MAYWOOD PLANNING BOARD
MINUTES
May 28, 2020

A regular meeting of the Maywood Planning Board was held on Thursday, May 28, 2020 via the "Zoom" online meeting platform 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. On May 14, 2020, adequate notice of this meeting being conducted via the "Zoom" online meeting platform in lieu of its in-person meeting which was previously advertised in the Council Chambers of the Maywood Municipal Building was posted at the entrance to the Maywood Municipal Building, filed with the Borough Clerk, sent to the Mayor and Council, Borough Administrator, Borough Attorney and Board Attorney, forwarded to the Our Town and The Record newspapers for publication, posted on the Borough website and distributed to all persons, if any, requesting copies of the same pursuant to the Open Public Meetings Act. This meeting is being recorded both audio and video and may be rebroadcast. 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, Mayor Richard Bolan, Councilperson Ryan Ullman, Gary Neumann, Harry Hillenius, Rick DeHeer, Peter Cicarelli, Secretary Anthony Klymenko and John Gargagliano. Board Attorney Kara Kaczynski, Board Engineer Gregory Polyniak and Board Planner Michael Kauker were also present.

Approval of Minutes
Vice Chairperson Charlotte Panny made a motion to accept the minutes from the May 7, 2020 meeting. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Bills
The February through April invoices from Kauker & Kauker, LLC were removed from the bill list. The other bills including outstanding invoices from the 2016 Empire Real Estate Holdings, Inc. application were remaining. Chairman Frank Lichtenberger made a motion to accept payment of the remaining bills and Harry Hillenius seconded the motion. All eligible members present voted in favor of the motion.

Correspondence
- 5/7/20 letter from Board Recording Secretary Tara Grunstra Re: Empire Real Estate Holdings, Inc. Application Issues

    - Board Attorney Kara Kaczynski suggested scheduling the completeness hearing for the next meeting on 6/4/20
- 5/8/20 letter from Board Attorney Kara Kaczynski to the Borough Mayor and Council Re: Ordinance #8-20 An Ordinance Amending Chapter 209 to Add Section 38.5 to Define and Create a Planned Commercial Development Overlay Zone
- 5/10/20 Memorandum from Board Planner Michael F. Kauker Re: Affordable Housing Status Report
- 5/18/20 letter from Board Planner Michael F. Kauker to the Borough Mayor and Council Re: Ordinance #8-20 An Ordinance Amending Chapter 209 to Add Section 38.5 to Define and Create a Planned Commercial Development Overlay Zone
- 5/19/20 letter from Board Recording Secretary Tara Grunstra Re: Beverly Patrizze Application Hearing Date 6/4/20
- 5/26/20 letter from Board Engineer Gregory J. Polyniak Re: Empire Real Estate Holdings, Inc. 191 West Central Avenue Completeness & Engineering Review
- 5/26/20 Adopted Ordinance #8-20 An Ordinance Amending Chapter 209 to Add Section 38.5 to Define and Create a Planned Commercial Development Overlay Zone
- 5/27/20 letter from Board Recording Secretary Tara Grunstra Re: Beverly Patrizze Application Rescheduled Hearing Date 6/25/20

Resolution **Adler Aphasia Center**
50-60 West Hunter Avenue
Block 124, Lots 37 & 38
Calendar #2019-15
Variance & Site Plan Applications

Board Attorney Kaczynski identified several minor changes she will make to the resolution and resend to the Board Recording Secretary. Vice Chairperson Charlotte Panny made a motion to approve the resolution and Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Hearing None

Informal Hearing None

Closed Session None

Old Business

- Kauker & Kauker Billing/Affordable Housing Status Update
    - Chairman Frank Lichtenberger reminded the Board that there were questions about the Kauker & Kauker February through April 2020 COAH and Area in Need of Redevelopment invoices at the 5/7/20 meeting
    - Board Attorney Kara Kaczynski clarified that the bills in question are paid by the Mayor and Council and were provided to the Planning Board in error
        - Chairman Lichtenberger noted that the affordable housing attorney and special master invoices are also paid by the Mayor and Council

        - Board Attorney Kaczynski explained the Planning Board approves billing related to the Master Plan Reexamination and application escrows
        - Board Planner Michael Kauker added that the upfront costs for the Area in Need of Redevelopment Study will be recouped by the qualified developer of the area
            - The draft of the study has been distributed to the Board
                - Patrick McNamara has advised that the study work session be conducted in executive session which means that it would be closed to the public
                - Mr. McNamara is available to attend the 6/25/20 meeting
                - During this time, Board Attorney Kaczynski will research how to conduct an executive session virtually, possibly by having 2 separate Zoom meetings
    - Vice Chairperson Charlotte Panny asked if the Mayor and Council resolution authorizing the redevelopment study had a contracted maximum cost
        - Board Planner Kauker answered that the resolution does not have expenditure cap
    - Vice Chairperson Panny then asked about the next compliance hearing date and the anticipated conclusion of the process
        - Board Planner Kauker explained that Special Master Mary Beth Lonergan is inundated with cases and has asked an associate to review the Borough's submission
        - As such, Mr. McNamara has requested and received extensions of immunity from the Court
            - The latest extension is to 7/31/20
        - Chairman Lichtenberger expressed his frustration at the delays
    - Vice Chairperson Panny asked if the redevelopment study could be approved by the Board tonight and if the document is sent to the Court
        - Board Planner Kauker said that the study is an internal document and is not shared with the Court

New Business None

Open Meeting to the Public

Adjournment
A motion to adjourn the meeting was made by Harry Hillenius. Gary Neumann seconded the motion. The meeting was adjourned at 8:13pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary