

MAYWOOD PLANNING BOARD

MINUTES

June 25, 2015

A regular meeting of the Maywood Planning Board was held on Thursday, June 25, 2015 in the Council Chambers of the John A. Steuert, Jr. Municipal Complex, 15 Park Avenue, Maywood, New Jersey at 7:30 P.M. “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 December 11, 2014. 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.”

Flag Salute

Call to Order: The meeting was called to order at 7:32pm with the following members present: Chairman Frank Lichtenberger, Councilman Rick DeHeer, John Montel, Harry Hillenius, Charles Goebel (left at 8:27pm), and John McManus. Also present were Board Attorney Kara Kaczynski and Board Planner Michael Kauker.

Approval of Minutes: Harry Hillenius made a motion to accept the minutes from the June 4, 2015 meeting. John McManus seconded the motion. All eligible members present voted in favor of the motion.

Bills: Harry Hillenius made a motion to accept payment of the bills. John McManus seconded the motion. All members present voted in favor of the motion.

Correspondence:

- 5/29/15 letter to Kenneth Gilbert, Esq. Counsel for The Tan Tan Station – Renee Thomas from Kara Kaczynski – Re: Signage Application With Variance
 - Board Attorney Kara Kaczynski reminded the Board of the history with Tan Tan Station, an awning sign was installed after receiving Board approval on 4/23/15 (Calendar #2015-03)
 - Although the applicant was advised at that time to submit another sign application for any additional signage, a window sign was installed without filing an application
 - She was notified that an application must be made for the window sign and submitted the application which was denied on 5/11/15 based on exceeding the 10% of the building façade and 3 color maximum. A variance application was provided to her
 - Board Attorney Kaczynski sent a letter on 5/29/15 requesting that the variance application be filed within 14 days from the receipt of the letter. She emailed the applicant and attorney on 6/24/15 reminding them of the outstanding variance application and has not heard back from either
 - Chairman Frank Lichtenberger made the motion to request that Building Inspector James Mazzer issue a violations and Charles Goebel seconded the motion. All members present voted in favor of the motion

- 6/4/15 letter from Avalon Bay – Re: Affordable Housing Service List
 - Board Attorney Kaczynski explained that Avalon Bay is a large developer of inclusionary developments. The letter that was received is mass mailed to many municipalities indicating interest in supporting Maywood with compliance
- 6/6/15 email from NJRA – Annual Redevelopment Planning Law Course
- 6/9/15 letter to Jean Pelligra from Linda Garofalo, Paramus Planning Board Secretary – Re: Resolution 2015-08 Reexamination of the Master Plan
 - Board Attorney Kaczynski indicated that the letter details changes to the Paramus Master Plan and adjacent municipalities are advised of such changes
- 6/10/15 letter to Kara A. Kaczynski, Esq. from James E. Jaworski, Counsel for Fitness & Wellness of Hackensack, LLC – Re: Scheduling a hearing at the July 25, 2015 meeting
 - Board Attorney Kaczynski explained that the applicant is formally waiving the time period that the Board is required to act by
- 6/12/15 email from DCA – Re: DCA Launches New Electronic Plan Review System
 - Board Attorney Kaczynski summarized that plans and applications to DCA may now be submitted electronically
- 6/16/15 letter from I Choose Home NJ – Re: Affordable Housing for People Moving Out of Nursing Homes
 - Chairman Lichtenberger asked how this relates to our municipality. He identified a number affordable housing and senior housing projects in Maywood
 - Board Attorney Kaczynski clarified that affordable housing requirements may be fulfilled by providing senior housing
 - In the context of this solicitation, the term nursing home encompasses assisted living facilities which do not require skilled nursing
 - Board Planner Michael Kauker confirmed this interpretation. He also suggested that the term nursing home may include rehabilitation
 - Borough Administrator Roberta Stern suggested that this was a solicitation in light of recent COAH requirements
- 6/8/15 letter to James E. Jaworski, Esq. from Howard E. Heller – Re: 151 Maywood Avenue
 - At the 5/28/15 meeting, the Board encouraged Mr. Jaworski to contact Kin Properties to pursue the proposed Beech Street roadway. Board Attorney Kaczynski believes that the 6/8/15 letter indicates that Kin Properties is not ready to formally meet with the Board
 - Borough Administrator Roberta Stern explained that Kin Properties had contacted the her office to discuss EPA issues unrelated to the proposed Beech Street roadway
 - Once the issues with the EPA are resolved, she feels that Kin Properties will be more willing to discuss future plans and development
- 6/17/15 letter from Michael F. Kauker – Re: Proposal for Professional Planning Services – Preparation of Concept Plan
 - Chairman Lichtenberger feels that having a concept plan for how the Kin Properties site is to be developed will benefit the Borough
 - In general terms, the idea for the property would include mixed use of retail, office and residential use similar to what was done on Route 17 South in East Rutherford and Route 208 North in Fair Lawn

- By having a concept in place, the Board will be able to “steer” the future development of the property
- Based on Mr. Kauker’s Proposal, he and the Board would attend a “scoping session” in order develop a preliminary plan
- Borough Administrator Stern mentioned inquiring about a hotel development for that property in the past
 - Major hotel brands want to own the property that they build on and Kin is interested in only leasing the property
- She also suggested delaying the start until the Kin Properties EPA issues are resolved however, Chairman Lichtenberger did not feel that delay was necessary
- Charles Goebel explained that his experience with the EPA process has been very slow
 - Despite the potential EPA delays, Borough Administrator Stern relayed that Kin Properties are ready to remediate the property as soon as the Sears’ lease expires
- The Planning Board has a Miscellaneous Budget of \$5,700 for 2015 and only \$53 has been spent thus far, leaving a balance of \$5,647
 - The Kauker & Kauker Concept Plan will cost \$4,500 allowing for \$1,147 to remain in the Miscellaneous Budget
 - Members of the Board supported commissioning the Kauker & Kauker Concept Plan and all present voted in favor
 - Kauker & Kauker will get back to the Board on when to schedule a “scoping session”

Resolutions: **Lisa Petrigliano**
 33 West Magnolia Avenue
 Block 121, Lot 28
Calendar # 2015-05
Variance Application

Harry Hillenius made a motion to accept the resolution. Chairman Lichtenberger seconded the motion. All eligible members present voted in favor of the motion.

Hearing: None

Informal Hearing: None

Old Business:

- 6/16/15 letter from Brian Giblin – Re: Maywood Rx Development, LLC/Walgreens
 - Board Attorney Kaczynski updated the Board on the history of the application:
 - Counsel for Maywood Rx Development indicated that the application would be withdrawn and then the attorney became ill
 - Brian Giblin recommended that the Board adopt a resolution denying the application without prejudice
 - He will prepare the resolution and Board Attorney Kaczynski will follow up with him prior to the next meeting on Thursday, 7/23/15

- The Board Secretary has sent Brian Giblin a copy of the application for his records
- 6/25/15 memo from Maywood Planning Board c/o Kara Kaczynski to the Borough of Maywood Mayor and Council – Re: Recommended Amendments to Chapter 209 of the Borough of Maywood Land Use Ordinance
 - Board Attorney Kaczynski summarized that the document encompasses the changes that were agreed upon over the course of several meetings including information provided by Board Engineer Tom Lemanowicz
 - The Board Secretary will send copies of the memo to all members that are not present
 - The Board will review the document prior to the next meeting

New Business: None

Open to the Public: None

Adjournment: A motion to adjourn was made by Harry Hillenius. Chairman Lichtenberger seconded the motion. The meeting was adjourned at 8:38pm.

Respectfully submitted,

Tara Grunstra
Secretary