

**MAYWOOD PLANNING BOARD
MINUTES
March 4, 2021**

A regular meeting of the Maywood Planning Board was held on Thursday, March 4, 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 7:30pm with the following members present: Chairman Frank Lichtenberger, Vice Chairperson Charlotte Panny, Councilperson Ryan Ullman, Gary Neumann (arrived @ 7:35pm), Paul Kuhn, John Montel, Harry Hillenius, Peter Cicarelli, John Gargagliano and Geoffrey Smith. 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 February 25, 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.

Gary Neumann joined the meeting at 7:35pm.

Correspondence

- 3/1/21 letter from Brian M. Chewcaskie Re: NYCE Tattoos 946 Spring Valley Road Rescheduled Hearing Date to 3/25/21
 - Board Attorney Kara Kaczynski announced to the Board and public that the application hearing has been adjourned to the 3/25/21 meeting without need for additional notice
- 3/1/21 letter from Board Recording Secretary Tara Grunstra Re: Maywood Sherwood Village, LLC 11 West Passaic Street Application Hearing Date 4/22/21
- 3/2/21 letter from Borough Clerk Barbara L. Dispoto Re: Introduced Borough Ordinance #3-21 Ordinance Amending Ordinance Chapter 284 Governing the Maywood Storm Water Control System
 - Board Engineer Greg Polyniak summarized the changes to the existing ordinance specifically regarding “green” requirements for water quality, water quantity and groundwater recharge

- Board Attorney Kaczynski explained that the State is requiring every municipality to adopt this ordinance
 - She stated that the governing body has asked the Planning Board to determine if the proposed ordinance is not inconsistent with the Borough master plan
 - She assured the Board that since the ordinance originated with the State and the master plan requires compliance with the State regulations, the Board can be confident that the proposed ordinance is not inconsistent with the Borough master plan
 - She advised that the Board needed to vote to amend the agenda and to determine that the proposed ordinance is not inconsistent with the Borough master plan with no recommendations or changes from the Board
- Chairman Frank Lichtenberger made a motion to amend the agenda to incorporate Borough Ordinance #3-21 Ordinance Amending Ordinance Chapter 284 Governing the Maywood Storm Water Control System and to determine that the ordinance is not inconsistent with the Borough master plan
 - Harry Hillenius seconded the motion and all eligible members voted in favor of the motion

Resolution #1

GFR Maywood, LLC

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

Calendar #2020-13

Variance & Site Plan Applications

Vice Chairperson Charlotte Panny asked if the requirements in Borough Ordinance #3-21 Ordinance Amending Ordinance Chapter 284 Governing the Maywood Storm Water Control System would apply to this application. Board Engineer Polyniak answered that the ordinance requirement applies to applications at the time of the application filing.

Harry Hillenius made a motion to memorialize the resolution and John Montel seconded the motion. All eligible members present voted in favor of the motion.

Resolution #2

**Resolution Delegating Completeness, Incompleteness
and Completeness Waiver Determinations to Board Engineer
Resolution #2021-03**

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.

Resolution #3

**Resolution to Adopt the Public Commenting Policy
Resolution #2021-04**

Paul Kuhn asked how the Board should handle disruptive members of the public. Board Attorney Kaczynski advised that they would be issued a warning and if they continued to be disruptive, they would be muted and/or moved to the Zoom waiting room. She then advised Board Recording Secretary Tara Grunstra to post the policy to the Planning Board page of the Borough website. Gary Neumann believes that the meeting introductory statement about “decorum appropriate for judicial proceeding”

addresses how the public should conduct themselves. Board Attorney Kaczynski advised that the following statement should be added to the meeting introductory statement:

The public commenting policy for electronic public meetings will also be followed as noted on the Borough website (www.maywwoenj.com).

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

Completeness Hearing None

Chairman Lichtenberger noted that the completeness hearing listing on the Board agenda could be removed as the Board adopted Resolution #20201-03 Resolution Delegating Completeness, Incompleteness and Completeness Waiver Determinations to Board Engineer. Board Attorney Kaczynski advised that the completeness hearing should remain on the Board agenda in case an Applicant wishes to appeal the Board Engineer’s determination regarding completeness, incompleteness and/or completeness waivers.

Board Recording Secretary Grunstra asked if the scheduled completeness hearing for Calendar #2021-01 Donna Spezzaferra 462 Poplar Avenue variance application would be cancelled. Board Attorney Kaczynski explained that the Board Engineer could issue an amended review to include completeness determination as the resolution delegating completeness determinations to the Board Engineer has been adopted. Board Engineer Polyniak agreed to amend his review to include completeness determination.

Application Hearing **NYCE Tattoos**
946 Spring Valley Road
Block 2, Lot 5
Calendar #2020-01
Variance & Site Plan Applications

Application hearing was adjourned to the 3/25/21 meeting without need for additional notice.

Informal Hearing None

Closed Session None

Old Business

- Paul Kuhn questioned the status of escrow and the resolution for Calendar #2020-03 Empire Real Estate Holdings/Silverstar Alloy Wheel Repair 191 West Central Avenue variance and site plan applications
 - Board Attorney Kaczynski advised that the Applicant has not provided the escrow balance so the resolution has not been signed nor the certificate of continued occupancy (CCO) issued
 - She explained that the Board no longer has jurisdiction

New Business None

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Paul Kuhn seconded the motion. All members present voted in favor of the motion. The meeting was adjourned at 7:55pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary