

MAYWOOD PLANNING BOARD
MINUTES
May 7, 2020

A regular meeting of the Maywood Planning Board was held on Thursday, May 7, 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 April 30, 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, Paul Kuhn, Harry Hillenius, Rick DeHeer, Peter Cicarelli, Secretary Anthony Klymenko, Daniel Nemecek and John Gargagliano. Board Attorney Kara Kaczynski and Board Engineer Gregory Polyniak and were also present.

Approval of Minutes

Vice Chairperson Charlotte Panny made a motion to accept the minutes from the February 27, 2020 meeting. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Bills

There was some discussion regarding the February and March invoices from Kauker & Kauker, LLC. The Board asked that approval of the invoices in question be moved to the next meeting to allow Board Planner Michael Kauker to provide explanation. Rick DeHeer made a motion to accept payment of the bills with exception of the February and March Kauker & Kauker, LLC invoices. Councilperson Ryan Ullman seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

- 3/4/20 letter from Eric V. Timsak of Bergen County Department of Planning & Engineering Re: Maybrook Gardens I Application
- 3/4/20 letter from Eric V. Timsak of Bergen County Department of Planning & Engineering Re: Maybrook Gardens II Application
- 3/10/20 Ordinance #8-20 An Ordinance Amending Chapter 209 to Add Section 38.5 to Define and Create a Planned Commercial Development Overlay Zone
- 3/23/20 letter from Bergen County Soil Conservation District Re: Maybrook Gardens I Certification
- 3/23/20 letter from Bergen County Soil Conservation District Re: Maybrook Gardens II Certification
- 3/26/20 letter from Board Engineer Richard Wostbrock Re: Maybrook Gardens I Resolution Compliance
- 3/26/20 letter from Board Engineer Richard Wostbrock Re: Maybrook Gardens II Resolution Compliance
- 4/24/20 letter from Board Engineer Gregory J. Polyniak Re: Stepan Company 100 West Hunter Avenue Completeness & Engineering Review
- 4/27/20 letter from Board Planner Michael F. Kauker Re: Stepan Company 100 West Hunter Avenue Planning Review

Resolution #1

Gregory Monturi/Aquinas Capital Funding

130A West Pleasant Avenue

Block 83, Lot 8

Calendar #2020-05

Sign Application

Mayor Richard Bolan 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.

Resolution #2

Resolution Adopting Master Plan Reexamination Report

Chairman Frank Lichtenberger and Vice Chairperson Charlotte Panny summarized the process that led to the Master Plan Reexamination Report resolution adoption. Chairman Lichtenberger opened the meeting to the public for comment on the Master Plan Reexamination Report. Martha DeYoung of 8 Orchard Place asked about the potential cancellation of the Borough Independence Day Parade. Board Attorney Kara Kaczynski advised that this subject would be better discussed at the Mayor and Council 5/12/20 meeting which would also be conducted via "Zoom". Mrs. DeYoung agreed to bring her concerns to the appropriate meeting and thanked all present for their time. John Gargagliano made a motion to approve the resolution as written 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 None

New Business

- Ordinance #8-20 An Ordinance Amending Chapter 209 to Add Section 38.5 to Define and Create a Planned Commercial Development Overlay Zone
 - Chairman Lichtenberger advised that the Mayor and Council adopted the ordinance on the first reading at their 3/10/20 meeting
 - Board Attorney Kaczynski explained that the ordinance is then reviewed by the Planning Board for consistency with the Master Plan and any other recommendations
 - She will prepare a letter to the Mayor and Council summarizing the Planning Board comments
 - The Mayor and Council can accept, modify or reject the Planning Board comments
 - The Mayor and Council will conduct a public hearing and adopt the ordinance on second reading
 - Chairman Lichtenberger noted that the ordinance is site specific
 - Board Attorney Kaczynski added that the ordinance is for an overlay and the existing zoning for the location would not change
 - Rick DeHeer questioned the need for a freestanding sign on Maywood Avenue and asked if there was a limit to the number of freestanding signs
 - He has concerns that the proposed internal roadway will cause an increase in traffic in an already congested area
 - He would prefer for the entrance and exit to be on Route 17 with the Maywood Avenue access point for emergencies only
 - Chairman Lichtenberger noted that from the Board's experience with the Hackensack Fitness & Wellness Howcroft Road access, drivers would prefer to not go on Route 17
 - Rick DeHeer believes that multiple freestanding signs surrounded by residential properties is not desirable
 - Harry Hillenius asked if the Howcroft Road access would be closed if the internal roadway was created and Chairman Lichtenberger answered that it would be considered
 - Chairman Lichtenberger noted that the number, size and height of freestanding signage along Route 17 is the same as along Maywood Avenue and felt that the Maywood Avenue freestanding signage would be less in number, smaller and not as tall as the freestanding signage along Route 17
 - Peter Cicarelli suggested that the proposed internal roadway be one-way inbound from Maywood Avenue/outbound to Route 17
 - John Gargagliano mentioned that Sears operated at this location previously utilizing the roadway off of Maywood Avenue and had a freestanding sign on Maywood Avenue

- Chris Tuttle agreed with Peter Cicarelli’s suggestion to mitigate congestion on Maywood Avenue allowing easier access for emergency services
 - He added that making West Howcroft Road leaving Hackensack Fitness & Wellness a right turn only would also be beneficial
 - Chairman Lichtenberger asked if the 30’ wide cartway would be sufficient for emergency vehicles to traverse as the standard is 50’
 - Chairman Lichtenberger then asked about the proposed lighting
 - Rick DeHeer has concerns about the lighting as well
 - Chairman Lichtenberger said it was vital that the lighting not spill onto the adjacent residential properties
 - Rick DeHeer noted that the proposed 0.5-foot candle illumination at property lines abutting residential properties seems reasonable
 - Fire Official Tom Tuttle added that the proposed cartway would need to comply with state and national fire codes
 - Board Attorney Kara Kaczynski recommended that the phrase “Such screens shall be internally orientated” in Section D.e. be replaced with “Such screens shall be internally illuminated”
 - Board Attorney Kaczynski also questioned in Section E that permits subdivision may want to include minimum lot size, setback and coverage requirements
 - The accessory structure height would apply to the proposed digital screens
 - Mayor Richard Bolan asked that all Maywood Avenue sign lighting be turned off at the close of business and after-hours lighting be limited to security lighting subject to the approval of the Police Chief
 - Paul Kuhn requested that the hours of operation conform to the Borough ordinance
 - He also asked that language be added that Howcroft Road remain an emergency access roadway only
 - Chairman Frank Lichtenberger made a motion to have Board Attorney Kaczynski prepare a letter to the Mayor and Council summarizing the Board’s comments
 - Paul Kuhn seconded the motion and all eligible members present voted in favor of the motion
- Review of Planning Board Application Forms and Land Use Fee Schedule
 - Board Recording Secretary Grunstra explained that at the 2/27/20 meeting, she was instructed to combine the variance, site plan and subdivision applications into one application
 - The combined application was submitted to Board Attorney Kaczynski and Board Engineer Polyniak for review
 - Board Engineer Polyniak suggested asking for all application materials on an USB drive to allow for digital access and to reduce the number of copies required
 - He compared the proposed fees to surrounding municipalities and found that they were similar
 - Board Attorney Kaczynski added that the application must be completed entirely before it is accepted and the hearing scheduled

- She also believes that a checklist of necessary approvals and letters of no interest be added to the application
- She feels that the proposed fee schedule is appropriate
- Paul Kuhn asked to receive paper copies of all application materials
 - Fire Official Tuttle also requested paper copies
 - Several other members requested the same
 - The Board agreed to keep the number of paper copies the same but will add the requirement of a USB drive
- Board Attorney Kaczynski advised waiting until the 6/4/20 meeting to conduct an application hearing
 - She suggested that completeness hearings could be scheduled for the 5/28/20 meeting
- Chairman Lichtenberger thanked Mayor Bolan for moderating tonight's meeting

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Chairman Frank Lichtenberger seconded the motion. The meeting was adjourned at 8:45pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary