approximately 6pm

Chairperson Charlotte Panny invited the Board to ask questions of Mr. Kennedy:

- Farhana Hassan Choudhury asked about the impact of the construction on traffic. Mr. Tuvell answered that they would work with the Building Department and the Police Department for appropriate staging
- Cynthia Petersen questioned if there would be a no left turn sign posted by the Maywood Avenue egress driveway. Mr. Kennedy deferred to Bergen County and has not heard feedback from them on this issue

- Board Engineer Polyniak inquired if there were Sunday morning observations of traffic backing up on Maywood Avenue which would prevent egress and forcing congregants to use Oak Avenue. Mr. Kennedy replied that he had not visited the site on Sunday but did during weekday school dismissal which he felt would be comparable
- Board Engineer Polyniak referenced vehicular accidents in the area and confirmed that Mr. Kennedy believes the design to be safe. Mr. Tuvell noted that they would comply with any Bergen County recommendation regarding limiting left turns exiting the site onto Maywood Avenue
- Board Engineer Polyniak requested the Applicant install a bike rack and Mr. Tuvell agreed
- Board Engineer Polyniak asked if mass transit use was considered in the Traffic Impact Study and Mr. Kennedy answered that congregants currently do not use mass transit which was not expected to change
- Board Engineer Polyniak questioned if the Fire Official had comments on the turning templates for emergency response vehicles. Fire Official Tuttle and the Applicant agreed to work together on this issue
- Board Engineer Polyniak inquired about the distribution of trips between Maywood Avenue and Oak Avenue. Mr. Kennedy believes that most congregants would utilize the Maywood Avenue driveway and approximated 10-15% of congregants would utilize Oak Avenue

Chairperson Charlotte Panny invited the public to ask questions of Mr. Kennedy:

- Fire Official Tuttle requested an updated set of drawings reflecting the narrowing the driveway. Mr. Tuvell suggested meeting together with the Board and Applicant engineers to come to an acceptable agreement as a condition of approval
- Fire Official Tuttle mentioned that Maywood Avenue School is utilized frequently during evening hours and not just typical school hours
- Chris Timmins of 419 Oak Avenue asked if there would be a crossing guard posted on Oak Avenue while congregants enter and exit the driveways and Mr. Kennedy does not believe that this amount of traffic anticipated would warrant a crossing guard
- Mr. Timmins confirmed that 21 parking spaces were accessible from Oak Avenue only and questioned if congregants would park on Oak Avenue if the parking lot was full. Mr. Kennedy said that the on-site parking is sufficient for the congregants
- Brad Basile of 411 Oak Avenue confirmed that Mr. Kennedy did not visit the site on a Sunday and requested that it should be done as part of the Traffic Impact Study. When asked by Chairperson Panny, Mr. Basile described how both sides of Oak Avenue are lined by cars on Sundays. Mr. Kennedy said that the on-site parking is sufficient for the congregants and they would not be parking off-site. Mr. Tuvell suggested conducting a post-occupancy traffic study to help schedule meeting times as a condition of approval
- Board member Rick DeHeer agreed that including the Sunday traffic counts and observations in the Traffic Impact Study seemed appropriate
- Vice Chairperson Anthony Klymenko noted that two of the nearby houses of worship have no on-site parking
- Thomas Anzevino has personally observed Sunday traffic on Oak Avenue
- Councilman Ryan Ullman added that the Applicant is providing on-site parking while two other nearby houses of worship do not

Board member Farhana Hassan Choudhury left at 9:25pm.

Chairperson Charlotte Panny reinvited the public to ask questions of Mr. Kennedy:

- Sarita Rodriguez of 13 Thoma Avenue has concerns about parking
- Chris Timmins of 419 Oak Avenue asked if the Borough would consider making Taplin and Thoma Avenues one-way only and adding signage regarding the speed limit/children at play
- John Gargagliano confirmed that Maywood Police Chief Terence Kenny reviewed the application. He asked if the congregations have parking lot monitoring. Mr. Tuvell recalled Joshua Modglin to answer Mr. Gargagliano's question. Mr. Modglin stated that they have not needed parking lot monitoring previously
- Mr. Gargagliano asked about construction fencing. Mr. Tuvell answered that the Building Department has requirements including fencing and agreed in a pre-construction meeting to develop a plan for pedestrian safety during construction

Mr. Tuvell called his final witness, Professional Planner TJ Ricci of Stonefield Engineering & Design who was sworn in, qualified and accepted:

- Visited the site and surrounding area, reviewed the materials submitted to the Board, listened to the testimony and reviewed the Borough zoning ordinance and master plan
- Summarized the application and existing conditions. He emphasized that houses of worship are a permitted use in this zone
- Noted that the bulk variances being sought are for impervious coverages which are existing conditions and all other bulk variances comply. He noted that most of the reliefs being sought are for design waivers in order to reuse the existing layout. There are several existing non-conformities regarding curb cuts, curb cut width and turn around driveway access on a County roadway. He noted that parking space size and curb width are also existing non-conformities
- Stated that the minimum parking stall dimensions variance can be granted because only a small percentage of the overall spaces will not comply and vehicle parking and circulation can be efficiently and safely provided on the site notwithstanding this deviation
- Said that the maximum impervious lot coverage variance and the maximum front, side and rear yard impervious coverage are a de minimus variance requests and are being provided to bring the site into compliance with ADA requirements
- Regarding the signage, Mr. Ricci testified that the maximum number of wall signs variance can be justified because, although there will be three non-illuminated wall signs, the property has two frontages and the total sign area proposed is significantly below the maximum permitted. Additionally, the variance related to the maximum freestanding sign area can be granted because the Applicant agreed to reduce the proposed area from 32 square feet to 24 square feet, which is still twice the maximum permitted, but will properly identify the facility and provide an attractive entrance while not causing any detrimental impact
- Believes that the Board may grant the requested reliefs as they will not cause substantial detriment to the public good and that granting the relief is not inconsistent with the purposes and goals of the Master Plan. Also, he stated that the benefits of granting these reliefs permit the

redevelopment of this vacant property into a productive use and outweigh any detriments from granting the relief

- Feels that granting this relief is satisfies two purposes of the Municipal Land Use Law; purpose (a) “to encourage municipal action to guide the appropriate use or development of all lands in this state, in a manner which will promote the public health, safety, morals and general welfare” and purpose (i) “to promote a desirable visual environment through creative development techniques and good civic design and arrangement.”

Chairperson Charlotte Panny invited the Board to ask questions of Mr. Ricci:

- Vice Chairperson Anthony Klymenko asked about making the monument sign smaller. Mr. Tuvell offered to ask Mr. Modglin once the questions for Mr. Ricci were completed
- Cynthia Petersen clarified the monument sign dimensions
- Board Engineer Greg Polyniak inquired about the dimensions of the existing sign and Mr. Ricci believes that it is 15 square feet total
- Mr. Tuvell responded to Vice Chairperson Klymenko’s request to make the monument sign smaller and the Applicant agreed to make the monument sign 24 square feet total vs. 32 square feet originally proposed
- Chairperson Charlotte Panny asked about signage that lists the service times but Mr. Tuvell answered that they are not proposing that type of signage. There was discussion about the total signage size and how it compares to the Borough ordinance and other nearby houses of worship signage
- Ms. Petersen asked to see the elevations of the proposed building. Mr. Ricci displayed the Colorized Elevation Plan (Exhibit A-3) and Proposed Materials Example Board which was marked as Exhibit A-4
- Mr. Ricci then displayed the Colorized Sign Details and Examples which was marked as Exhibit A-5 and detailed the proposed materials
- John Gargagliano looked up nearby houses of worship signage on Google maps and approximated that one sign was 30 square feet for comparison purposes

Chairperson Charlotte Panny invited the public to ask questions of Mr. Ricci but no one came forward.

Chairperson Charlotte Panny invited the public to comment on the application:

- Brad Basile of 411 Oak Avenue feels the main concern is the traffic on Oak Avenue and not necessarily the parking
- Sue Dyrness of 411 Oak Avenue requested that trees be planted in the greenbelt between the curb and sidewalk along Oak Avenue and Chairperson Panny deferred to the Shade Tree Commission. Board Attorney William Sullivan suggested including that as a condition of approval and Mr. Tuvell agreed
- Board Engineer Polyniak confirmed that all of his comments have been addressed through testimony or will be addressed as a condition of approval

Mr. Tuvell summarized the application and testimony and thanked the Board and public for their time. Cynthia Petersen asked if the Mayor and Council needed to approve the curb cuts. Mr. Tuvell answered

that Bergen County has jurisdiction over the Maywood Avenue curb cut while the Board has jurisdiction over the Oak Avenue curb cuts as they are existing.

Board Attorney Sullivan summarized the agreed upon conditions of approval:

1. The Applicant will indicate on its revised plans that a space has been reserved for a trash can, to be placed there in the future, if necessary, based on facility operations
2. The Applicant shall meet with the Fire Official and comply with any recommendations that he provides
3. A sidewalk will be added from Oak Avenue through the parking lot to the building
4. The Applicant will demonstrate that existing dry wells are operable. If the dry wells are not operable, they will be required to be reconstructed by the Applicant to the satisfaction of the Borough and Borough Engineer
5. The Applicant will conduct a video inspection of the sanitary line to ensure its integrity and that it is not obstructed
6. The Applicant will supplement proposed landscaping to the satisfaction of the Shade Tree Commission and Board Engineer. An irrigation system will be provided for any landscaping installed where feasible
7. The Applicant shall provide proof that approval of Bergen County is not required or has been obtained
8. The Applicant will comply with all conditions imposed by the Bergen County Planning Board, including but not limited to any direction by that Board with respect to drainage and left turns in or out of the site
9. The Applicant will add trench drains and an inlet discharging to the Oak Avenue stormwater system and will evaluate whether a trench drain should be provided on the Maywood Avenue frontage, with the ultimate decision on same resting with the Bergen County Planning Board
10. The Applicant will add a bike rack to the revised plans to be submitted
11. The Applicant will conduct a traffic study after the commencement of regular operations to determine whether traffic from this facility, when combined with traffic generated by other houses of worship in the vicinity, causes sufficient congestion to justify the Applicant's meeting times on Sundays to be adjusted and, if so, the Applicant will make those adjustments necessary to avoid additional traffic congestion
12. The Applicant will submit revised plans depicting the monument sign with a face area of 24 square feet
13. Additional buffer planter areas will be added and graded so that runoff from those areas does not sheet flow onto adjoining properties
14. All issues contained in PB-1 will be addressed by the Applicant except as otherwise clarified
15. Approximately 6 months after the issuance of a Certificate of Occupancy, the Applicant will conduct a light survey to ensure that the site lighting meets applicable ordinance requirements and does not spill onto adjacent properties

Harry Hillenius made a motion to approve the application with conditions listed above.

Councilperson Ryan Ullman seconded the motion.

All eligible members voted in favor of the motion.

Informal Hearing None

Closed Session None

Old Business None

New Business

- 2/28/24 Adopted Borough Resolution #73-24 Amending Area in Need of Re-development Study

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius.

John Gargagliano seconded the motion.

All eligible members present voted in favor of the motion.

The meeting was adjourned at 10:06pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary