

**MAYWOOD PLANNING BOARD**  
**AGENDA**  
**January 28, 2021**

**CALL MEETING TO ORDER**

“This Virtual Meeting is called pursuant to the provisions of the Open Public Meetings Act. Both adequate and electronic notice of this virtual meeting has been provided by way of publication in the Our Town and The Record newspapers on or about December 7, 2020. In addition, notice of the meeting was posted on the door of the Maywood Municipal Building located at 15 Park Avenue and any handicapped-accessible entrances thereto; posted on the municipal website; provided to the municipal Clerk and distributed to all persons, if any, requesting copies of same. This meeting is being recorded with 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**

**ROLL CALL**

Frank Lichtenberger	( )
Charlotte Panny	( )
Mayor Richard Bolan	( )
Councilperson Ryan Ullman	( )
Gary Neumann	( )
Paul Kuhn	( )
John Montel	( )
Harry Hillenius	( )
Peter Cicarelli Alt. #1	( )
Anthony Klymenko Alt. # 2	( )
John Gargagliano Alt. #3	( )
Geoffrey Smith Alt. # 4	( )
Tara Grunstra, Board Secretary	( )
James Mazzer, Zoning Officer	( )
Board Attorney Kara Kaczynski – McNally, Yaros, Kaczynski & Lime, LLC	( )
Board Engineer Gregory Polyniak – Neglia Engineering Associates	( )
Board Planner Michael Kauker – Kauker and Kauker, LLC	( )
Borough Fair Share Housing Counsel Patrick McNamara – Scarinci Hollenbeck	( )

**OATHS OF OFFICE**

Gary Neumann – Class II  
Councilperson Ryan Ullman – Class III  
Paul Kuhn – Class IV  
Anthony Klymenko – Alternate #2  
John Gargagliano – Alternate #3  
Geoffrey Smith – Alternate #4

**REORGANIZATION OF BOARD**

- 1. Elections
  - a. Chairperson: \_\_\_\_\_
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_
  - b. Vice Chairperson: \_\_\_\_\_
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_
  - c. Secretary: \_\_\_\_\_
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

- 2. Professional Appointments
  - a. Legal Counsel
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_
  - b. Professional Engineer
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_
  - c. Professional Planner
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_
  - d. Board Recording Secretary
    - i. Motion by: \_\_\_\_\_
    - ii. Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

- 3. Re-adoption of By-Laws Adopted 1/22/15
  - a. Motion by: \_\_\_\_\_
  - b. Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

- 4. Re-adoption of Rules on Citizen Input During Planning Board Meetings Adopted 8/23/18
  - a. Motion by: \_\_\_\_\_
  - b. Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

**APPROVAL OF MINUTES**

December 3, 2020

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

**BILLS**

**Planning Board Miscellaneous**

North Jersey Media Group	\$ 45.60
Our Town Newspaper	\$ 47.80
North Jersey Media Group	\$ 63.65
2020 Budget Balance	\$ 3,459.68

**Planning Board Legal**

McNally, Yaros, Kaczynski & Lime LLC	\$ 948.00
Neglia Engineering Associates	\$ 107.25
2020 Budget Balance	(\$ 2,737.50)

**Planning Board Legal**

Neglia Engineering Associates	\$ 78.00
2021 Budget Balance	\$15,643.50

**Calendar #2017-14A**

**Outfront Media, LLC**

**99 West Essex Street**

**Block 125, Lot 1**

McNally, Yaros, Kaczynski & Lime LLC	\$ 15.50
Alaimo Group	\$ 495.00
Current Escrow Balance	\$ 25.75

**Calendar #2020-01**

**NYCE Tattoos**

**946 Spring Valley Road**

**Block 2, Lot 5**

Kauker & Kauker, LLC	\$ 455.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 77.50
Neglia Engineering Associates	\$ 870.00
Neglia Engineering Associates	\$ 19.50
Current Escrow Balance	\$ 1,548.00

**Calendar #2020-03**

**Empire Real Estate Holdings/  
Silverstar Alloy Wheel Repair  
191 West Central Avenue  
Block 122, Lots 15 & 16.01**

Neglia Engineering Associates	\$ 877.50
McNally, Yaros, Kaczynski & Lime LLC	\$ 542.50
Kauker & Kauker, LLC	\$ 1,235.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 217.00
Current Escrow Balance	\$ 462.75*

\*Waiting on escrow replenishment

**Calendar #2020-06**

**L.M.G., LLC  
945 Spring Valley Road  
Block 1, Lot 4**

Anthony Costello	\$ 2,547.50
Current Escrow Balance	\$ 0.00

**Calendar #2020-07**

**Stepan Company  
100 West Hunter Avenue  
Block 124, Lots 31-33 & 40-48**

McNally, Yaros, Kaczynski & Lime LLC	\$ 542.50
Current Escrow Balance	\$ 2,320.25

**Calendar #2020-09**

**Derek Eisenberg  
121 Belle Avenue  
Block 64, Lot 13**

Kauker & Kauker, LLC	\$ 325.00
Neglia Engineering Associates	\$ 191.25
Current Escrow Balance	\$ 390.75

**Calendar #2020-12**

**SHDK, LLC  
24-30 West Pleasant Avenue  
Block 79, Lot 4**

Kauker & Kauker, LLC	\$ 195.00
Current Escrow Balance	\$ 1,357.50

**Calendar #2020-13**

**GFR Maywood, LLC  
18 West Passaic Street &  
521 Maywood Avenue  
Block 96, Lots 7 & 8**

Kauker & Kauker, LLC	\$ 520.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 155.00
Neglia Engineering Associates	\$ 1,449.00
Neglia Engineering Associates	\$ 994.50
Current Escrow Balance	\$ 2,103.50

**Calendar #2020-14  
Maywood Sherwood Village, LLC  
11 West Passaic Street  
Block 79, Lots 1 & 2**

Neglia Engineering Associates \$ 877.50  
Current Escrow Balance \$ 1,812.50

Motion by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**Roll Call Vote:**

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

**CORRESPONDENCE**

- 12/4/20 letter from Thomas K. Hynes Re: L.M.G., LLC 945 Spring Valley Road  
Application Withdrawn

Motion by: \_\_\_\_\_  
Seconded by: \_\_\_\_\_

**Roll Call Vote:**

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

- 12/8/20 letter from Board Recording Secretary Tara Grunstra Re: Empire Real Estate Holdings, LLC Escrow Shortage
- 12/8/20 letter from Board Recording Secretary Tara Grunstra Re: NYCE Tattoos 946 Spring Valley Road Hearing Date 2/4/21
- 12/10/20 letter from Board Engineer Gregory J. Polyniak Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue Completeness, Planning and Engineering Review
- 12/11/20 letter from Board Recording Secretary Tara Grunstra Re: L.M.G., LLC 945 Spring Valley Road Withdrawn Application
- 12/11/20 letter from Board Planner Michael Kauker Re: NYCE Tattoos 946 Spring Valley Road Planning Review
- 12/15/20 letter from Steven C. Schepis, Esq. to Tax Assessor Angela Mattiace Re: Empire Real Estate Holdings, Inc. Lot Merger Request
- 12/18/20 letter from Board Engineer Gregory J. Polyniak Re: Maywood Sherwood Village, LLC 11 West Passaic Street Completeness, Planning and Engineering Review
- 12/21/20 letter from Board Planner Michael Kauker Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue Planning Review
- 12/28/20 letter from Board Attorney Kara Kaczynski Re: Area in Need of Redevelopment Study Public Meeting

- 1/8/21 Motion for Reconsideration on Ultimate Force, LLC and Arpad Kertesz v. Zoning Board of the Borough of Maywood and 200 Route 17, LLC
- 1/12/21 letter from David J. Egarian Re: Empire Real Estate Holdings, LLC 191 West Central Avenue Stormwater Test Pit Soil Log
- 1/13/21 letter from James E. Jaworski Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue
- 1/15/21 letter from Board Engineer Gregory J. Polyniak Re: GFR Maywood, LLC 18 West Passaic Street & 521 Maywood Avenue Completeness, Planning and Engineering Review
- 1/18/21 letter from Board Engineer Gregory J. Polyniak Re: Donna Spezzaferra 462 Poplar Avenue Engineering Review
- 1/20/21 letter from Board Engineer Gregory J. Polyniak Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue Completeness, Planning and Engineering Review
- 1/21/21 letter from Board Recording Secretary Tara Grunstra Re: Donna Spezzaferra 462 Poplar Avenue Hearing Date 2/25/21
- 1/22/21 letter from Board Engineer Gregory J. Polyniak Re: Donna Spezzaferra 462 Poplar Avenue Engineering Review
- 1/22/21 letter from Board Engineer Gregory J. Polyniak Re: Filip Kristani 44 Parkway Engineering Review

**RESOLUTION**

**Derek Eisenberg**  
 121 Belle Avenue  
 Block 64, Lot 13  
**Calendar #2020-09**  
**Variance Application**

Motion by: \_\_\_\_\_  
 Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
 Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
 Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
 Geoffrey Smith ( )

**COMPLETENESS HEARING**

None

**HEARING**

**Non-Condensation Preliminary Investigation**  
**Area in Need of Redevelopment Study**  
 East Hunter Avenue  
 Block 126, Lots 43-45  
 Block 127, Lots 1-3  
 Block 131, Lots 16 & 17

Motion by: \_\_\_\_\_  
 Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

**APPLICATION HEARING**

**GFR Maywood, LLC**

18 West Passaic Street & 521 Maywood Avenue  
Block 96, Lots 7 & 8

**Calendar #2020-13**

**Variance & Site Plan Applications**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )

**INFORMAL HEARING**

None

**CLOSED SESSION**

None

**OLD BUSINESS**

- Reminder of how appointments to the Board are made

**NEW BUSINESS**

- Ordinance amendment allowing the Board Engineer to deem an application complete and grant waivers

**OPEN MEETING TO PUBLIC**

**ADJOURNMENT**

Motion by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Roll Call Vote:

Frank Lichtenberger ( ) Charlotte Panny ( ) Mayor Richard Bolan ( )  
Councilperson Ryan Ullman ( ) Gary Neumann ( ) Paul Kuhn ( ) John Montel ( )  
Harry Hillenius ( ) Peter Cicarelli ( ) Anthony Klymenko ( ) John Gargagliano ( )  
Geoffrey Smith ( )