

**MAYWOOD PLANNING BOARD  
MINUTES  
November 2, 2023**

A regular meeting of the Maywood Planning Board was held on Thursday, November 2, 2023 in the Council Chambers of the Maywood Municipal Building, 15 Park Avenue, Maywood, New Jersey 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 10, 2022. 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 same pursuant to said act. 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**

**Call to Order**

The meeting was called to order at 7:31pm with the following members present Chairperson Charlotte Panny, Vice Chairperson Anthony Klymenko, Secretary Gary Neumann, John Gargagliano, Harry Hillenius, Douglas Herrick, Derek Eisenberg, Thomas Anzevino and Rick DeHeer. Board Attorney Kara Kaczynski was also present.

**Approval of Minutes**

John Gargagliano made a motion to accept the minutes from the July 6, 2023 meeting. Rick DeHeer seconded the motion. All eligible members present voted in favor of the motion.

Douglas Herrick made a motion to accept the minutes from the July 27, 2023 meeting. Secretary Gary Neumann seconded the motion. All eligible members present voted in favor of the motion.

Rick DeHeer made a motion to accept the minutes from the September 28, 2023 meeting. Derek Eisenberg 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. Chairperson Charlotte Panny seconded the motion. All eligible members present voted in favor of the motion.

**Correspondence**

1. 9/27/23 letter from Raymond Cywinski of Bergen County Soil Conservation District Re: Stepan Company 100 West Hunter Avenue
2. 10/2/23 letter from Board Engineer Gregory J. Polyniak Re: Duke Realty 149-151 Maywood Avenue Resolution Compliance Review
3. 10/5/23 letter from Raymond Cywinski of Bergen County Soil Conservation District Re: Duke Realty 149-151 Maywood Avenue
4. 10/7/23 email from Board Attorney Kara Kaczynski Re: Borough Ordinances #12-23, #13-23 and #15-23
5. 10/10/23 letter from Zoning Officer Dina Lynch Re: 439 Maywood Avenue Denial Letter
6. 10/10/23 letter from Board Engineer Gregory J. Polyniak Re: GFR Maywood, LLC 521 Maywood Avenue Final As-Built Review



the Shade Tree Commission, Fire Prevention Bureau and Police Department

1. John Gargagliano recommended contacting those departments to determine their preference
  - a. Board Attorney Kaczynski concurred
- vi. Vice Chairperson Anthony Klymenko advised that plans should not exceed 20MB due to email size restrictions
- vii. Derek Eisenberg clarified that applications and plans are posted to the Planning Board webpage on the Borough website prior to a hearing
- c. Board Attorney Kaczynski believed that providing an electronic copy of the application for Applicants to complete would be appropriate
- d. Board Attorney Kaczynski noted that the Board can request that TVs be installed in Council Chambers to display site plans or Applicant exhibits
- e. Board Attorney Kaczynski suggested that Board meetings could be livestreamed via Zoom
  - i. Secretary Gary Neumann advised that the Borough is beginning to utilize a public access TV channel
    1. Board Attorney Kaczynski thinks that public participation can only be available via Zoom and not through the public access TV channel
  - ii. Vice Chairperson Klymenko asked if the public would be able to email comments
    1. Board Attorney Kaczynski advised that emailing public comments is no longer permitted but the public can participate in Zoom meetings
  - iii. Douglas Herrick asked about bandwidth limitations
    1. Derek Eisenberg stated that bandwidth limitations are no longer a concern
  - iv. Board Attorney Kaczynski added that livestreaming via Zoom is a courtesy and the Board would proceed with the in-person meeting should there be a Zoom technical issue
  - v. Rick DeHeer suggested that there would need to be someone monitoring the Zoom meeting
    1. Board Attorney Kaczynski replied that Board Recording Secretary Grunstra would monitor the Zoom meeting and mute or eject individuals that were behaving inappropriately
      - a. She added that the Board could stop utilizing the Zoom livestream if there are repeated disruptive individuals
  - vi. Vice Chairperson Klymenko asked if the Zoom participation would be limited to the public or if it would be available to Board members and Applicant professionals
    1. Board Attorney Kaczynski replied that the option would be available to all individuals but, in her experience, most Board members and Applicant professionals prefer to attend in-person
  - vii. Vice Chairperson Klymenko confirmed that the screen would be shared of the Applicant's plans and exhibits so the Zoom attendees could follow along
  - viii. Thomas Anzevino asked how common the Zoom livestream is amongst her other Boards
    1. Board Attorney Kaczynski answered that 2 of her 5 Boards offer the Zoom livestream option
  - ix. Chairperson Panny confirmed that the fees would not be affected by the Zoom livestream option
- f. Board Attorney Kaczynski questioned if the Board would like to determine the amended

fee schedule along with the amended application and checklist

- i. John Gargagliano asked if the Board could get copies of other municipal land use fees for comparison purposes
  1. Board Attorney Kaczynski agreed

### **New Business**

1. Review of Borough Ordinances #12-23, #13-23 and #15-23
  - a. Board Attorney Kaczynski referenced Board Planner Michael Kauker's 10/18/23 memorandum on Tattoo Parlors and Licensed Cosmetic/Medical Tattoo Businesses (Borough Ordinances #12-23, #13-23 and #15-23)
    - i. She believed that his answers to questions #2 (why can't tattoo businesses remain solely in the SOB district) and #3 (if tattoo businesses must be permitted in the RC district, they should be permitted as a conditional use) aligned with the Board's discussion at the 9/28/23 meeting
    - ii. She feels his answer to question #1 (why are tattoo businesses OTHER than licensed cosmetic/medical tattoo businesses appropriate for the RC district) was unclear and she would like to hear the thoughts of the Mayor and Council
      1. She suggested that someone could speak to that at the next Board meeting
      2. She added that it could be beneficial for Board Planner Michael Kauker to speak at that same meeting
  - b. Chairperson Panny referenced Board Planner Kauker's recommendation to remove the SOB overlay which she understood to be a requirement
    - i. Board Attorney Kaczynski understood that some of the uses in the SOB overlay are now permitted elsewhere within the Borough
  - c. Secretary Neumann confirmed that the Board can make a recommendation but the governing body is not required to follow the Board's recommendations
  - d. Thomas Anzevino believed that residents should be allowed to voice their opinions on zoning
    - i. Board Attorney Kaczynski noted that the next Master Plan Reexamination could include a town hall meeting requesting resident input
2. 2024 Meeting Schedule
  - a. John Gargagliano made a motion to approve the 2024 meeting schedule
  - b. Thomas Anzevino seconded the motion
  - c. All eligible members present voted in favor of the motion
3. 2024 NJ League of Municipalities Conference
  - a. Douglas Herrick requested that the Board reimburse the conference fees for Board members that attend as in previous years
    - i. Board Recording Secretary Grunstra confirmed that there were sufficient funds in the Planning Board budget to reimburse members that attend

### **Open Meeting to the Public**

#### **Adjournment**

A motion to adjourn the meeting was made by Harry Hillenius. Derek Eisenberg seconded the motion. All eligible members present voted in favor of the motion. The meeting was adjourned at 8:14pm.

Respectfully submitted,

Tara Grunstra  
Planning Board Recording Secretary