

OK-BAK

**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, January 8, 2020**

A meeting of the Planning Board of the Township of Nutley was held on the third floor of the Township of Nutley Municipal Building, One Kennedy Drive, and Commission Chambers. Adequate notification was published in the official newspapers of the Herald News, the Star Ledger and the Nutley Sun on November 28, 2019.

Roll Call

Ms. Castro – Present
Mr. Malfitano – Present
Mr. Contella – Present
Mr. Kirk – Excused
Mr. Greengrove – Present
Ms. Kucinski – Present
Mr. Del Tufo, Secretary – Excused
Mr. Arcuti, Vice Chair - Present
Ms. Tangorra, Chair – Present
Mr. Kozyra – Present
Commissioner Evans – Present
Mayor Scarpelli – Present

Meeting Minutes

The Meeting Minutes for December 18, 2019 were accepted by the Board.

Communications/Bills

An invoice for Gail Santasieri in the amount of \$150.00 for her attendance at and preparation of the December 18, 2019 Meeting Minutes was approved by the Board.

An invoice for Pennoni Associates, #1006452 in the amount of \$5,562.00 for professional services rendered through 11/24/19 regarding On3 road inspections was approved by the Board.

An invoice for Pennoni Associates, #1006446 in the amount of \$178.00 for professional services rendered through 11/24/19 regarding Arbor Hills Apartments final inspection was approved by the Board.

Mr. Kozyra circulated copies of correspondence he received from Mr. Salvatore Ferrara – an aerial map showing the work done at the On3 complex. Mr. Kozyra advised that he would be providing everyone with a colored copy of the map at the next meeting. It was also decided that any comments/changes should be directed to Mr. Ferrara.

The proceedings in this matter were voice recorded. The recital of facts in the Minutes is not intended to be all-inclusive but is a summary and highlight of the complete record made before the Planning Board.

Old Business

Mr. Malfitano earlier today provided an e-mail regarding zoning change suggestions. He spoke about projects previously approved by the Zoning Board. He had questions about front yard setbacks, which brought about the e-mail. He feels homeowners should not have their front yard views blocked by new construction. Mr. Kozyra asked Mr. Malfitano if what he was trying to express was that property construction applications should be aligned with the front and rear yard setbacks of the surrounding residential properties. Mr. Malfitano feels that reducing the number of units in the new multi-dwelling construction will decrease the amount of parking spaces underneath or behind the buildings so the buildings will not have to be so close to the street. He also feels the current zoned 10 ft. setback needs to be revisited. Mr. Kozyra said that Mr. Malfitano will need to come up with a new number if he wants to take this issue further with zoning changes. Mr. Malfitano said that front yard setback approvals need to take into consideration the average setbacks of the neighborhood. He feels that this issue basically exists in B2 zones. Mr. Kozyra asked if this was something Mr. Malfitano wanted him to speak to Mr. Ricci or Mr. Berry about. Mr. Malfitano feels that his request coming from a Board committee may be able to get a better response. Mr. Arcuti, Commissioner Evans and Mayor Scarpelli all brought up projects on different streets that have front yard setback issues similar to what Mr. Malfitano has seen. It was agreed by many of the Board Members that this is something to look into. Mr. Arcuti suggested that a workshop might be a good idea. He agreed that setting up a committee to bring it to either the Zoning Board's attention or Messrs. Ricci and Berry is also a good idea.

Mr. Kozyra was asked if the new ordinances that were recently introduced had an effect on re-development interest. Commissioner Evans answered that there has not been a lot of activity to test it. He thought maybe the Valley Bank building would be a good example but there is no residential going in there. He feels that this is going to be a very complex issue.

New Business

Through voice approval the following seats were approved by the Board for 2020:

Chair – Ms. Tangorra
Vice Chair – Mr. Arcuti
Secretary – Mr. Del Tufo
Counsel – Mr. Kozyra
Recording Secretary – Ms. Santasieri
Planner – Mr. Ricci
Engineer – Mr. Hay/Pennoni Associates

Mr. Kozyra stated that the Oaths of Office will be done at the next meeting because he did not receive the oaths from the Clerk's office.

20 High Street Hearing (Montclair Radiology)

The applicant requested, and the Board approved, a February 5, 2020 hearing date.

All Members were provided with proposed plans and Mr. Kozyra asked the Members to let him know if anyone had any comments/questions and he would reach out to Messrs. Hay and Ricci.

Public Comments

None

Committee/Sub-Committee Reports

Commissioner Evans wanted to give a heads up regarding a conversation he had with the Town Counsel regarding the On3 Medical School parking garage (Clifton side). While the garage is under construction people are parking in open side lots and are encroaching on the construction area. They would like these people to temporarily use the parking garage on the Nutley side. The redevelopment plan had strict restrictions so this will be discussed at the Commissioners' next meeting this coming Tuesday and will end up being a recommendation from the Commissioners to the Planning Board to approve the change in parking, which has to be done through a redevelopment plan amendment.

The meeting concluded at 7:39 p.m.

The next meeting is scheduled for Wednesday, January 22, 2020 at 7:00 p.m.