

MAYWOOD PLANNING BOARD
AGENDA
February 27, 2020

CALL MEETING TO ORDER

“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 21, 2019. 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

ROLL CALL

Chairman Frank Lichtenberger ()
Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan ()
Councilperson Ryan Ullman ()
Gary Neumann ()
Paul Kuhn ()
John Montel ()
Harry Hillenius ()
Rick DeHeer ()
Peter Cicarelli Alt. #1 ()
Secretary Anthony Klymenko Alt. # 2 ()
Daniel Nemecek Alt. # 3 ()
John Gargagliano Alt. #4 ()
Tara Grunstra, Board Secretary ()
James Mazzer, Zoning Officer ()
Board Attorney Kara Kaczynski – McNally, Yaros, Kaczynski & Lime, LLC ()
Board Engineer Gregory Polyniak – Neglia Engineering Associates ()
Temporary Board Engineer Richard Wostbrock – The Alaimo Group ()
Board Planner Michael Kauker – Kauker and Kauker, LLC ()

APPROVAL OF MINUTES

February 6, 2020

Motion by: _____
Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

BILLS

Planning Board Miscellaneous

North Jersey Media Group	\$ 22.00
Gann Law Books	\$ 305.50
2020 Budget Balance	\$ 4,943.50

Planning Board Legal

McNally, Yaros, Kaczynski & Lime LLC	\$ 2,162.50
2019 Budget Balance	\$ 3,318.50

Calendar #2017-14
Outfront Media, LLC
99 Essex Street
Block 125, Lot 41

Alaimo Group	\$ 900.00
Alaimo Group	\$ 75.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 180.00
Current Escrow Balance	\$ 2,122.25

Calendar #2019-06
PSE&G
186 West Central Avenue
Block 124, Lots 80-91

Alaimo Group	\$ 525.00
Current Escrow Balance	\$ 463.75

Calendar #2019-15
Adler Aphasia Center
50-60 West Hunter Avenue
Block 124, Lots 37 & 38

Alaimo Group	\$ 337.50
McNally, Yaros, Kaczynski & Lime LLC	\$ 105.00
Current Escrow Balance	\$ 2,272.50

Calendar #2019-20
Mind & Body Fitness
136 West Pleasant Avenue
Block 83, Lot 5

Our Town Newspaper	\$ 18.00
Current Escrow Balance	\$ 132.00

Calendar #2019-21
Elena's Skin Care Specialist
234 Maywood Avenue
Block 126, Lot 64

Our Town Newspaper	\$ 18.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 90.00
Current Escrow Balance	\$ 42.00

Motion by: _____
Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

CORRESPONDENCE

- 2/12/20 letter from James E. Jaworski Re: Outfront Media Waives Time Period for the Board to Act to 3/31/20
- 2/18/20 letter from Captain Terence Kenny Re: L.M.G., LLC 945 Spring Valley Road Maywood Police Department Questions and Concerns
- 2/18/20 Public Notice for Adler Aphasia Center 50-60 West Hunter Avenue, Block 124, Lots 37 & 38
- 2/19/20 letter from Board Engineer Gregory J. Polyniak Re: L.M.G., LLC 945 Spring Valley Road Completeness, Planning & Engineering Review
- 2/25/20 Ordinance #4-20 An Ordinance to Amend Chapter §209-5 (I) Permitting Appeals of the Board of Adjustment to the Mayor and Council
- 2/27/20 letter from James E. Jaworski Re: Outfront Media Hearing Adjourned to 3/26/20

RESOLUTION #1

The Little Locust

100 West Pleasant Avenue
Block 82, Lot 6

Calendar #2020-02

Sign Application

Application to install a conforming wall sign was approved

Motion by:_____

Seconded by:_____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

RESOLUTION #2

Aquinas Capital Funding

130A West Pleasant Avenue
Block 83, Lot 8

Calendar #2020-05

Sign Application

Application to recover an existing awning was deemed conforming and was approved

Motion by:_____

Seconded by:_____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

RESOLUTION #3

Master Plan Reexamination Report

Master Plan Reexamination Report was approved

Motion by:_____

Seconded by:_____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

RESOLUTION #4

2019 Annual Report of Action

An annual report on applications, appeals for variances, the Board's determination and any recommendations for zoning ordinance amendments or revisions

Motion by:_____

Seconded by:_____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

HEARING #1

Adler Aphasia Center

50-60 West Hunter Avenue
Block 124, Lots 37 & 38

Calendar #2019-15

Variance & Site Plan Applications

Application for variance to expand use to the entire first floor of the building from 8,000 square feet approved by the Board in 2003. The property is zoned Limited Light Industrial (LL) so the proposed expansion is for an existing non-conforming use

Motion by:_____

Seconded by:_____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

HEARING #2

Outfront Media

99 Essex Street
Block 125, Lot 1

Calendar #2017-14

Variance & Site Plan Applications

Application to install a digital billboard which is a permitted conditional use but the front yard setback to Route 17 is insufficient

Motion by: _____

Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

CLOSED SESSION

Closed Session Resolution # 2020-TBD

BE IT RESOLVED by the Planning Board of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Maywood Planning Board met in closed session to discuss the following subject matter(s): Personnel matters

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds
- () Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof

() Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law

() Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

() Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Planning Board of the Borough of Maywood

() Will return to open session after this meeting.

() Do not envision that they will return to open session after this meeting but reserves the right to do so.

To go into Closed Session:

Motion by: _____

Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()

Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()

Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()

Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()

John Gargagliano ()

To return to the regular order of business:

Motion by: _____

Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()
Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()
Paul Kuhn () John Montel () Harry Hillenius () Rick DeHeer ()
Peter Cicarelli () Secretary Anthony Klymenko () Daniel Nemecek ()
John Gargagliano ()

OLD BUSINESS

None

NEW BUSINESS

- Cancellation of 3/5/20 and 6/4/20 meetings
- Review of Planning Board Application Forms and Land Use Fee Schedule

OPEN MEETING TO PUBLIC

ADJOURNMENT

A motion to adjourn was made by _____, seconded by _____.