

**MAYWOOD PLANNING BOARD**  
**AGENDA**  
**February 6, 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	( )
Temporary Board Engineer Richard Wostbrock – The Alaimo Group	( )
Board Planner Michael Kauker – Kauker and Kauker, LLC	( )

**APPROVAL OF MINUTES**                      January 23, 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**

**Engineering Services & Costs (COAH)**  
Kauker & Kauker, LLC \$ 1,170.00

**Planning Board Miscellaneous**  
Merit Trophies & Engraving \$ 83.50  
Our Town Newspaper \$ 20.50  
2020 Budget Balance \$ 5,271.00

**Planning Board Legal**  
McNally, Yaros, Kaczynski & Lime LLC \$ 300.00  
2019 Budget Balance \$ 5,481.00

**Calendar #2017-14**  
**Outfront Media, LLC**  
**99 Essex Street**  
**Block 125, Lot 41**  
McNally, Yaros, Kaczynski & Lime LLC \$ 300.00  
Current Escrow Balance \$ 2,377.25

**Calendar #2019-06**  
**PSE&G**  
**186 West Central Avenue**  
**Block 124, Lots 80-91**  
Kauker & Kauker, LLC \$ 585.00  
Current Escrow Balance \$ 988.75

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**

- 1/30/20 letter from Board Recording Secretary Tara Grunstra Re: Empire Real Estate Holdings, Inc. Application Issues
- 1/31/20 letter from Board Recording Secretary Tara Grunstra Re: Aquinas Capital Funding Application Hearing Date 2/6/20

**RESOLUTION**

**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 ( )

**HEARING #1**

**Aquinas Capital Funding**

130A West Pleasant Avenue  
Block 83, Lot 8

**Calendar #2020-05**

**Sign Application**

Application to recover an existing awning

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 ( )

**HEARING #3**

**Master Plan Reexamination Report**

Members of the public will have an opportunity to ask questions or make comments regarding the Master Plan Reexamination Report

Motion by: \_\_\_\_\_

Secoded 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):

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**

- Distribution of Calendar #2020-06 L.M.G., LLC, 945 Spring Valley Road, Block 1, Lot 4, Variance & Site Plan Applications
- Review of Land Use Fee Schedule

There are several miscellaneous fees that seem obsolete:

### II. Miscellaneous Fees

- A. Copy of Land Use Ordinance \$10 – available online
- B. Copy of Zoning Map \$2 – available online
- C. Copy of Board Resolution \$10 – emailed electronically
- E. Resolution Publication Fee \$25 – \$18 cost is taken out of the escrow account

There are Board professional hourly fees that are inaccurate and are never applied:

### III Escrow Accounts

#### A. Hourly Fees

- 1) Attorney Legal Review Fee \$110 per hour
- 2) Engineering and Planning Review and Inspection Fees
  - a. Principal \$110 per hour
  - b. Principal Assistant \$80 per hour
  - c. Survey Field Party \$130 per hour
  - d. Office Work (Design/Drafting) \$50 to \$65 per hour
  - e. Field Inspection and Supervision \$65 per hour
  - f. Technical Steno and Typing \$35 per hour

## **OPEN MEETING TO PUBLIC**

### **ADJOURNMENT**

A motion to adjourn was made by \_\_\_\_\_, seconded by \_\_\_\_\_.