

**MAYWOOD PLANNING BOARD
MINUTES
May 23, 2024**

A regular meeting of the Maywood Planning Board was held on Thursday, May 23, 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 7:32pm with the following members present:

Mayor’s Designee Jacqueline DeMuro
Councilperson Ryan Ullman
Chairperson Charlotte Panny
Vice Chairperson Anthony Klymenko
Secretary Gary Neumann
John Gargagliano
Harry Hillenius
Douglas Herrick
Thomas Anzevino
Rick DeHeer
Board Attorney John Ferraro
Board Engineer Gregory Polyniak
Board Planner Michael Kauker
Borough Fair Share Housing Counsel Patrick McNamara

Correspondence

1. 4/24/24 email from Rony Dawood Re: New Look Home Design 341 Maywood Avenue Public Notice Waiver Request
 - a. Harry Hillenius made a motion to not waive the hearing notice
 - b. Rick DeHeer seconded the motion
 - c. All eligible members present voted in favor of the motion
2. 4/26/24 letter from Thomas O'Rourke Re: TRB Associates 145 West Passaic Street Informal Meeting Request
3. 5/2/24 letter from Board Engineer Gregory J. Polyniak Re: Bennin-Gupta 730 Grant Avenue Completeness and Engineering Review
4. 5/6/24 letter from Board Engineer Gregory J. Polyniak Re: Timothy J. Coe 181 Roosevelt Place Completeness and Engineering Review
5. 5/8/24 letter from Eric V. Timsak of Bergen County Department of Planning & Engineering Re: New Look Home Design 341 Maywood Avenue Subdivision Application Final Approval

6. 5/9/24 letter from Board Engineer Gregory J. Polyniak Re: Bennin-Gupta 730 Grant Avenue Completeness and Engineering Review
7. 5/9/24 letter from Board Engineer Gregory J. Polyniak Re: Marseppe, LLC 687 Elm Street Resolution Compliance Review
8. 5/20/24 letter from Matthew G. Capizzi, Esq. Re: Filip Kristani 44 Parkway Hearing Adjournment Request to 6/27/24 Meeting
9. 5/23/24 letter from Board Recording Secretary Tara Grunstra Re: Katherine Bennin-Rohit Gupta 730 Grant Avenue 7/25/24 Hearing Date

Resolution

Mady Properties, LLC

930 Spring Valley Road
Block 2, Lots 1 & 2

Calendar #2023-14

Variance & Site Plan Applications

Variances:

- (1) From Section 209-40.P(2) to allow for the installation of a “Spring Valley Dental Care” branded, internally illuminated wall sign with dental practice telephone number on the eastern building façade that faces the parking area, where the sign is required to face the street frontage along West Spring Valley Avenue
- (2) From Section 287-17.E.(10)(b) to allow for a curb width of 6 inches, where 9 inches (bottom) and 8 inches (top) is required
- (3) From Section 209-39.B.(2) to permit 14 off-street parking spaces (including 1 ADA space), where a total of 17 off-street parking spaces are required
- (4) From Section 209-39.D.(4)(a) to permit 1 ADA space, where a minimum of 2 ADA spaces are required
- (5) From Section 209, Attachment 1, Schedule A-1, to permit a 3-story building as a pre-existing nonconforming / previously approved condition to continue, where a 2.5-story building is permitted in the PC Zone
- (6) From Section 209, Attachment 1, Schedule A-1, to permit a front yard setback of 15.16’, where 25’ is required

Vice Chairperson Anthony Klymenko made a motion to memorialize the resolution.

Secretary Gary Neumann seconded the motion.

All eligible members voted in favor of the motion.

Completeness Hearing None

Application Hearing None

Informal Hearing None

Old Business None

New Business None

Workshop Discussion

- West Pleasant Avenue Preliminary Investigation-Area in Need of Redevelopment
 - Borough Fair Share Housing Counsel Patrick McNamara explained that the Board had been provided the Draft Area in Need of Redevelopment Study with Condemnation
 - The properties have been included in the Borough Housing Element and Fair Share Plan
 - The properties are currently mostly vacant and overgrown
 - With Board feedback, the document will be finalized and a public hearing scheduled with notice
 - Board Planner Michael Kauker explained that the plan covers the statutory requirements
 - He will integrate recommendations from the Board and forward to the Governing Body
 - He said that there is a higher standard of requirements for studies that include condemnation
 - Borough Fair Share Housing Counsel McNamara would like to return to the Board in July
 - Chairperson Panny confirmed that the creation of this document was requested by the Governing Body
 - Borough Fair Share Housing Counsel McNamara explained that the Board will host a public meeting with notice to the affected property owners
 - Should the Board adopt the study recommendations, the study would be forwarded to the Governing Body who may approve, modify or reject it by resolution
 - If approved, the Governing Body would direct Board Planner Kauker to prepare a redevelopment plan and advise the affected property owners of the same
 - The affected property owners would have 45 days to challenge the Area in Need Study in Bergen County Superior Court
 - Chairperson Panny clarified that this would not affect the affordable housing deadlines
 - Borough Fair Share Housing Counsel McNamara said that the redevelopment plan will detail what is permitted and not permitted, unit density, what percentage would be affordable and various other criteria
 - Chairperson Panny believes that the area in question is zoned for 8 units/acre and Board Planner Kauker agreed
 - Chairperson Panny invited the Board to ask questions:
 - Douglas Herrick confirmed that the area is zoned Limited Light Industrial (LL) with the Townhouse Overlay Zone (THO) at 8 units/acre
 - Borough Fair Share Housing Counsel McNamara said that the redevelopment plan will supersede the existing zoning zones to make all 6 properties uniform
 - Rick DeHeer confirmed that one of the homes in question is occupied
 - Borough Fair Share Housing Counsel McNamara noted that Trocano Enterprises owns all 6 lots
 - Mr. DeHeer asked for more information on the condemnation
 - Borough Fair Share Housing Counsel McNamara explained that the Borough is going through the process and the property owner may participate in the process by becoming a designated redeveloper and entering into a redevelopment agreement
 - He added that eminent domain is typically a last resort
 - Mr. DeHeer acknowledge that most of the properties in question are vacant and in disrepair
 - Borough Fair Share Housing Counsel McNamara said that the Borough can still issue violations for code offences
 - He noted that there are various statutory requirements that the Borough must follow

- Mr. DeHeer confirmed that the property owner could clean-up the properties at any time
- Board Planner Kauker emphasized that the Borough is seeking to serve the public good and general welfare while an unproductive property would be considered a nuisance
 - Thomas Anzevino questioned if the taxes have been paid and Borough Fair Share Housing Counsel McNamara did not know the answer
 - Vice Chairperson Anthony Klymenko asked if the property owner cleaned-up some of the houses, could they be omitted from the study and Borough Fair Share Housing Counsel McNamara answered that the level of density would be affected
 - Board Planner Kauker noted that the 6 combined properties are slightly less than 3 acres
 - Douglas Herrick confirmed that should the property owner not enter the developer agreement; they would be offered fair market value for the properties in question
- Chairperson Panny asked the Board to email feedback on the study to Board Attorney Ferraro
- Douglas Herrick asked for an anticipated timeline and Borough Fair Share Housing Counsel McNamara cited the notice requirements indicating that they would return to the 7/25/24 meeting
- John Gargagliano cited the Improvement to Land Ratio and Borough Fair Share Housing Counsel McNamara clarified that these numbers were the tax assessment records
- Mayor's Designee Jacqueline DeMuro confirmed the timeline and Borough Fair Share Housing Counsel McNamara suggested posting to the study to the Borough website to make it as easier for the public
- Mr. DeHeer asked for an explanation of what a "smart growth area" means and Board Planner Kauker explained that it is a planning term used by the State and Mayor's Designee DeMuro added that it "concentrates growth in compact walkable urban centers to avoid sprawl"
- There was discussion about how Maywood is mostly developed and how it compares to neighboring municipalities

Open Meeting to the Public

Closed Session None

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 8:33pm.

Respectfully submitted,

Tara Grunstra
 Planning Board Recording Secretary