

**MAYWOOD PLANNING BOARD**  
**MINUTES**  
September 24, 2015

A regular meeting of the Maywood Planning Board was held on Thursday, September 24, 2015 in the Council Chambers of the John A. Steuert, Jr. Municipal Complex, 15 Park Avenue, Maywood, New Jersey at 7:30 P.M. “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 11, 2014. 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 7:30pm with the following members present: Chairman Frank Lichtenberger, Vice Chairman Paul Kuhn, Secretary Charlotte Panny, Councilman Rick DeHeer, John Montel, Harry Hillenius, Charles Goebel (left at 8:55pm), John McManus and Anthony Klymenko. Also present were Zoning Officer James Mazzer, Board Attorney Kara Kaczynski and Board Engineer Tom Lemanowicz.

**Approval of Minutes:** Councilman Rick DeHeer made a motion to accept the minutes from the August 27, 2015 meeting. Secretary Charlotte Panny 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. Harry Hillenius seconded the motion. All members present voted in favor of the motion.

**Correspondence:**

- 1) 8/26/15 letter from Bergen County Department of Planning & Engineering Re: Site Plan Exemption for 125 Essex Street (Block 131, Lot 5)
- 2) 8/31/15 letter from Tom Lemanowicz Re: J. Magnone Auto Group LLC 29 Essex Street Completeness Review
- 3) 9/4/15 letter from Patrick J. McNamara of Scarinci Hollenbeck Re: Mount Laurel Declaratory Action and Motion for Temporary Immunity from Mount Laurel Lawsuits (Docket #BER-L-6216-15)
- 4) 9/4/15 letter from PK Environmental Re: Steven Sandelman applying to the NJDEP for a Letter of Interpretation (LOI) Line Verification for Block 124, Lot 30
- 5) 9/5/15 email from NJRA Re: RTI Class & Tour-Jersey City
- 6) 9/9/15 City of Hackensack Zoning Board of Adjustment Notice of Public Hearing for 60 Commerce Way & 80 Commerce Way
- 7) 9/14/15 letter from Tom Lemanowicz Re: J. Magnone Auto Group LLC 29 Essex Street Completeness Review
  - o Application deemed incomplete
- 8) 9/14/15 email from NJRA Re: RTI Redevelopment Planning Law Workshop

- 9) 9/14/15 email from Jennifer Pati of Groundwater & Environmental Services, Inc. Re: Environmental Remedial Activity @ 167 Route 17 North (Block 124, Lot 2)
  - o Remediation of former Sunoco property on Route 17 North
- 10) Rutgers Continuing Studies Center for Government Services Affordable Housing Professional Certification Program Fall 2015 Schedule
- 11) 9/18/15 letter from Tom Lemanowicz Re: 125 Essex Street LLC/Dollar Tree Completeness Review
- 12) 9/21/15 letter from Tara Grunstra Re: 125 Essex Street LLC/Dollar Tree Hearing Scheduled for 9/24/15
- 13) 9/21/15 letter from Kevin Kelly Re: Petrigliano Resolution Conditions Satisfied
- 14) 9/22/15 email from NJRA Re: RTI Redevelopment Planning Law Workshop

**Resolutions:** None

**Hearing:** Steve Torrini  
739 Grant Avenue  
Block 24, Lot 13  
**Calendar #2015-11**  
**Variance Application**

Steve Torrini lives at 739 Grant Avenue in Maywood and was sworn in. He would like to install a pressure treated wood deck in his rear yard where a raised patio is now located. The contractor will remove the pavers from the top of the patio and the deck will go on top of the patio. The retaining wall that encloses the patio will also be removed. The deck is 12 feet deep which violates the 30 foot rear yard setback by 9 feet. With the proposed deck, the rear yard setback would be 21 feet. The proposed deck would not violate the side yard setback requirements and the front yard setback is in compliance. Vice Chairman Kuhn asked if the deck is approximately the same size as the patio and Steve Torrini confirmed that it is. Chairman Lichtenberger questioned the layout of the rear yard. Steve Torrini explained that there are trees that act as a buffer on the rear property line between his yard and the backyard of the property behind his on Lincoln Avenue. The rear yard is enclosed with a 6 foot high PVC fence. The height of the deck is consistent with the existing raised patio. Board Attorney Kara Kaczynski asked if the retaining wall that is to be removed serves either a structural or drainage purpose and Steve Torrini verified that it did not. It would not affect any run off if it was removed.

Harry Hillenius made the motion that the application be approved as presented and Vice Chairman Kuhn seconded the motion. All members present voted in favor of the motion.

**125 Essex Street LLC/Dollar Tree**  
125 Essex Street  
Block 131, Lot 5  
**Calendar #2015-10**  
**Variance & Sign Applications**

Richard J. Laiks of Heller & Laiks here on behalf of 125 Essex Street LLC and the owner John J.

Brunetti. The property was formerly Bon Buffet Restaurant and prior to that it was a bowling alley. The applicant is seeking a use variance and the property is located in the limited light industrial zone. A lease with retailer Dollar Tree is pending Planning Board approval.

Board Engineer Tom Lemanowicz listed the completeness waivers required by Board in order to hear the application:

- C(31) Requires plan profiles of existing and proposed utilities. These items are not currently shown.
- C(33) Requires a Soil Erosion and Sediment Control Plan.
- C(41) Requires location, dimensions and details of all signs and exterior lighting and landscaping plans. The lighting information is insufficient as no mounting height is provided for the new wall-mounted fixtures and no details have been provided for the new pole-mounted flood lights.
  - The applicant has indicated that the light level discussions will be provided in testimony.
- C(43) Requires existing and proposed stormwater calculations which have not been provided. No new impervious surfaces are proposed.
- C(49) Requires providing an exterior lighting plan. No lighting levels are associated with the new lighting. As such, the compliance to the following cannot be assessed:
  - §239-39C(4) All open off-street parking areas in the GA, LL, PC and RC Districts which may be used at night shall be adequately lighted, but such lighting shall not in any way cause a nuisance or adversely affect the use of adjacent homes as residences
  - The applicant has indicated that the light level discussions will be provided in testimony.

Vice Chairman Kuhn made the motion to approve the completeness waivers and Harry Hillenius seconded the motion. All members present voted in favor of the motion except Charles Goebel whom voted no.

David Eareckson, President of Land Development Services at Matrix New World was sworn in. Mr. Eareckson is a licensed professional engineer in the state of New Jersey and was accepted as an expert witness. The 2 page site and grading plan revised on 8/12/15 was marked as Exhibit 1A and page 2 of 2 was presented. The property on Essex Street contains an existing 10,400 square foot building and parking lot with a pump station in the northernmost corner. There is existing landscaping in the front of the building that borders on Essex Street. There is an existing pole mounted sign at the front of the property. The applicant is proposing 44 parking spaces while 42 are required. There are 2 spaces at the rear of the property that may be eliminated to allow for fire trucks to move through the parking lot. Therefore, the revised proposal is for 42 parking spaces while 42 are required. There will be no expansion of the building, the footprint will not change. The exterior will be painted. The interior will be altered to accommodate a retailer. An exterior door will be added at the back for a loading zone. The existing side door entrance will be closed and an entrance will be created in the front of the building. They will be surface coat the parking lot and restripe it in accordance with the site

plan. There is a proposed dumpster and recycling enclosure proposed for the northeast corner of the property. The size is 9' x 18' and is surrounded on all 4 sides with a 6' fence. There is a cardboard baler proposed to be located in the rear of the building. Cardboard will be stored in the interior next to the baler so as not to be exposed to weather and prevent theft.

There has been some questions from the Board Engineer on the lighting plan. PSE&G owns all of the lighting poles on the property easement. The applicant contacted PSE&G to request that the lighting be updated. PSE&G recently replaced all of the lighting without notifying the owner. Mr. Eareckson visited the site prior to the meeting and measured the light levels with his light meters. The lights do not exceed 3 footcandles past the property line. The light levels increase as you approach the building because all of the lights are aimed at the building. He presented pictures of the new pole lights:

- 1) Southernmost corner of the property bordering on Essex Street – 2 LED lights pointed toward the building
- 2) Heading east toward the rear of the property – LED light replaced an arm lamp. The remaining arm lamp is aimed at the Hackensack Gardens parking lot
- 3) Continuing east toward the rear of the property – 2 LED lights pointed toward the building
- 4) At the northernmost corner of the property on the rear property line– 2 LED lights pointed toward the building

Once he crossed the property line to the Hackensack Gardens, the light levels from the PSE&G poles dropped to 2 footcandles. Minor lights will be mounted on the building for appearance. The pole mounted lights achieve a half footcandle on the parking lot so the building mounted lights are not needed to illuminate the parking lot. The trees that run along the rear of the property between the parking lot and Hackensack Gardens have been limbed and the debris has been removed.

Chairman Lichtenberger asked about storing the cardboard bales. Mr. Eareckson explained that the cardboard bales will be stacked and stored inside the property near the loading dock in the rear of the building. Fire Official Tom Tuttle explained that was acceptable as long as a fire suppression system was installed.

Board Engineer Lemanowicz asked about the dates on the architectural plans. The revision date of 5/14/15 is earlier than the creation date of 5/28/15. Mr. Eareckson explained that was a typo; the plans were created on 5/14/15 and the revision was on 5/28/15. Corrected plans will be submitted to the Board.

Board Engineer Lemanowicz would like to review the installed lighting personally before the waiver is granted. He asked if there was an equivalent light level that Mr. Eareckson could compare for the Board. Mr. Eareckson felt that the Council Chamber lighting was an equivalent light level to the parking lot. Chairman Lichtenberger asked about the timing of the lights and Mr. Eareckson said the PSE&G were responsible for the lighting and believed that lighting would be on from dusk until dawn. He is certain that the building mounted lights will be illuminated from dusk until dawn for security. Chairman Lichtenberger asked about the Dollar

Tree hours of operation. Philip Dittmar, District Manager at Dollar Tree was sworn in. He explained that the proposed hours of operation would be Monday – Saturday 9am-9pm and Sunday 9am – 8pm. When asked about the Bergen County blue laws banning the sale of clothing, shoes, furniture, home supplies and appliances on Sundays, Mr. Dittmar confirmed that he was aware of the restrictions. The majority of Dollar Tree’s inventory is consumables so the blue laws shouldn’t impact them too much. Chairman Lichtenberger asked about how many employees would be hired. Mr. Dittmar replied that 20-25 associates would be employed based on the volume of the store. On a daily basis, 6-7 associates would work. He expects that merchandise would be delivered weekly. Charles Goebel asked what other Bergen County towns have a Dollar Tree store. Mr. Dittmar answered that Dollar Tree has stores in the following municipalities:

- Lodi
- Park Ridge
- Closter
- East Rutherford
- Hawthorne
- Fairview

When asked by Chairman Lichtenberger about the Hackensack dollar store, Mr. Dittmar explained that Family Dollar is located in Hackensack. Dollar Tree recently purchased the Family Dollar chain. Vice Chairman Kuhn asked for more information about merchandise delivery. Mr. Dittmar explained that they would comply with any Borough ordinance specific to delivery times. They would not want to disturb their residential neighbors. He would expect delivery once a week from a tractor trailer which would be offloaded in 3-4 hours. Cardboard would be baled inside the store. He expects that the store would produce 1 bale per week. They would prefer to store the cardboard bale inside but would comply with the Fire Official to move it outside if necessary.

Fire Official Tom Tuttle lives at 579 Lincoln Avenue in Maywood and was sworn in. He clarified that the cardboard bales can remain inside as long as there is a fire suppression system in place. To clarify, he would like there to be a fire suppression system inside the baler. There is specific concern about fire in the building due to the roof structure. Truss roof fires are particularly dangerous. There is an existing sprinkler system in the building and Fire Official Tuttle wants it to remain. Lastly, he is concerned about egress. He estimated that if the store has 268 people inside, the current egress options are insufficient. Mr. Dittmar does not believe that the store would ever have that level of volume. He would hope to have 50 people in the store at one time. Their highest volume stores seldom have more than 50 people in the store. Chairman Lichtenberger said that the Siamese connection should not be altered even during construction. Fire Official Tuttle also explained that the 2 parking spaces in the rear be removed to allow for the fire trucks to maneuver. He also asked about access through the parking lot to Jax Carwash using the chained gate. Mr. Laiks was aware of a verbal agreement between Bon Buffet and Jax Carwash where they would share parking. During the day, Jax Carwash could use Bon Buffet’s parking lot and Bon Buffet could use Jax Carwash’s parking lot at night. Going forward, that agreement would not apply. Currently, some Jax Carwash employees are parking on the

property and the owner plans to raise the curb to be full height to prevent this from happening in the future.

Board Attorney Kara Kaczynski asked about how often the cardboard bales are picked up by the hauler. Mr. Dittmar said that the hauler is contacted as soon as the bale is created. The hauler will pick up within 24 hours. The frequency that bales are created is based on store sales and he estimates pick up once per week. The cardboard hauler, rubbish collector and recycling company will likely be 3 separate companies. Rubbish will be collected 3 times per week but that may change based on sales.

Mr. Eareckson addressed the technical comments from the Board Engineer's 9/18/15 Completeness Review letter. He believes that the pole mounted sign is an existing non-conformity. Board Attorney Kaczynski asked Board Engineer Lemanowicz if he would need measurements and he confirmed that he would. He further explained that according to ordinance §209-40S, preexisting nonconforming signs "shall not be altered, enlarged, extended or relocated unless such action changes a nonconforming into a conforming sign." If the sign does not conform to Borough code, it would require a variance. Without knowing the actual height, a determination cannot be made. The hearing notice provides for any use, sign and parking variances. Chairman Lichtenberger asked if the sign would be illuminated and the applicant wasn't sure. Unfortunately, the sign company representative had car trouble and couldn't make the meeting in time. A separate sign application without a variance was submitted. Mr. Eareckson could speak to the sign application in general terms but did not personally take measurements. He believes that it is taller than the existing building. The sign is 8' wide x 5.4' high which translates to 43.33 square feet vs. 18 square feet allowed. Zoning Official James Mazzer cited ordinance §209-40E "No freestanding sign shall exceed 24' in height, measured from the ground, and no attached sign shall be higher at any point than the roofline of the building". The highest point of the barrel roof is 22'. Mr. Eareckson compared the height of this sign to the signs across the street but the Board explained that those signs are in a different municipality.

Chairman Lichtenberger asked about the wall sign. After some deliberation, it was determined that the wall sign consists of illuminated channel letters spelling "Dollar Tree". Given that the sign company's representative was unable to attend and there are a number of outstanding questions, Chairman Lichtenberger suggested adjourning this discussion to the next meeting. Other questions about signage were:

- Since the awning has been removed, what type of sign will be used for the entrance?
- Which freestanding sign is proposed, green background with white lettering or white background with green logo & lettering?

To clarify, Dollar Tree (tenant) hired Blair Companies to create and install the signage. Forman Signs are a subcontractor hired by Blair Companies. Mr. Laiks represents the owner/landlord 125 Essex Street LLC/John J. Brunetti.

Returning to the technical comments from the Board Engineer's 9/18/15 Completeness Review letter, Mr. Eareckson believed that he answered the lighting questions in testimony. In the

northernmost part of the property, there was a rubbish enclosure on a concrete pad. Both the enclosure and concrete pad have been removed. They are to be replaced by a dumpster and recycling enclosure on asphalt. Board Engineer Lemanowicz noted that the site plans reflect a concrete pad in that location. Mr. Eareckson pointed out a manhole cover and electric control box on the concrete slab directly behind the rubbish enclosure. He believes that it is a sanitary sewage pumping station. When asked additional questions by Board Engineer Lemanowicz, Mr. Eareckson admitted to not knowing the history of this pumping station and only discovered it on today's site visit. Since they have the required number of parking spaces, that area can be left alone. Mr. Eareckson noted that there is only a drainage easement on the property. Chairman Lichtenberger requested that the applicant find out more information on this. Mr. Eareckson identified a 24" sewer line leading to that pumping station running along the rear property line. Chairman Lichtenberger asked Mr. Laiks to search the property deed to see if there is any mention of this easement. The manhole cover is BCUA so the applicant should contact them. Board Attorney Kaczynski suggested that it may have been abandoned. Board Engineer Lemanowicz pointed out on the boundary survey a 10' wide sanitary sewer easement that runs through the side parking lot. It connects to a 30' wide sanitary sewer easement that runs along the rear of the property to the manhole cover that is being discussed. Mr. Eareckson was unaware of either easement.

Chairman Lichtenberger requested a 5 minute recess at 8:55pm. The meeting was called to order at 9:01pm with all members present except Charles Goebel.

Board Engineer Lemanowicz suggested checking to confirm that building the dumpster and recycling enclosure isn't a violation of the easements. Mr. Eareckson stated that they aren't planning to replace the existing fence since it isn't on their property.

Returning to the technical comments from the Board Engineer's 9/18/15 Completeness Review letter, Mr. Eareckson believes the parking aisle widths are 17.5'. Board Engineer Lemanowicz noted that parking aisle widths are typically 24'. This is an existing nonconformity which would require a variance. The handicap parking signs will be placed on the property line. The sign directing customers to off-site parking will be removed. Concrete curb bumpers will be replaced where they are missing. A Stop Bar will be added. Rather than providing a landscaping plan, the applicant requests that the landscaping be addressed on-site since it is so minimal. The concrete elephant which had been in place for many years has been removed. The dumpster and recycling enclosure will be on blacktop. Board Engineer Lemanowicz believes that the dumpster should rest on a 6" reinforced concrete pad as it commonly constructed. The dumpster and recycling enclosure location is within the easement.

Peter Vandenkooy, Planning Department Manager at Matrix New World was sworn in. He is a licensed professional planner in the state of New Jersey and was accepted as an expert witness. Mr. Vandenkooy testified that proposed change of use is not detrimental to any of the adjacent land owners or properties. In his analysis, he reviewed the zoning ordinance, mater plan, site plans, survey, correspondence and conducted a site visit earlier that day. To give context to the location of the property:

- To the north of the property, there is a Jax Carwash and Lodi Branch Railroad. Further,

#### Maywood's Garden Apartment zone

- To the west, there is Chase Bank, Dunkin Donuts and additional retail in Lodi's Regional Commercial district
- To the south, there is Hackensack's Residence 1A zone
- To the east, there are apartments in Hackensack's Residence 2A zone

Based on his observation, the combination of retail and multi-family residential that surround the property are compatible with the proposed retail use. Since this project is for an existing structure that has been in place for several decades, the retail use is considered benign with no adverse impact of the surrounding land uses or properties. The retail use of this property is beneficial in his opinion. It is preferably to a vacancy and it is expected to be successful based on the surrounding uses and busy roadway. The retail use of this property would promote several purposes of municipal land use law such as:

- C: To provide adequate light, air and open space
  - This project proposes to use an existing building and complies with requirements for building height, lot area, lot coverage and rear yard setback
- D: To ensure the development of individual municipalities without conflicting with the development and general welfare of neighboring municipalities
  - Compatible commercial and multi-family residential land uses that surround the property
- I: To promote a desirable visual environment
  - The rear portion has already been cleaned up, the building will be updated with new doors, new façade material and new signage. Additionally, the building will be painted

The retail use is particularly well suited for the site and is in character with the neighborhood. Board Attorney Kaczynski asked about any detrimental impact of this project. Mr. Vandenkooy reviewed the negative criteria and believes there are none for this project. Board Secretary Panny asked about the traffic impact of cars making left turns onto Essex Street exiting the parking lot. Mr. Vandenkooy is not a Traffic Engineer so he is not the most qualified to answer the question. He noted that the building has been at this location for decades. He has not reviewed police reports. Councilman DeHeer noted that as a restaurant, customers were exiting at night when traffic is lighter than during the day. There is a traffic light located in front of Jax Carwash that may block cars exiting the Dollar Tree parking lot. Councilman DeHeer asked if a traffic study has been conducted as part of the application and if a right turn only exit was considered. Mr. Vandenkooy agreed that this retail business will generate a different traffic volume. Chairman Lichtenberger asked if the application has been submitted to the Maywood Police Department and it was confirmed that they have since Chief Pegg is a member of the Board. It was noted that several businesses on Essex Street have installed no left turn signs. Since Essex Street is a county road, Bergen County would need to be involved with restricting the turning. Board Attorney Kaczynski requested a copy of the Bergen County Department of Planning and Engineering approved application. Mr. Laiks has no knowledge of approvals. Board Engineer Lemanowicz noted with retail use that the lighting would be illuminated longer than with limited light industrial use. The adjacent apartments will be exposed to the parking lot



lighting for a longer duration. While the PSE&G pole lighting can be measured, the proposed building mounted lights cannot. Mr. Vandenkooy believes that limited light industrial use would have the lights on for the same hours as retail as a security measure. Board Engineer Lemanowicz believes the intensity would be less for security lighting. Mr. Vandenkooy noted that warehouse use which is permitted may have staff on multiple shifts requiring similar lighting as proposed. Additionally, there is significant trucking in and out of a warehouse facility. He believes that retail use compared to permitted uses like warehouse use is less intensive in terms of lighting.

Mr. Laiks summarized that over the course of the next week:

- Board Engineer Lemanowicz will site visit to assess the lighting
- The applicant will provide the dimensions of the parking spaces
- Questions about signage will be answered and sign company representative will attend the 10/1/15 meeting
- Mr. Laiks will pursue getting a copy of the easement
- Board Attorney Kaczynski requested a copy of the Bergen County Department of Planning and Engineering approved application, if possible
- The applicant will contact BCUA about the sanitary sewer system on the property
- The applicant will forward any revised prints

The applicant is scheduled to return at the next meeting on 10/1/15.

**Informal Hearing:** None

**Old Business:**

- Vice Chairman Kuhn heard that Dr. Robert Burchell, professor at Rutgers University and COAH expert, has fallen ill. Board Attorney Kaczynski confirmed that he is ill but another firm is stepping in to handle the project. Mayor and Council are adopting a resolution authorizing the change.

**New Business:**

- Board Attorney Kaczynski was contacted about developing the Maine Evergreen property into an overflow inventory lot for Park Avenue BMW/Acura.
  - The attorney was unable to attend the meeting but gave approval for the matter to be discussed. The attorney mentioned that the area would be landscaped and the parking lot layout would meet code. They also said that they would be amenable to developing the Limited Light Industrial portion and leaving the Townhouse Zone to another developer.
  - Chairman Lichtenberger noted that there is an adjacent existing inventory lot and it seems that Park Avenue BMW/Acura are looking to expand. He would prefer for the Townhouse zone that borders West Pleasant Avenue to be developed into residences and not a parking lot.
    - He believes that location should be developed in some way.

- If it were developed as an inventory lot, Park Avenue BMW/Acura has indicated that they are amenable to the Board's requirements of entrance and exit points. They would not expect to access Briarcliff Avenue but would gate it for emergency vehicles.
    - He believes that 5 townhouses could be constructed across the front of the property on Spring Valley Road.
  - John Amodeo who built 2 townhouses close to Maine Evergreen has expressed interest in developing and Chairman Lichtenberger encouraged him to come for an informal hearing.
  - Estate Developers who built the Maywood Avenue subdivision and is currently building at 419 Oak Avenue has also expressed interest. Zoning Officer James Mazzer suggested that they come for an informal hearing.
  - Board Attorney Kaczynski reminded the Board that potential ratables cannot be a consideration, however, a preference for residential development is understandable.
  - Vice Chairman Kuhn prefers residential development.
  - Zoning Officer Mazzer suggested retail use for the front of the property to finish out West Pleasant Avenue with residential in the rear.
  - Chairman Lichtenberger explained that Park Avenue BMW/Acura has been successful and has expanded several times in the past. He wouldn't want them to relocate to another municipality where there was a larger inventory lot but Zoning Officer Mazzer does not think that will happen. He believes that inventory lots can be located further away without negatively impacting the dealership.
  - Board Engineer Lemanowicz offered that zoning against surface outdoor storage as a principle use and keeping it to an accessory use is an option. This would require them to get a use variance for what they are proposing.
  - Zoning Officer Mazzer mentioned that Estate Developers were considering townhouses as well as active adult condominiums.
  - All Board members present agreed that Board Attorney Kaczynski should relay to Park Avenue BMW/Acura that the Board was not interested in developing the property into inventory lot.
  - Vice Chairman Kuhn does not agree that retail use is appropriate and believes that it should be residential only. Several other Board members concurred.
- Board Attorney Kaczynski was contacted by an attorney about the Sears property asking if any plans have submitted. She explained the situation and he explained that he had a client interested in the property.
  - Board Attorney Kaczynski is leaving her firm of Scarinci Hollenbeck to open her own practice based out of Somerville. Vice Chairman Kuhn made a motion of continuing representation with Kara Kaczynski and Secretary Panny seconded the motion. All members present voted in favor of the motion.
  - Board Attorney Kaczynski has learned that the owner of the now closed Duane Reade property that the site may be developed into a Perkins Restaurant or an immediate care clinic. The property is zoned for restaurant use.

**Open to the Public:** None

**Adjournment:** A motion to adjourn was made by Harry Hillenius. John McManus seconded the motion. The meeting was adjourned at 9:54pm.

Respectfully submitted,

Tara Grunstra  
Planning Board Recording Secretary