

MAYWOOD PLANNING BOARD
AGENDA
July 22, 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 May 24, 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

ROLL CALL

Chairman Frank Lichtenberger	()
Vice Chairperson Charlotte Panny	()
Mayor Richard Bolan	()
Councilperson Ryan Ullman	()
Gary Neumann	()
Paul Kuhn	()
John Montel	()
Harry Hillenius	()
Secretary Anthony Klymenko	()
Peter Cicarelli Alt. #1	()
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	()

APPROVAL OF MINUTES

June 24, 2021

Motion by: _____
Seconded by: _____

Roll Call Vote:

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

BILLS

Planning Board Legal

McNally, Yaros, Kaczynski & Lime LLC	\$ 474.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 475.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 2,715.50
2021 Budget Balance	\$ 5,902.00

Calendar #2019-05

**Maybrook Gardens-Maybrook II
Maybrook Drive**

Block 131, Lot 10

Neglia Engineering Associates	\$ 892.50
McNally, Yaros, Kaczynski & Lime LLC	\$ 31.00
Current Escrow Balance	\$ 866.75

Calendar #2020-01

NYCE Tattoos

946 Spring Valley Road

Block 2, Lot 5

McNally, Yaros, Kaczynski & Lime LLC	\$ 31.00
Kauker & Kauker LLC	\$ 925.00
Current Escrow Balance	\$ 1,186.00

Calendar #2020-13

**GFR Maywood, LLC
18 West Passaic Street &**

521 Maywood Avenue

Block 96, Lots 7 & 8

McNally, Yaros, Kaczynski & Lime LLC	\$ 263.50
Kauker & Kauker LLC	\$ 130.00
Current Escrow Balance	\$ 1,689.30

Calendar #2020-14

Maywood Sherwood Village, LLC

11 West Passaic Street

Block 79, Lots 1 & 2

Kauker & Kauker LLC	\$ 390.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 511.50
Current Escrow Balance	\$ 3,834.75

**Calendar #2020-16
Arya Realty Holdings, LLC
138-140 West Pleasant Avenue
Block 83, Lots 3 & 4**

Kauker & Kauker	\$ 130.00
McNally, Yaros, Kaczynski & Lime LLC	\$ 620.00
Current Escrow Balance	\$ 2,476.00

**Calendar #2021-02
Filip Kristani
44 Parkway
Block 62, Lot 4**

Neglia Engineering Associates	\$ 1,027.50
McNally, Yaros, Kaczynski & Lime LLC	\$ 372.00
Current Escrow Balance	\$ 692.00

**Calendar #2021-05
Marseppe, LLC
687 Elm Street
Block 56, Lot 19**

Neglia Engineering Associates	\$ 1,271.25
McNally, Yaros, Kaczynski & Lime LLC	\$ 108.50
Current Escrow Balance	\$ 2,391.50

Motion by: _____

Seconded by: _____

Roll Call Vote:

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

CORRESPONDENCE

- 7/1/21 letter from Borough of Paramus Clerk Annemarie Krusznis Re: Ordinance #2021-28 Pertaining to Signage and Facades
- 7/2/21 letter from City of Hackensack Clerk Allison Saabye Re: Ordinance #30-2021 Amending Chapter 175 Zoning with Respect to Businesses Authorized and Prohibited Under the “New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act”
- 7/7/21 letter from Jason Li Re: Helian Wang 203 Prospect Avenue Request for Waiver for Item 11 of the Neglia Engineering Review Revised 6/29/21
- 7/8/21 letter from Borough of Maywood Clerk Barbara Dispoto Re: Ordinance #12-21 Creating Chapter 107 to Permit Cannabis Industries as Defined by the “New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act”
- 7/9/21 letter from Po Wu Re: Helian Wang 203 Prospect Avenue Lot Coverage Calculation
- 7/12/21 letter from Gloria Duby Re: Maywood Sherwood Village, LLC 11 West Passaic Street Revised Plans

- 7/12/21 letter from Matrix New World Re: Wetlands Letter of Interpretation Application for Duke Realty Limited Partnership 149-151 Maywood Avenue (Block 124, Lot 30)
- 7/14/21 letter from Bergen County Planning & Engineering Re: Maybrook Garden Apartments Block 135, Lot 1 Conditional Approval
- 7/14/21 letter from Bergen County Planning & Engineering Re: Maybrook Garden Apartments Block 131, Lot 10 Conditional Approval
- 7/15/21 letter from Board Engineer Gregory J. Polyniak Re: Helian Wang 203 Prospect Avenue Completeness, Planning and Engineering Review
- 7/15/21 letter from Board Recording Secretary Tara Grunstra Re: Helian Wang 203 Prospect Avenue Application Hearing Date 8/5/21
- 7/16/21 letter from Board Engineer Gregory J. Polyniak Re: Maywood Sherwood Village, LLC 11 West Passaic Street Completeness, Planning and Engineering Review
- 7/16/21 letter from Maywood Fire Official Thomas J. Tuttle Re: Maybrook Gardens Proposed Fire Hydrant Location
- 7/16/21 memorandum from Maywood Police Lieutenant Darryl Wuhrl Re: Maywood Sherwood Village, LLC 11 West Passaic Street Review
- 7/20/21 letter from Matthew G. Capizzi, Esq. Re: Maywood Sherwood Village, LLC 11 West Passaic Street Request to Reschedule 7/22/21 Hearing to 9/2/21
- 7/21/21 letter from Board Attorney Kara A. Kaczynski Re: Maywood Planning Board Zoning Recommendations to the Mayor and Council
- 7/22/21 letter from Borough Zoning Officer James Mazzer Re: Filip Kristani 44 Parkway Revised Denial Letter

RESOLUTION

None

COMPLETENESS HEARING

None

APPLICATION HEARING #1

Filip Kristani
 44 Parkway
 Block 62, Lot 4
Calendar #2021-02
Variance Application

Motion by: _____

Seconded by: _____

Roll Call Vote:

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

APPLICATION HEARING #2

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

Motion by: _____
Seconded by: _____

Roll Call Vote:

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

APPLICATION HEARING #3 **Marseppe, LLC**
687 Elm Street
Block 56, Lot 19
Calendar #2021-05
Subdivision Application

Motion by: _____
Seconded by: _____

Roll Call Vote:

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

INFORMAL HEARING None

OLD BUSINESS None

NEW BUSINESS None

OPEN MEETING TO PUBLIC

CLOSED SESSION Closed Session Resolution # 2021-08

BE IT RESOLVED by the Planning Board of the Borough of Maywood, pursuant to the provisions of the Open Public Meetings Act, that the Maywood Planning Board met in closed session to discuss the following subject matter(s): Pending litigation

which subject matter(s) is (are) permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law

- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds

() Sub-section 3 involving disclosure of material that would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved

() Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions and negotiations thereof

() Sub-section 5 dealing with the acquisition of real property, the setting of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest

() Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law

(X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege

() Sub-section 8 concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof

() Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that the Planning Board of the Borough of Maywood

() Will return to open session after this meeting.

(X) Do not envision that they will return to open session after this meeting but reserves the right to do so.

To go into Closed Session:

Motion by: _____

Seconded by: _____

Roll Call Vote:

Chairman Frank Lichtenberger () Vice Chairperson Charlotte Panny ()

Mayor Richard Bolan () Councilperson Ryan Ullman () Gary Neumann ()

Paul Kuhn () John Montel () Harry Hillenius () Secretary Anthony Klymenko ()

Peter Cicarelli () John Gargagliano () Geoffrey Smith ()