

MAYWOOD PLANNING BOARD
MINUTES
August 27, 2020

A regular meeting of the Maywood Planning Board was held on Thursday, August 27, 2020 via the “Zoom” online meeting platform 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 21, 2019. 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 the same pursuant to said act. On July 16, 2020, adequate notice of this meeting being conducted via the “Zoom” online meeting platform in lieu of its in-person meeting which was previously advertised in the Council Chambers of the Maywood Municipal Building was posted at the entrance to the Maywood Municipal Building, filed with the Borough Clerk, sent to the Mayor and Council, Borough Administrator, Borough Attorney and Board Attorney, forwarded to the Our Town and The Record newspapers for publication, posted on the Borough website and distributed to all persons, if any, requesting copies of the same pursuant to the Open Public Meetings Act. This meeting is being recorded 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 7:33pm with the following members present: Chairman Frank Lichtenberger, Vice Chairperson Charlotte Panny, Councilperson Ryan Ullman, Gary Neumann, Paul Kuhn, Peter Cicarelli and Secretary Anthony Klymenko. Zoning Officer James Mazzer, Board Attorney Kara Kaczynski and Board Engineer Gregory Polyniak were also present.

Approval of Minutes

Paul Kuhn made a motion to accept the minutes from the July 23, 2020 meeting. Vice Chairperson Charlotte Panny seconded the motion. All eligible members present voted in favor of the motion.

Bills

Paul Kuhn made a motion to accept payment of the bills. Councilperson Ryan Ullman seconded the motion. All eligible members present voted in favor of the motion.

Correspondence

- 7/27/20 letter from Board Recording Secretary Tara Grunstra Re: Derek Eisenberg 121 Belle Avenue Application Hearing Rescheduled Date 10/1/20
- 7/27/20 letter from Board Recording Secretary Tara Grunstra Re: Empire Real Estate Holdings, Inc. 191 West Central Avenue Summary of Required Information
- 7/30/20 Environmental Impact Statement for Stepan Company 100 West Hunter Avenue

- 7/31/20 letter from Board Recording Secretary Tara Grunstra Re: Outfront Media 99 West Essex Street Application Hearing Date 9/24/20
- 7/31/20 letter from Board Engineer Gregory J. Polyniak Re: Updated PSE&G Resolution Compliance Review
- 7/31/20 letter from David B. Robinson Re: Stepan Company 100 West Hunter Avenue Completeness and Engineering Review Letter Response
- 8/3/20 letter from Board Engineer Gregory J. Polyniak Re: Updated Stepan Company 100 West Hunter Avenue Completeness and Engineering Review
- 8/5/20 letter from Thomas K. Hynes Re: L.M.G., LLC 945 Spring Valley Road Request to Reschedule Completeness Hearing Date
- 8/5/20 Court Order Granting Extended Interim Immunity to the Borough of Maywood BER-L-6216-15
- 8/5/20 letter from Board Engineer Gregory J. Polyniak Re: Updated Stepan Company 100 West Hunter Avenue Completeness and Engineering Review
- 8/6/20 letter from Board Recording Secretary Tara Grunstra Re: L.M.G., LLC 945 Spring Valley Road Completeness Hearing Rescheduled Date 9/3/20
- 8/6/20 letter from Board Recording Secretary Tara Grunstra Re: Stepan Company 100 West Hunter Avenue Certification of Completeness Starts 7/30/20
- 8/10/20 letter from Board Engineer Gregory J. Polyniak Re: Beverly Patrizze 116 Cedar Avenue Resolution Compliance Review
- 8/12/20 letter from Board Engineer Gregory J. Polyniak Re: Updated PSE&G Resolution Compliance Review
- 8/13/20 letter from David J. Egarian Re: Empire Real Estate Holdings, Inc. 191 West Central Avenue Completeness and Engineering Review Response
- 8/13/20 Environmental Impact Statement for Empire Real Estate Holdings, Inc. 191 West Central Avenue
- 8/14/20 letter from Brian M. Chewcaskie Re: NYCE Tattoos 946 Spring Valley Road Request for Hearing Date
- 8/19/20 letter from Board Engineer Gregory J. Polyniak Re: Updated Empire Real Estate Holdings, Inc. 191 West Central Avenue Completeness and Engineering Review
- 8/19/20 letter from Board Engineer Gregory J. Polyniak Re: Updated Stepan Company 100 West Hunter Avenue Completeness and Engineering Review
- 8/25/20 Adopted Ordinance #15-20 An Ordinance to Amend Chapter 209 Subchapter 40 (N) of the Borough of Maywood Code Governing Signs in Commercial and Industrial Districts in the Borough of Maywood, State of New Jersey

Resolution

Beverly Patrizze

116 Cedar Avenue

Block 5, Lot 14

Calendar #2020-08

Variance Application

Councilperson Ryan Ullman made a motion to approve the resolution as written and Gary Neumann seconded the motion. All eligible members present voted in favor of the motion.

Completeness Hearing

Stepan Company

100 West Hunter Avenue

Block 124, Lots 31-33 & 40-48

Calendar #2020-07

Variance & Site Plan Applications

John Beyel of McElroy, Deutsch, Mulvaney and Carpenter represents the applicant, Stepan Company. The applicant is seeking permission to replace a storage building and erect a privacy wall. According to the 8/19/20 Board Engineer review, there were several completeness items requiring waivers from the Board. Mr. Beyel introduced Daniel Callahan, John Ostroski and Rob Benedetto who were all sworn in. Board Attorney Kara Kaczynski reminded the Board that the testimony being given is in relation to application completeness only. Mr. Beyel noted from the 8/19/20 Board Engineer review:

Item 15: Location and profiles of all water courses and drainage facilities within 200 feet of the subject tract. *The Applicant shall provide testimony addressing the ultimate off-site discharge point of the new drainage outfall pipe.*

Rob Benedetto, the applicant's engineer, explained that the outlet point of discharge will not change. Board Engineer Gregory Polyniak confirmed that the testimony sufficiently addressed his concerns.

Mr. Beyel stated the next item in question:

Item 21: Location (including setbacks from all property lines) and use of all retained existing and proposed buildings and structures. *The Applicant shall provide testimony addressing the existing and proposed uses.*

Daniel Callahan of Stepan Company explained that there are a dozen buildings on-site that support the manufacturing of food additives and flavorings for consumer products. The buildings' use will remain the same. The proposed building will replace an existing storage building. Board Engineer Polyniak confirmed that the testimony sufficiently addressed his concerns.

Mr. Beyel identified the next item:

Item 38: Landscape Plan. *The Applicant has requested a waiver from providing landscaping due to the scope of the proposed improvements. Testimony addressing the same shall be provided.*

Mr. Callahan stated that the area in which the building is proposed is presently paved and is adjacent to a steep slope so vegetation would not be sustainable. Board Engineer Polyniak replied that the testimony satisfied completeness but the Board may evaluate landscaping during the application hearing.

Mr. Beyel said the next item:

Item 46: Fire areas and other access ways for emergency vehicles. *The Applicant shall provide testimony addressing fire areas and other access ways for emergency vehicles. **The Maywood Fire Prevention Bureau issued a review letter, undated consisting of four (4) comments. These comments are outlined below in the engineering section of the report. The Applicant shall provide testimony addressing the noted comments.***

John Ostroski of Stepan Company answered that the automatic sprinkler system will be installed in the new storage building and will be tied into the onsite automatic fire detection system. A dedicated water supply from Maywood Avenue cannot be accommodated but an alternate plan

has been agreed upon. The alternate plan provides a fire hydrant near the building and an onsite connection from the Borough water supply to the plant. A Knox Box will also be provided. Fire Official Tom Tuttle confirmed that his concerns were addressed. Board Engineer Polyniak concurred.

Mr. Beyel believes that all of the completeness items had been addresses. Board Engineer Polyniak agreed and recommended that the application be deemed complete. Chairman Frank Lichtenberger thanked the Stepan Company for cooperating with Fire Official Tuttle. He made a motion to grant the completeness waivers as outlined in the Board Engineer's 8/19/20 completeness review and Vice Chairperson Charlotte Panny seconded the motion. All eligible members present voted in favor of the motion.

Two hearing date options were provided to the applicant; 10/1/20 or 11/5/20. Mr. Beyel requested time to review schedules and get back to the Board with a date.

Informal Hearing None

Closed Session None

Old Business

- Board Attorney Kaczynski asked about the NYCE Tattoos request for a hearing date
 - Board Recording Secretary Grunstra answered that the materials requested in the Board Engineer's 1/14/20 review letter have not been received
 - Board Attorney Kaczynski advised writing a letter requiring the requested materials within 30 days or the applicant would be required to refile

New Business

- Chairman Lichtenberger introduced Michael Scanel who was recently notified of the Area in Need of Redevelopment Study
 - Mr. Scanel's family owns several parcels in the area that has been a identified as in need of redevelopment
 - Board Attorney Kaczynski confirmed that the hearing is scheduled for 9/3/20
 - She advised Mr. Scanel to contact her office to discuss
 - Mr. Scanel stated that his family owns Block 127, Lots 4-6
- COVID-19 Permit Extension Act
 - Board Attorney Kaczynski explained that the Act is a new piece of legislation that amends Municipal Land Use Law (MLUL) tolling the approved and permitted application extensions until the Governor lifts the State of Emergency for the length of time remaining on the permit or for 6 months, whichever is less
 - She added that the applicant would need to register with the Department of Community Affairs (DCA)

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Paul Kuhn. Councilperson Ryan Ullman seconded the motion. All members present voted in favor of the motion. The meeting was adjourned at 8:23pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary