

**MAYWOOD PLANNING BOARD
MINUTES
March 3, 2022**

A regular meeting of the Maywood Planning Board was held on Thursday, March 3, 2022 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 16, 2021. 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. The public commenting policy for electronic public meetings will also be followed as noted on the Borough website (www.maywoodnj.com).”

Flag Salute

Call to Order

The meeting was called to order at 7:30pm with the following members present: Councilperson Ryan Ullman, Gary Neumann, Chairperson Charlotte Panny, Vice Chairperson Paul Kuhn, Harry Hillenius, Douglas Herrick, Thomas Anzevino, John Gargagliano and Geoffrey Smith. Board Attorney Kara Kaczynski and Board Engineer Gregory Polyniak were also present.

Approval of Minutes

Councilperson Ryan Ullman made a motion to accept the minutes from the February 3, 2022 meeting. John Gargagliano seconded the motion. All eligible members present voted in favor of the motion.

Bills

None

Correspondence

1. 1/26/22 letter from City of Hackensack City Clerk Deborah Karlsson Re: Ordinance #04-2022 Revising Chapter 175 Zoning
2. 2/24/22 letter from City of Hackensack Deputy Clerk Allison Saabye Re: Ordinance #06-2022 Adopting Amended Lot T Redevelopment Plan for the Delineated Redevelopment Area Consisting of Block 305, Lot 2 Under the City’s Scattered Sites Redevelopment Designation for the Development of Inclusionary Affordable Housing
3. 2/24/22 letter from City of Hackensack Deputy Clerk Allison Saabye Re: Ordinance #14-2022 Amending City of Hackensack Redevelopment Plan Governing the Main Street Area in Need of Rehabilitation
4. 2/25/22 email from Maywood Green Team Vice Chairperson Tara Grunstra Re: Borough of Maywood Resolution #60-22 Authorizing Municipal Support of NJ Wildlife Action Plan
5. 2/28/22 letter from Maywood Police Chief Terence R. Kenny Re: Duke Realty 149-151 Maywood Avenue Maywood Police Department Review
6. 3/1/22 letter from James E. Jaworski Re: Duke Realty 149-151 Maywood Avenue Request to Adjourn Hearing to 3/24/22

7. 3/2/22 letter from Borough resident Rick DeHeer Re: Request for Planning Board to Return to In-Person Meetings

Resolution None

Completeness Hearing None

Application Hearing **Duke Realty**
149-151 Maywood Avenue
Block 124, Lot 30
Calendar #2021-11
Variance & Site Plan Applications

Chairperson Charlotte Panny referenced the 3/1/22 letter from James E. Jaworski Re: Duke Realty 149-151 Maywood Avenue Request to Adjourn Hearing to 3/24/22. Councilperson Ryan Ullman requested clarification on the continuance. Board Attorney Kara Kaczynski stated that the Applicant is within their rights to request an adjournment as the Board is not in danger of exceeding the 120-day deadline to act. Board Recording Secretary Tara Grunstra said that the deadline for the Board to act is 4/21/22. Board Attorney Kaczynski noted that the Applicant may grant an extension for the Board to act. Councilperson Ullman asked if the Applicant can re-notice. Board Attorney Kaczynski explained that the Municipal Land Use Law does not require additional notice beyond the initial hearing announcement. She confirmed that Board Recording Secretary Grunstra posted the hearing adjournment to the Borough website. Board Recording Secretary Grunstra stated that the hearing adjournment has been posted to the front page of the Borough website, Planning Board webpage, municipal calendar webpage and at the top of the Borough E-Newsletter which was published Tuesday, Wednesday and today. Board Attorney Kaczynski stated that the Board could request additional public notice but there is no legal requirement to do so. Harry Hillenius made the motion to adjourn the hearing to the following meeting on Thursday, 3/24/22 at 7:30pm via Zoom with no requirement for the Applicant to provide additional public notice. Vice Chairperson Paul Kuhn seconded the motion. All eligible members present voted in favor of the motion.

Informal Hearing None

Closed Session None

Old Business

- Review of Application Requirements Checklist (Schedule C)
 - Chairperson Panny stated that Board member Derek Eisenberg was unable to attend tonight's meeting and asked that this item be tabled to the 3/24/22 meeting

New Business None

Open Meeting to the Public

- Rick DeHeer of 18 Hammell Place requested that the Board return to in-person meetings
 - He suggested that some residents do not have the bandwidth, tools or skills to connect to Zoom meetings
 - Chairperson Panny believes that the Board was scheduled to return to in-person meetings but was being held up by renovations to Council Chambers

- Thomas Anzevino concurred about returning to in-person meetings
- Vice Chairperson Paul Kuhn clarified that the Board was preparing to make the decision about the return to in-person meeting starting in April
- Board Attorney Kaczynski confirmed with Board Recording Secretary Grunstra that the annual meeting public notice was written so that meetings could be either in-person or virtual and referenced that virtual meetings would have the Zoom links posted to the Borough website
- Douglas Herrick understands that there are renovations in the Council Chambers and requested an update
 - Gary Neumann answered that the Council Chamber repairs are nearing completion and believes that it will be ready by the 4/7/22 meeting
- Rick DeHeer suggested using the Maywood Avenue School gymnasium for the meeting if Council Chambers were not available
 - Board Recording Secretary Grunstra asked if the Board of Education had an audio recording system for their meetings but Mr. DeHeer did not know the answer
- Board Attorney Kaczynski explained that the Board needs to announce tonight whether the next meeting will be in-person or virtual since announcing after tonight's meeting that the Board is going in-person would require the Applicant to re-notice
 - She summarized that there are 3 options:
 - Keep the 3/24/22 meeting as virtual and announce at that meeting if the 4/7/22 meeting is in-person or virtual
 - Cancel the meetings until they can be conducted in-person
 - Applicant can voluntary re-notice for an in-person meeting on 3/24/22 which they may not be willing to do
 - She recommended keeping the 3/24/22 meeting as virtual and, if the Board can go back to in-person, asking the Applicant to re-notice
- The Board accepted her recommendation
- Councilperson Ullman would like to return to in-person meetings and suggesting having a hybrid model of in-person and virtual at the same time
 - He cited the benefits of virtual meeting particularly for residents with mobility issues, child care issues and transportation issues
- Board Attorney Kaczynski asked what the governing body was planning to do in regards to meetings
 - Councilperson Ullman answered that the Mayor and Council meetings remain virtual
- Board Attorney Kaczynski asked if Council Chambers can accommodate the hybrid option with screens installed showing the virtual meeting and an Owl recording device
 - She stated that the State of Emergency is still in effect and advised that the Board would not be permitted to limit the attendance at an in-person meeting
- Councilperson Jacqueline Flynn of 47 Orchard Place stated that the construction in Council Chambers was not related to COVID-19 but instead to remediate a mold issue
 - She added that a new video system was installed in Council Chambers

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Thomas Anzevino seconded the motion. All members present voted in favor of the motion. The meeting was adjourned at 8:00pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary