

**BOROUGH OF MAGNOLIA  
PLANNING BOARD MINUTES  
July 28, 2010**

The meeting was called to order by Chairman Lawrence Barrar at 7:35 PM. The public statement was read by the Chairman, followed by the flag salute.

**ROLL CALL - CH-Chairman, VC-Vice Chairwoman, C-Council, MD-Mayors Designee, A-Alternate**

Lawrence Barrar	CH	Present	Mary Martz	C	Absent
Joyce Albrecht	VC	Present	Steven Previtera		Present
Robert Brown		Present	Edward Hoban	A1	Absent
Brian Carson		Present	Michael Moore	A2	Present
John DiBartolomeo		Present	Robert Mastalski	A3	Present
Joseph Dymond		Present	VACANT	A4	
Richard Krause	MD	Present			

**ALSO**

David Kreck	Engineer	Present	Michael Ward	Solicitor	Present
John Szczerbinski	Zoning Off.	Absent	Denise O'Kane	Secretary	Present

**APPROVAL OF MINUTES**

Motions were made to approve the May 26, 2010 minutes as written. AIF-motions approved.

**OLD BUSINESS**

Motions were made to approve Resolution #2010-08-Ratifying Prior Minor Subdivision.  
Motion approved by roll call vote.

**NEW BUSINESS**

**Completeness Review**

**Site Plan / Abraham Levy**

Mr. Kreck stated the application is incomplete; they marked items on the submission requirement checklist as submitted, but were not included in the application package. The site plan received was dated March 25, 2006 prepared by his Architect and not by an Engineer. Mr. Kreck sent his review letter dated July 2, 2010 and has tried to contact the applicants Architect John Deasey, with no response as of today. Mr. Ward and the board members inquired if this is the same applicant that did not comply with a previous application for development, Mr. Kreck said yes, they built a retaining wall without a permit or a Structural Engineer review or report; they walked away from the application process. Mr. Ward and the board inquired, why is the applicant allowed to continue to do business without receiving the required approvals? There was no appropriate answer. Mr. Ward said this is an insult to the board and to Mr. Kreck and he would prepare a letter to address this issue. Motions were made to deem the application incomplete. Motion approved by roll call vote.

**OPEN PUBLIC**

Mr. DiBartolomeo noted that there are no members of the public present; therefore there was no need to open the meeting to the public.

**COMMENTS & DISCUSSION**

Chairman Barrar stated for the record that the June meeting was cancelled due to lack of business to consider; the 2010 NJ Zoning & Land Use Administration Book arrived, the 2009 Edition was passed to the Vice Chairperson Joyce Albrecht, and the 2007 went to John DiBartolomeo. The book will not be ordered annually in the future. He further stated that the new codification book has arrived and will be made available on our website in the near future. Copies were given to the Chairperson and Vice Chairperson.

Solicitor Michael Ward gave an update regarding the Magnolia Commons litigation appeal.

The board inquired about when the Wal-Mart will open (unknown) and the status of the digital recording system (has been ordered, should arrive any day).

**ADJOURNMENT**

Being no further discussion, motions were made to adjourn the meeting at 8:20 pm. AIF-motion approved.

\*AIF – All in Favor