

**MAYWOOD PLANNING BOARD
MINUTES
May 2, 2019**

A regular meeting of the Maywood Planning Board was held on Thursday, May 2, 2019 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 22, 2018. 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: Chairman Frank Lichtenberger, Vice Chairperson Charlotte Panny, Gary Neumann, Paul Kuhn, Harry Hillenius, Rick DeHeer, Peter Cicarelli and John Gargagliano. Zoning Officer James Mazzer and Board Attorney Kara Kaczynski were also present.

Correspondence

- 4/25/19 letter from Joseph B. Fiorenzo Re: 200 Route 17, LLC Planner Unavailable for 4/25/19 Meeting
- 4/29/19 letter from Board Engineer Tom Lemanowicz Re: Maybrook Gardens Completeness Review 2 for Calendar #2019-04 Maybrook I
- 4/29/19 letter from Board Attorney Kara Kaczynski Re: Empire Real Estate Holdings Escrow Shortage and Resolution Conditions
- 4/30/19 letter from Board Recording Secretary Tara Grunstra Re: Margin Dental Studio, LLC 113 East Passaic Street Hearing Date 5/2/19
- 4/30/19 letter from Board Recording Secretary Tara Grunstra Re: Pleasant Avenue Dental, LLC 141-148 West Pleasant Avenue Hearing Date 5/2/19
- 4/30/19 letter from Board Engineer Tom Lemanowicz Re: Maybrook Gardens Completeness Review 2 for Calendar #2019-05 Maybrook II
- 5/1/19 email from Board Attorney Kara Kaczynski Re: Empire Real Estate Holdings Update
- 5/2/19 letter from Board Recording Secretary Tara Grunstra Re: Tropical Hut Philippine Cuisine 104 West Pleasant Avenue Hearing Date 5/2/19

Resolution

Outfront Media

99 Essex Street
Block 125, Lot 1

Calendar #2017-14

Variance & Site Plan Applications

Harry Hillenius made a motion to approve the resolution as written and Vice Chairperson Charlotte Panny seconded the motion. All eligible members present voted in favor of the motion.

Hearing #1

Pizza Pros
105 Essex Street
Block 131, Lot 9
Calendar #2019-03
Sign Application

Krenar Colaku is the applicant for Pizza Pros and he was sworn in. His business is replacing Florence Pizza. He is proposing replacing the acrylic panel in the pre-existing light box:

- One wall sign which measures 3' high x 12' wide (36 square feet) where 36 square feet is permitted (façade is 18' high x 20' wide or 360 square feet)
- Signage is 3 colors; red, black and white which conforms to the Borough code
- Illumination hours will comply to the Borough code

Chairman Frank Lichtenberger advised the applicant not to post additional signage in the windows and Mr. Colaku agreed. No members of the public came forward to comment on the application.

Harry Hillenius made a motion to approve the application as proposed. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Hearing #2

Margin Dental Studio, LLC
113 East Passaic Street
Block 77, Lot 20
Calendar #2019-07
Sign Application

Rudy Rosadu is the applicant for Margin Dental Studio, LLC and he was sworn in. Similar to the previous applicant, he is proposing replacing the acrylic panel in the pre-existing light box:

- One wall sign which measures 2' high x 10' wide (20 square feet) where 26 square feet is permitted (façade is 11.5' high x 23' wide or 264 square feet)
- Signage is 3 colors; blue, black and white which conforms to the Borough code
- Illumination hours will comply to the Borough code

Chairman Frank Lichtenberger admired the rendering which showed the existing sign and the proposed sign. He then advised the applicant not to post additional signage in the windows and Mr. Rosadu agreed. No members of the public came forward to comment on the application.

John Gargagliano made a motion to approve the application as proposed. Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Hearing #3

Pleasant Avenue Dental, LLC
141-148 West Pleasant Avenue
Block 70, Lot 18
Calendar #2019-08
Sign Application

Aneta D’Amico is the applicant for Pleasant Avenue Dental, LLC. She would like to adjourn her hearing and revise her proposed signage. Board Attorney Kara Kaczynski advised that the applicant has 120 square feet (façade is 15’ high x 80’ wide) for signage.

Hearing #4

Tropical Hut Philippine Cuisine
104 West Pleasant Avenue
Block 82, Lot 5
Calendar #2019-09
Sign Application

Rafael Sanchez, Jr. is the applicant for Tropical Hut Philippine Cuisine and he was sworn in. His business is replacing Subway. He is proposing the installation of a light box with an acrylic panel:

- One wall sign which measures 2.5’ high x 12’ wide (30 square feet) where 51 square feet is permitted (façade is 17’ high x 30’ wide or 510 square feet)
- Signage is 3 colors; red, blue and white which conforms to the Borough code
- Illumination hours will comply to the Borough code

Chairman Frank Lichtenberger advised the applicant not to post additional signage in the windows and Mr. Sanchez agreed. Mr. Sanchez asked in the window on the left side of the building could be tinted and Board Attorney Kaczynski believes that there is no Borough code that prohibits tinting. Mr. Sanchez asked if an open sign is permitted. Chairman Lichtenberger answered that an open sign is permitted but cannot be flashing. Mr. Sanchez is moving his business from Hackensack to this larger location in Maywood. He has other restaurants in Parsippany and Spring Valley, NY. John Gargagliano asked the occupancy amount for the Maywood location and Mr. Sanchez answered 40-45 patrons while his Hackensack location is 30 patrons. Chairman Lichtenberger asked if patrons would sit down to eat or take-out. Mr. Sanchez described it as casual dining similar to Panda Express. No members of the public came forward to comment on the application.

Gary Neumann made a motion to approve the application as proposed. Harry Hillenius seconded the motion. All eligible members present voted in favor of the motion.

Closed Session None

Informal Hearing None

Old Business

- Board Recording Secretary Grunstra confirmed that Empire Real Estate Holdings, Inc. delivered the requested escrow earlier that day
 - Board Attorney Kaczynski explained that Board Engineer Tom Lemanowicz will review the DEP determination
 - Board Recording Secretary Grunstra will resend copies of the resolution and settlement agreement to the Board
 - The applicant will appear at the 5/23/19 meeting
- Chairman Lichtenberger pointed out that the Design Spree signs are still up at 29 Essex Street
 - Zoning Officer Mazzer offered to call the property owner and request that the signage be removed
- Board Attorney Kaczynski suggested that the Board review the ordinances to determine if changes should be made
 - Although not in attendance, Councilman Richard Bolan has indicated that the sign ordinance should be revised
- A property owner contacted Chairman Lichtenberger about converting a 1-family home to a 2-family in the A-1 Residential zone
 - He advised the property owner to come before the Board for an informal hearing
- Chairman Lichtenberger notified the Board that Paul Padro purchased the Krauzer's Food Store business
 - Zoning Officer Mazzer informed the Board that the 81 West Pleasant Avenue basement project was completed

New Business

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Rick DeHeer seconded the motion. The meeting was adjourned at 8:10pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary