

**MAYWOOD PLANNING BOARD
MINUTES
September 1, 2022**

A regular meeting of the Maywood Planning Board was held on Thursday, September 1, 2022 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 16, 2021 and March 31, 2022. 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 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 7:30pm with the following members present: Councilperson Ryan Ullman, Gary Neumann, Chairperson Charlotte Panny, Vice Chairperson Anthony Klymenko, Harry Hillenius, Douglas Herrick, Derek Eisenberg, Thomas Anzevino and John Gargagliano. Board Attorney Kara Kaczynski and Board Engineer David Juzmeski on behalf Gregory Polyniak were also present.

Bills

Derek Eisenberg made a motion to accept payment of the bills. John Gargagliano seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

1. 8/3/22 memorandum from Board Planner Michael F. Kauker Re: TRB Associates 145 West Passaic Street Planning Review
2. 8/18/22 letter from Bradford A Bohler Re: Duke Realty 149-151 Maywood Avenue Flood Hazard Area Application
3. 8/24/22 letter from Board Engineer Gregory J. Polyniak Re: PSE&G 186 West Central Avenue As-Built Review
4. 8/25/22 letter from Zoning Enforcement Officer Dina Lynch Re: 100 Essex Street Denial Letter
5. 8/25/22 letter from Board Engineer Gregory J. Polyniak Re: 217 Realty, LLC 217 Hergesell Avenue Completeness, Planning & Engineering Review

Resolution None

Completeness Hearing None

Application Hearing

ASP Properties Group, LLC

846 Spring Valley Road
Block 20, Lot 1

Calendar #2022-10

Subdivision Application

Minor Subdivision Creating 2 Conforming Lots

Daniel Steinhagen of Beattie Padovano represents the Applicant, ASP Properties Group. He explained that the Applicant is seeking a fully conforming minor subdivision creating 2 lots from 1 lot. Mr. Steinhagen provided the original affidavit of notice and certification of taxes. Board Attorney Kara Kaczynski marked the application, supporting plans and other documentation as exhibit A-1, the original affidavit of notice as exhibit A-2 and the certification of taxes as exhibit A-3. Mr. Steinhagen's only witness is the Applicant's architect, Adam Lasota. Mr. Lasota was sworn in, qualified and accepted. Mr. Steinhagen displayed the Ampol Surveying Minor Subdivision Plan dated 6/10/22. Mr. Lasota described the property's existing conditions as 1 single-family corner lot that the Applicant is seeking to subdivide into 2 single-family lots. There is currently a single-family house on the property which would be razed. The lot would be split and 2 conforming single-family houses would be constructed with 1 house on each lot.

Mr. Steinhagen reference the 8/2/22 Neglia Engineering review letter and asked about the width of Spring Valley Road. Mr. Lasota answered that Spring Valley Road is 50' in front of the subject property and noted that it narrows on the north side of the Harding Avenue intersection and then widens again to 50'. Mr. Lasota then listed the bulk standards of the two subdivided conforming lots which were designated as Lot 1.01 and Lot 1.02. He noted that the 2 proposed buildings on the plans are preliminary plans illustrating the approximate footprints which will conform with the Borough codes for the A-1 zone. He added that the existing house is connected to utilities from Harding Place which will connect to the proposed house on Lot 1.01, if viable. For Lot 1.02, he explained that new connections would originate from Spring Valley Road and will comply with Borough construction requirements. Mr. Lasota stated that the reused connections would be scoped and reports provided to Neglia Engineering. Board Attorney Kaczynski marked the 8/2/22 Neglia Engineering review letter as exhibit PB-1. Mr. Steinhagen stated that the Applicant will comply with all the engineering review comments but some information from page 6 is not yet available. He is not sure that the notes should be added to the subdivision plat since it may not be used. He believes that the property may be subdivided by deed metes and bounds. Board Engineer David Juzmeski suggested that the comments could be addresses on the plot plans for construction permits. With that suggestion, Mr. Steinhagen said that the Applicant will comply with all of the comments from exhibit PB-1 8/2/22 Neglia Engineering review letter. Regarding lighting, he said that the new homes would have standard residential lighting with no glare on the adjoining properties. He added that members of the development LLC are intending to occupy the homes.

Board Attorney Kaczynski requested testimony regarding the existing curb cuts. Mr. Lasota explained the existing curb cuts along Spring Valley Road and Harding Place will be reused pending their condition. He believes that one of the aprons will need to be replaced in concrete. He added that reusing the curb cuts will avoid road closures. Board Engineer Juzmeski was satisfied that the Applicant has addressed the comments from exhibit PB-1 8/2/22 Neglia

Engineering review letter and repeated that his office will review the plot plans submitted to the Borough Building Department.

Chairperson Charlotte Panny invited the Board and the public to ask questions of Mr. Lasota. Gary Neumann asked if the elevations of the proposed homes would be similar to the existing home and Mr. Lasota answered that they would. Mr. Lasota noted that the grading will not change and they are proposing to reuse the existing basement garage for the house on Lot 1.02. Board Engineer Juzmeski reminded the Applicant that the Borough requires concrete aprons. Mr. Lasota agreed that the first 4' of the driveway would be concrete and the rest of the driveway would be macadam or pavers. Harry Hillenius inquired about stormwater management and Mr. Lasota replied that the Applicant will use seepage pits or dry wells.

Board Attorney Kaczynski summarized the conditions of approval as:

1. Driveway aprons will be concrete for the first 4'.
2. All conditions of exhibit PB-1 8/2/22 Neglia Engineering review letter will be satisfied prior to the issuance of construction permits.
 - a. If satisfaction of any of the conditions in any way amends the subdivision plan approved by the Board, the Applicant will need to return to the Board for amended approval.
3. Lot numbers will be designated by the Tax Assessor.
4. Draft subdivision deeds and plot plan will be submitted to Board professionals for review and approval.

Chairperson Panny invited the public to comment on the application but no one came forward.

Derek Eisenberg confirmed that the Applicant intends to remove the existing underground oil tank.

Harry Hillenius made a motion to approve the application with the conditions that were listed by Board Attorney Kaczynski and Derek Eisenberg seconded the motion. All eligible members voted in favor of the motion.

Informal Hearing None

Closed Session None

Old Business

- Board Attorney Kaczynski advised that an Order Extending Immunity for the Borough regarding COAH was extended through 12/15/22
 - She added that the Board will need to have a public hearing on 9/22/22 for the revised Housing Element and Fair Share Plan with notice published by 9/10/22
- Review of Application Requirements Checklist (Schedule C)
 - Board Attorney Kaczynski will provide a memo and requested input from the Board

New Business None

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Derek Eisenberg seconded the motion. All eligible members present voted in favor of the motion. The meeting was adjourned at 7:53pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary