

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

A regular meeting of the Maywood Planning Board was held on Thursday, August 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 7:28pm with the following members present: Chairman Frank Lichtenberger, Vice Chairman Paul Kuhn, Secretary Charlotte Panny, Councilman Rick DeHeer, John Montel, Harry Hillenius, Charles Goebel, John McManus and Ken Terzo. Also present were Zoning Officer James Mazzer and Board Attorney Kara Kaczynski.

**Approval of Minutes**

Harry Hillenius made a motion to accept the minutes from the August 4, 2016 meeting. Councilman Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

**Bills**

Vice Chairman Paul Kuhn 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**

- 8/4/16 public notice for 450 Hackensack Avenue, Hackensack, New Jersey
- 8/5/16 letter from Transco Gas Pipe Line, LLC Re: NJDEP Application
- 8/8/16 letter from Susan R. Rubright, counsel for Maywood Realty Associates Re: Sign Application
  - Board Attorney Kara Kaczynski contacted Maywood Realty Associates counsel Susan R. Rubright and confirmed that the sign has been installed
  - Ms. Rubright was reviewing the Bergen County right-of-way agreement
    - Board Attorney Kaczynski will write a letter to Ms. Rubright requesting that information
  - Board Attorney Kaczynski will also write to the counsel for Muscarelle requesting supporting documentation for the claims made in their 8/13/16 letter

**Resolution**

None

**Hearing #1**

**Greg Cinnella**  
726 Palmer Avenue  
Block 36, Lot 1  
**Calendar #2016-10**  
**Variance Application**

The applicant Gregory P. Cinnella, Jr. of 726 Palmer Avenue was sworn in. He is proposing expanding his kitchen by 35 square feet which would violate the corner side yard setback of 15' (11.63' proposed). The house has pre-existing nonconforming side yard setback and the applicant is proposing "squaring out" the rear corner of the home. Chairman Lichtenberger asked if the expansion would block any vehicle sight lines and the applicant replied that it would not. Board Attorney Kaczynski asked about moving the A/C unit and Mr. Cinnella confirmed that it would move to the corner decreasing the setback to 8' from 11.63'. Zoning Officer James Mazzer did not believe that this would be a problem. Chairman Lichtenberger asked about the previous Board approval to enclose a deck violating the rear yard setback minimum. Mr. Cinnella chose not to act upon the approval. Zoning Officer Mazzer believes the application is simple. Ken Terzo confirmed that the expansion is for the kitchen only.

Harry Hillenius made a motion to approve the variance application as proposed. Ken Terzo seconded the motion. All members present voted in favor of the motion.

**Hearing #2**

**Gail M. Lupo**  
620 Elm Street  
Block 74, Lot 11  
**Calendar #2016-11**  
**Variance Application**

The application has been adjourned to the 9/1/16 meeting without need for additional notice.

**Informal Hearing**

Christian Demaio  
163 Clinton Avenue  
Block 130, Lot 15

Christian Demaio of 163 Clinton Avenue would like to renovate his single family home to accommodate his in-laws moving in for 6 months out of the year. The renovation would be an expansion of the first floor and a second story addition. The first floor would be reconfigured to add a second kitchen which Zoning Officer Mazzer believed would be problematic. Chairman Lichtenberger asked if the home would be converted to a two-family and Mr. Demaio replied that it would not. He explained that the home would continue to have single utilities. Chairman Lichtenberger noted that having a second kitchen is indicative of a two-family house and this dwelling is zoned as a single family. Mr. Demaio pointed out that the space on both floors would be shared with no independent access to the second floor. However, each of the first floor kitchens has an exterior door and the first floor has a main entrance. Chairman Lichtenberger noted that the first floor could be split with the addition of a few walls and each unit would have a kitchen, living room, bedroom and bathroom. Board Attorney Kaczynski asked how each kitchen would be equipped and Mr. Demaio replied that each kitchen would be complete with a

sink, refrigerator, stove/oven, microwave and dishwasher. John Montel confirmed that there would be no second floor kitchen.

Harry Hillenius asked for clarification on which part of the house Mr. Demaio's in-laws would occupy. Mr. Demaio answered that they would live on the left side of the first floor and not on the second floor at all. Ken Terzo asked about the in-law part time occupancy and Mr. Demaio answered that his father in-law travels for work as a pianist and they would reside with him from October through March each year while performing in *The Nutcracker* in NYC. Ken Terzo then asked what Mr. Demaio would do with the in-law's kitchen once it wasn't needed. Mr. Demaio replied that he would convert it to a living space. Harry Hillenius noted that if the house was sold with 2 kitchens, the new owner may try to use it as a two-family. John McManus asked if the basement is finished and Mr. Demaio answered that it is not but there is a room in it for his father in-law's piano and a laundry area. Harry Hillenius explained that a use variance would be required to convert a single family home to a two-family dwelling. He then noted that if Mr. Demaio removed the second kitchen, Board approval would not be required. Board Attorney Kaczynski asked Zoning Officer Mazzer if a rear yard setback variance would be required for the first floor expansion and he replied that he would need the survey to answer. Mr. Demaio checked the survey that he brought with him and answered that the proposed rear yard setback would be 31.8' which means that a variance would not be required.

### **Old Business**

- While driving in town, Chairman Lichtenberger observed the Army Corp of Engineers remediating the Kin Property adjacent to Maywood Avenue
  - He reminded the Board that the Army Corp plan was to remediate closest to Maywood Avenue first and then move west toward Route 17
  - Kin is advertising the property as 27 acres of leased-only land
- Chairman Lichtenberger noticed garbage and stacked cardboard in the Dollar Tree parking lot
  - Zoning Officer Mazzer requested that they clean up and noticed an improvement when he visited the site a week later
- John Amodeo contacted Chairman Lichtenberger about developing the Maine Evergreen property
  - Chairman Lichtenberger suggested coming to the Board informally with a conceptual plan
- Paul Padro contacted Chairman Lichtenberger about renovating the business at 81 West Pleasant Avenue
  - Chairman Lichtenberger recommended that Mr. Padro bring his plans to Zoning Officer Mazzer
  - Zoning Officer Mazzer said that Mr. Padro came in with the same plan that he presented previously
- Zoning Officer Mazzer mentioned that a Certificate of Occupancy was granted to a small manufacturing company for 29 Essex Street (previously Design Spree) but the tenant decided not to rent the location
- Chairman Lichtenberger asked about the former Duane Reade property at 1 Maywood Avenue and Zoning Officer Mazzer believes that it will be converted to doctor offices

