

**MAYWOOD PLANNING BOARD
MINUTES
February 25, 2021**

A regular meeting of the Maywood Planning Board was held on Thursday, February 25, 2021 via the “Zoom” online meeting platform at 7:30pm. “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

Call to Order

The meeting was called to order at 7:46pm with the following members present: Chairman Frank Lichtenberger, Vice Chairperson Charlotte Panny, Councilperson Ryan Ullman, Gary Neumann, Paul Kuhn, John Montel, Harry Hillenius, Peter Cicarelli, Secretary Anthony Klymenko and John Gargagliano. Board Attorney Kara Kaczynski and Board Engineer Gregory Polyniak were also present.

Approval of Minutes

John Gargagliano made a motion to accept the minutes from the January 28, 2021 meeting. Vice Chairperson Charlotte Panny 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. Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

- 1/28/21 Defendant’s Brief in Opposition to Plaintiff’s Motion for Reconsideration on Ultimate Force, LLC and Arpad Kertesz v. Zoning Board of the Borough of Maywood and 200 Route 17, LLC
- 1/28/21 letter from Board Recording Secretary Tara Grunstra Re: NYCE Tattoos 946 Spring Valley Road Hearing Date Rescheduled to 3/4/21
- 1/28/21 letter from Joseph J. Haskins, Jr. Re: Area in Need of Redevelopment Study
- 1/28/21 letter from Board Attorney Kara Kaczynski Re: Opposition Brief to Motion for Reconsideration on Ultimate Force, LLC and Arpad Kertesz v. Zoning Board of the Borough of Maywood and 200 Route 17, LLC
- 1/29/21 letter from Brian M. Chewcaskie Re: NYCE Tattoos 946 Spring Valley Road Rescheduled Hearing Date to 3/4/21
- 1/29/21 letter from Board Recording Secretary Tara Grunstra Re: L.M.G., LLC 945 Spring Valley Road Application Withdrawal and Return of Fees

- 2/2/21 letter from Board Engineer Gregory J. Polyniak Re: Empire Real Estate Holdings, Inc. 191 West Central Avenue Completeness and Engineering Review
- 2/8/21 Court Order on Ultimate Force, LLC and Arpad Kertesz v. Zoning Board of the Borough of Maywood and 200 Route 17, LLC
- 2/17/21 letter from Board Recording Secretary Tara Grunstra Re: Donna Spezzaferra 462 Poplar Avenue Hearing Date Rescheduled to 3/25/21
- 2/17/21 letter from Board Engineer Gregory J. Polyniak Re: Donna Spezzaferra 462 Poplar Avenue Engineering Review
- 2/19/21 letter from Maywood Police Chief Terence Kenny Re: Maywood Sherwood Village, LLC 11 West Passaic Street
- 2/19/21 letter from Board Engineer Gregory J. Polyniak Re: Maywood Sherwood Village, LLC 11 West Passaic Street Completeness, Planning and Engineering Review
- 2/24/21 letter from Board Recording Secretary Tara Grunstra Re: Maywood Sherwood Village, LLC 11 West Passaic Street Completeness Hearing Date 2/25/21
- Raritan Township Board of Adjustment Resolution Delegating Completeness Waiver Determination to Board Engineer, Township Assistant Planner and Board Secretary
 - Board Attorney Kara Kaczynski advised that having a committee or Board Engineer deem completeness and grant completeness waivers speeds up the application process
 - Chairman Lichtenberger suggested that Board Engineer Polyniak was capable of granting completeness waivers
 - Vice Chairperson Charlotte Panny made a motion to delegate authority to the Board Engineer to grant or deny completeness waivers
 - Harry Hillenius seconded the motion
 - All eligible members present voted in favor of the motion

Resolution

**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

Paul Kuhn made a motion to memorialize the resolution and John Gargagliano seconded the motion. All eligible members present voted in favor of the motion.

Completeness Hearing

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

Board Engineer Greg Polyniak explained that his completeness, planning and engineering review letter was issued on 9/30/20 and revised on 2/19/21. He noted that pages 3 and 4 list the completeness comments. Most of the completeness comments have been satisfied but two remain:

- Item 15: Location and profiles of all water courses and drainage facilities within 200 feet of the subject tract. *The Applicant shall provide this information or request a waiver from the same.* **The Applicant requests a waiver for this item. In addition, the Applicant indicates that there are no water courses within 200 feet of the site.**

- Item 21: Location (including setbacks from all property lines) and use of all retained existing and proposed buildings and structures. *The Applicant shall provide this information or request a waiver from the same.* **The Applicant requests a waiver for this item. In addition, the Applicant illustrates existing setbacks within the construction areas.**

Board Engineer Polyniak recommended that the waivers for the completeness items be granted.

Chairman Lichtenberger invited the Board to ask questions of Board Engineer Polyniak, but no one came forward.

Matthew Capizzi represents the applicant. He explained that Maywood Sherwood Village is an existing apartment development with limited on-site parking. They are proposing an additional 13 parking spaces for tenants. There are not proposing additional units nor any other site improvements.

Chairman Lichtenberger invited the Board to ask questions of Mr. Capizzi, but no one came forward. Chairman Lichtenberger advised that the Board is consulting with Board Planner Kauker on the application.

Chairman Frank Lichtenberger made a motion to grant the completeness waivers identified in Board Engineer Polyniak’s 2/19/21 completeness, planning and engineering review letter. Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Mr. Capizzi asked about available hearing dates. Board Recording Secretary Tara Grunstra offered the 3/25/21 and 4/1/21 meetings as available. Mr. Capizzi asked to consult with his experts and get back to the Board.

Application Hearing	None
Informal Hearing	None
Closed Session	None
Old Business	None

New Business

- Public Commenting Policy for Electronic/Remote Public Meetings
 - Board Attorney Kaczynski explained that DCA is requiring Boards to adopt this policy
 - She has some changes to the policy to specify the deadline for comments prior to a meeting
 - She asked the Board to review prior to the next meeting on Thursday, 3/4/21

Open Meeting to the Public

Adjournment

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

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary