

**MAYWOOD PLANNING BOARD
MINUTES
February 6, 2020**

A regular meeting of the Maywood Planning Board was held on Thursday, February 6, 2020 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 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 the 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: Vice Chairperson Charlotte Panny, Mayor Richard Bolan, Councilperson Ryan Ullman, Gary Neumann, John Montel, Harry Hillenius, Rick DeHeer, Peter Cicarelli, Secretary Anthony Klymenko and John Gargagliano. Board Attorney Kara Kaczynski and Board Planner Michael Kauker were also present.

Approval of Minutes

Rick DeHeer made a motion to accept the minutes from the January 23, 2020 meeting. John Gargagliano seconded the motion. All eligible members present voted in favor of the motion.

Bills

Mayor Richard Bolan made a motion to accept payment of the bills. Peter Cicarelli seconded the motion. All eligible members present voted in favor of the motion.

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

None

Hearing #1

Aquinas Capital Funding
130A West Pleasant Avenue
Block 83, Lot 8
Calendar #2020-05
Sign Application

Gregory Monturi is the applicant for Aquinas Capital Funding and he was sworn in. He is proposing to recover an existing awning:

- The logo and lettering measure 2' high x 9' wide (18 square feet) where 23.4 square feet is permitted (façade is 13' high x 18' wide or 234 square feet)
- The awning is green and logo/lettering is white, 2 colors which conforms to the Borough code
- The awning will not be illuminated

No members of the public came forward to comment on the application. Harry Hillenius confirmed that the existing awning frame will be recovered. John Gargagliano made a motion to approve the application as proposed. Councilperson Ryan Ullman seconded the motion. All eligible members present voted in favor of the motion. Board Attorney Kaczynski advised that a resolution outlining the approval will be adopted at the next meeting on 2/27/20.

Hearing #2

Outfront Media

99 Essex Street
Block 125, Lot 1

Calendar #2017-14

Variance & Site Plan Applications

Board Attorney Kaczynski explained that the hearing is adjourned to the 2/27/20 meeting without need for additional notice. The applicant has waived the time for the Board to act. Board Attorney Kaczynski advised that Rick DeHeer should read and certify the 6/28/18 transcript in order to be eligible to vote on the application.

Hearing #3

Master Plan Reexamination

Board Planner Michael Kauker outlined the changes to the Master Plan Reexamination Report compared to what was presented at the 1/23/20 public hearing:

1. Acknowledgements Page, updated the Board membership list
2. Page 1, replaced "2016 Maywood Master Plan Reexamination Report" with "2019 Maywood Master Plan Reexamination Report"
3. Page 6 Bullet 6, replaced "Bergen Mall" with "Bergen Town Center"
4. Page 26, added at the end of the Bullet 4, "Due to the ongoing parking deficiencies along West Pleasant Avenue, it is recommended that parking for proposed second floor development in the West Pleasant Avenue Commercial District be consistent with the requirements of the Residential Site Improvement Standards or other residential and/or office parking requirements deemed applicable by the Borough and adopted by way of ordinance. It is also suggested that the parking could be provided either on-site or off-site within a reasonable distance of the development, subject to receipt of all necessary approvals."
5. Page 27, changed "Albert Street" to "Spencer Joseph Way"

Vice Chairperson Charlotte Panny asked about the sentence on page 29 that references, "The proposed Planned Commercial District (PCD) Plan delineated on Page 33". Board Planner Kauker agreed to correct the page number that the PCD Plan is actually located on. She then questioned the final line of the report which states, "At this time there are specific areas of the

Borough of Maywood that are being investigated to determine whether they meet the criteria”. There was no punctuation at the end of the sentence and she wondered if there was more information that was intended to be included. Board Planner Kauker answered that a period was missing from the end of the sentence and will be added. Vice Chairperson Panny asked if the Master Plan Housing Element and Fair Share Plan should be included as an appendix to the Master Plan Reexamination Report. Board Attorney Kaczynski suggested linking the documents on the Borough website. Vice Chairperson Panny questioned why the Proposed Master Plan Amendments Map in Appendix A has Kasler Associates information listed on it. Board Planner Kauker agreed that Kasler Associates prepared the map and he used it as the foundation for the existing vs. proposed zoning amendments. He noted that many of the 2003 recommendations have been carried forward. She confirmed that the Proposed Master Plan Amendments Map matches the recommendations in the report. She suggested moving the map from the appendix to after page 26 which details the recommended zoning changes. Board Planner Kauker agreed to the change. Vice Chairperson Panny asked if there should be a summary section of congruity with the state and adjacent municipalities’ master plans specifically the new businesses at the Bergen Town Center and the PSE&G substation expansion. Board Planner Kauker offered to include it but noted that this document does not replace the Borough Master Plan. The congruency information is not required for the Master Plan Reexamination but is required for a Master Plan. The law requires a Master Plan Reexamination at least every 10 years but could be reviewed sooner than that time. She asked if the final version of the Master Plan is provided to the adjacent municipalities and Board Planner Kauker answered that the Board Recording Secretary would take care of that.

Vice Chairperson Panny opened the meeting to the public for questions related to the Master Plan Reexamination but no one in the public came forward.

Secretary Anthony Klymenko recused himself from the vote. Harry Hillenius made a motion to adopt the Master Plan Reexamination Report with the changes discussed. John Montel seconded the motion. All eligible members present voted in favor of the motion except Councilperson Ryan Ullman who abstained.

Closed Session None

Informal Hearing None

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

While some of the miscellaneous fees are available online, Board Attorney Kaczynski recommends keeping the fees as not all applicants have computer access. The resolution publication fee can be removed since the cost has been taken from escrow. The hourly fees for Board professionals should also be removed. Board Attorney Kaczynski suggested that the Board review the application forms and fee schedule prior to the next meeting on 2/27/20.

- Board Engineer Appointment
 - 2 firms have submitted RFQs; Boswell Engineering and Neglia Engineering
 - Copies of the RFQs were distributed at the 12/5/19 meeting and emailed to the Board on 1/24/20
 - Vice Chairperson Panny confirmed that a temporary Board Engineer was appointed for applications received prior to this appointment
 - Mayor Bolan has worked with both firms and feels that they are equally qualified and professional
 - Vice Chairperson Panny remembers a problem with Neglia previously providing review reports last minute and requested that the Board mandate that the reports are delivered 10 days in advance of the scheduled hearing
 - Vice Chairperson Panny questioned if the hourly fees were similar and Harry Hillenius noted that Boswell fees were higher than Neglia
 - Gary Neumann confirmed with Board Attorney Kaczynski that the Board is not held to the lowest responsible bidder
 - Rick DeHeer made a motion to appoint Neglia Engineering as the 2020 Planning Board Engineer
 - Harry Hillenius seconded the motion and all eligible members present voted in favor of the motion
- Councilperson Ryan Ullman asked about the trees that were planted as part of wetlands restoration at the Kin Properties location near Maywood Avenue
 - According to the Army Corp of Engineers, the area in question is a wetlands and cannot be developed
 - Mayor Bolan believes that the trees were planted to stabilize the wetlands area and will not be expanded
 - There may be other wetlands areas within the parcel
 - Board Attorney Kaczynski offered to contact the attorney representing the property owner and try to find out more information

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Mayor Richard Bolan seconded the motion. The meeting was adjourned at 8:15pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary