

MAYWOOD PLANNING BOARD
MINUTES
August 1, 2024

A regular meeting of the Maywood Planning Board was held on Thursday, August 1, 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 7:34pm with the following members present:

Mayor’s Designee Jacqueline DeMuro

Vice Chairperson Anthony Klymenko

Secretary Gary Neumann

John Gargagliano

Harry Hillenius

Douglas Herrick

Thomas Lindenau

Thomas Anzevino

Board Attorney John Ferraro

Board Engineer Gregory Polyniak

Approval of Minutes

John Gargagliano made a motion to accept the minutes from the May 23, 2024 meeting.

Douglas Herrick seconded the motion.

All eligible members present voted in favor of the motion.

Thomas Lindenau made a motion to accept the minutes from the June 6, 2024 meeting.

John Gargagliano seconded the motion.

All eligible members present voted in favor of the motion.

Bills

Douglas Herrick made a motion to approve payment of the bills.

Harry Hillenius seconded the motion.

All eligible members present voted in favor of the motion.

Correspondence

1. 7/25/24 letter from Board Engineer Gregory Polyniak Re: JW Congregation Support 439
Maywood Avenue Resolution Compliance Review

2. 7/25/24 letter from Board Engineer Gregory Polyniak Re: Tesla 1 Bergen Town Center Revised Completeness & Engineering Review
3. 7/26/24 letter from Board Engineer Gregory Polyniak Re: SHDK, LLC 24-30 West Pleasant Avenue Resolution Compliance Review
4. 7/29/24 letter from Board Recording Secretary Tara Grunstra Re: Tesla, Inc. 1 Bergen Town Center Application Hearing Date 10/3/24
5. 7/31/24 email from Borough Administrator Adrian Febre Re: Borough Resolution #152-24 Sustainable Land Use Pledge

Resolution

Katherine Bennin & Rohit Gupta

730 Grant Avenue

Block 37, Lot 4

Calendar #2024-03

Variance Application

Minimum Front Yard Setback (25' required vs. 20.7' proposed)

Maximum Lot Coverage (30% required vs. 53.4% proposed)

John Gargagliano made a motion to memorialize the resolution.

Thomas Lindenau seconded the motion.

All eligible members voted in favor of the motion.

Completeness Hearing

None

Application Hearing

Bryan Goldsman

157 Thoma Avenue

Block 107, Lot 17

Calendar #2024-05

Variance Application

Minimum Side Yard Setback (5' required vs. 4.8' existing/proposed)

Minimum Rear Yard Setback (30' required vs. 16.8' proposed)

Maximum Lot Coverage (30% required vs. 32.49% existing/proposed)

From the Applicant:

Applicant Bryan Goldsman

From the Board:

Board Attorney John Ferraro

Board Engineer Gregory Polyniak

Bryan Goldsman is the Applicant and he was sworn in. He summarized the application:

- He would like to build a 14' x 22' second-story deck over his existing patio
- He explained that the variances being sought were:
 - Minimum Side Yard Setback (5' required vs. 4.8' existing/proposed)
 - Minimum Rear Yard Setback (30' required vs. 16.8' proposed)
 - Maximum Lot Coverage (30% required vs. 32.49% existing/proposed)

Board Attorney Ferraro invited the Board to ask questions of Mr. Goldman:

- John Gargagliano confirmed that the deck will have the same footprint as the existing patio beneath it
- Douglas Herrick confirmed that the impervious coverage would not increase
- John Gargagliano asked if Mr. Goldman's neighbors had decks as well
 - Mr. Goldman answered that the neighbor to the right of his property (if you were facing the house) has a similar deck but the neighbor's house is orientated closer to the front yard setback
 - He added that the neighbor's house is one-story and his house is two-stories

Board Attorney Ferraro invited Board Engineer Polyniak to ask questions of Mr. Goldman:

- Board Engineer Polyniak explained that two of the variances being sought are existing conditions; Minimum Side Yard Setback and Maximum Lot Coverage
 - He noted that the proposed deck would trigger a rear yard setback variance but it also becomes a front yard as it fronts on Maple Lane
- Board Engineer Polyniak confirmed that no landscaping, lighting, grading nor utilities are proposed
- Mayor's Designee Jacqueline DeMuro confirmed with Board Engineer Polyniak that the proposed deck satisfies all safety requirements
 - Board Engineer Polyniak added that the Building Department would review the plans prior to issuing the permits
- Vice Chairperson Anthony Klymenko confirmed that the patio would remain

Vice Chairperson Klymenko invited the public to ask questions of Mr. Goldman or comment on the application but no one came forward.

Douglas Herrick made a motion to approve the application.

Gary Neumann seconded the motion.

All eligible members voted in favor of the motion.

Board Attorney Ferraro advised Mr. Goldman of the next steps regarding the resolution, notice and construction permits.

Informal Hearing None

Old Business

- Updated Land Use Fees
 - Board Attorney Ferraro distributed an updated land use fee ordinance with the Hackensack and East Orange land use fees
 - He reminded the Board that there was interest in amending the site plan application fees to reflect smaller lot sizes in Maywood
 - Board Engineer Polyniak said that the Hackensack and East Orange application fees are higher than Maywood for nonresidential site plan applications
 - On closer inspection, he changed his assessment and said that the Maywood and Hackensack site plan application fees are comparable
 - Vice Chairperson Klymenko believes the existing language is precise

- Board Attorney Ferraro revised the language for the Escrow Accounts Final Site Plan for Both Residential and Nonresidential to “Equal to the one half the total combined preliminary final site plan review fee for the respective residential and nonresidential portions of the site plan”
 - Mayor’s Designee DeMuro suggested referencing the percentage of the fee
 - There was discussion on how to phrase it correctly
 - Board Attorney Ferraro recommended changing it to “Equal to the preliminary site plan review fee for the respective percentages of residential and nonresidential portions of the final site plan”
- He noted that the Escrow Accounts Subdivision fee language was updated to reflect the minimum fee of \$750
- Board Attorney Ferraro directed the Board to page 1 noting that he updated the Application Fees for Variances to include the 10,000 square feet which was recommended by Rick DeHeer
- Board Attorney Ferraro directed the Board to page 2 and identified a note that was added to Resolution Publication Fee that the fee was deducted from the Applicant’s escrow
- Per Board Engineer Polyniak’s recommendation, Board Attorney Ferraro will remove the Field Inspection and Supervision, and Technical Steno and Typing fees from Escrow Accounts Engineering Fees
 - Board Recording Secretary Grunstra noted that Board Engineer Polyniak suggested removing Office Work (Design/Drafting)
 - Board Engineer Polyniak agreed
- Board Attorney Ferraro said that he will update the land use fees and present the final version to the Board at the next meeting

New Business

- Distribution of Calendar # 2022-03A TRB Associates 145 West Passaic Street Amended Site Plan Application
 - Harry Hillenius and Gary Neumann both asked for hard copies
- Mayor’s Designee DeMuro requested that Board Recording Secretary Grunstra create a Google Drive folder for the documents for each application
 - Board Recording Secretary Grunstra agreed to create the Google Drive folder

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 8:04pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary