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**TOWNSHIP OF NUTLEY  
PLANNING BOARD MEETING MINUTES  
Wednesday, June 5, 2019**

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, Commission Chambers. Adequate notification was published in the official newspapers of the Herald News, the Star Ledger and the Nutley Sun on December 13, 2018.

**Roll Call**

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

**Meeting Minutes**

The Meeting Minutes for May 15, 2019 were accepted by the Board.

**Communications/Bills**

An invoice for Gail Santasieri in the amount of \$150 for her attendance at and preparation of the May 15, 2019 Meeting Minutes was approved by the Board.

An invoice for Pennoni Associates in the amount of \$15,532 regarding Phase II construction administration inspections (from escrow account) was approved by the Board.

An invoice for Pennoni Associates in the amount of \$534 for professional services regarding 74 East Passaic Avenue (from escrow account) was approved by the Board.

An invoice for Ricci Planning in the amount of \$633.75 regarding the Ralph Lauren parking application and meeting attendance (from escrow account) was approved by the Board.

An invoice for Ricci Planning in the amount of \$2,112.50 regarding the Prism roadway application and meeting attendance (from escrow account) throughout the year was approved by the Board.

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.

Communication from County of Essex, Dept. of Public Works, Essex County Planning Board regarding the application for 74 E. Passaic Avenue, indicating that they approved the application which was heard on 5/14/19, subject to curbing and sidewalk replacement. Notes are to be added to the plans indicting: (1) that a permit is required from the County Engineer prior to beginning any work; and (2) that any work done shall be in compliance with Essex County standards. Mr. Kozyra feels that this is important because hopefully there will be more applications that will need the same or greater improvements made and we now know the standards the County is demanding and applicants will have live to up their standards. No action is required from the Board.

### **Old Business**

Mayor Scarpelli asked if there was any more action on the Ciccolini property with respect to the RFPs. Mr. Kozyra said no and he never found out how many people/entities responded other than the one already delivered to the Board (and returned). He stated that the Board has the right to reject any package, as will most likely happen with the one they have, for not being up to the Board's competition expectations. He has received no communication(s) regarding republishing and how the Township is going to attract more bids. Mr. Kozyra does not know who to speak with at Town Hall and asked the Mayor for his assistance. Mayor Scarpelli told Mr. Kozyra to let him know when he was needed.

### **New Business**

#### **Hackensack Meridian School of Medicine – Gated Parking Lot Amended Site Plan Hearing**

Charles Liebling, Esq. appeared on behalf of Kingsland Street Renewal.

Mr. Liebling stated that the application is for two parking gates to be installed at the entrances to the surface lot in front of the medical school, Block 300, Lot 1.02. The gates will be automated with either card readers or tickets. The application includes associated paving, electric, curbing and sidewalks. With the widening of the entrances a total of 37 parking spaces will be eliminated, but the required 1,162 spaces has been exceeded and there are actually 1,207 spaces available.

#### Witness

John DiGiacinto, P.E., Langan, 300 Kimball Drive, Parsippany, New Jersey

Mr. DiGiacinto was previously qualified as a civil engineer.

Mr. Kozyra stated that exhibits used tonight will be marked starting with A3 and so on. Mr. Kozyra also stated that the exhibits tonight include amendments addressing the Fire Department's concerns and will be added to the drawings and if a resolution is passed it will be with the Fire Department's amendments.

Exhibit A8 – Revised Overall Site Plan (revised 5/30/19)

Mr. DiGiacinto stated that the revised plan shows Block 300, Lot 1.02, which is the main parking lot south of the medical building, which runs into Lot 1.04 (east). All work being presented tonight will be done within Lot 1.02. There are 467 spaces with access from Medicine Lane (south) and Metro Boulevard (west). There will be limited demolition (removing curbs, asphalt and sidewalks), as well as striping being added. The parking lot is not changing except for access points. 37 spaces will be lost based on Fire Chief Paul Cafone's comments. The lost spaces do not affect the ADA requirements and the remaining number of spaces will be 430 plus on street parking and lots temporarily being used on Route 3 making a total of 1,207 spaces which exceeds the 1,162 they are required to have.

Mr. DiGiacinto further stated that the gates will be key card controlled but tickets can be provided and advance payment made at a kiosk inside the building. There will be no payment at the exit gates so fast exiting is expected. The Security Desk will be able to open the gates if needed. Mr. DiGiacinto also stated that in the future plate reading could be used in possible expansions.

Mr. DiGiacinto further stated that at the Metro (west) gate the setback is 125' with 17 spaces being lost. There is a landscaped island slightly south (see Paul Cafone's comment) and they plan to extend it to the west to limit access into an aisle that came into the main entry, and they are restricting right turns in the first aisle to facilitate traffic movement.

At the Medicine Lane gate the setback is 102' with 20 spaces being lost. Mr. DiGiacinto feels that this area has a more significant reconfiguration - a previous access aisle (southern end) that is being redirected slightly north and new cross aisles after the gates. There will be landscaping that will be removed for spaces, and vice versa, stop signs will be added at cross aisles and several pedestrian crossing signs for pedestrian cross walks that exist.

Mr. DiGiacinto further stated that he had significant communication with Paul Cafone. Mr. Cafone's particular concern was the width of the access aisles (10.5'). After discussions with Mr. Cafone and Frank Prezioso, Clifton's Fire Chief, it was agreed that a 13' wide lane would be adequate. Mr. DiGiacinto informed the Board that Chief Prezioso's letter with color images is available for review if needed (Exhibits. A4 and A5).

Ex. A4 – Metro Boulevard Gated Access Point

Mr. DiGiacinto informed the Board that the red areas on both sides of the gates represent where the roadways were widened to 13'.

Ex. A5 – Medicine Lane Gated Access Point

Mr. DiGiacinto informed the Board that the red areas on both sides of the gates represent where they were also widened to 13'.

Ex. A6 – Traffic Letter

Mr. DiGiacinto stated that their letter used a 7.25 vehicle per minute estimate which equates to 8.25 seconds per car for access. The vendor informed Mr. DiGiacinto that the timing is actually closer to 4 seconds, which will improve access into the lots.

Ex. A7 – Lighting Plan LL101 (part of previous “as built” set)

Mr. DiGiacinto raised this issue because Mr. Ricci brought up concerns about lighting at the entry gates. At Medicine Lane there will be two light poles installed and at Metro Boulevard there will be four lights with levels exceeding 1 lumen. He expects some illumination on the units where the buttons are.

Landscaping reconfiguration will consist of relocating trees and perennials. Mr. Kozyra asked if Mr. DiGiacinto had the landscape plan and if it could be marked as an exhibit. He also asked that the changes Mr. DiGiacinto explained could be marked as well.

Mr. DiGiacinto stated that regarding storm water, Pennoni Associates did not have any issues. An additional inlet was included by the Medicine Lane access to mimic the existing flow pattern and eliminate excess runoff.

Mr. DiGiacinto stated that the proposed improvements will reduce the impervious area and works out to be 2% for subject lot and that equates to 3,600 sq. ft. or 8/10 of an acre. He reviewed Pennoni’s comment letters and their main comment was sign symbols incorrectly placed on the plans. Mr. DiGiacinto confirmed that the changes were made, while also changing another one discovered as an error, so the compliance plan will be updated and addressed. The driveway on the Traffic Report was sufficient to accommodate the queuing of vehicles. Paul Cafone issued a revised Fire Department letter on 5/30/19 that agreed with the proposed widening of the aisles as the solution. The gate arms will automatically raise at the approaching of emergency vehicle sirens.

Mr. DiGiacinto stated that Paul Ricci’s letter asked for testimony on queuing, which was provided. He noted that the required 1,162 spaces was exceeded with the 1,210 spaces (minus three lost spaces). He noted the reduction in the impervious coverage and lighting testimony.

**Board Comments/Questions**

Mayor Scarpelli asked Mr. DiGiacinto if the gates would be permanent once the parking garage is built and Mr. DiGiacinto responded “yes”.

Mayor Scarpelli also asked if the lot parking was for the students or faculty and Mr. DiGiacinto responded for “all occupants of the building, students, faculty and research”.

Ms. Kucinski asked about the reading of license plates at the gates and Mr. DiGiacinto responded that it was a new technology that will hopefully be implemented in the future.

Mr. Malfitano asked if the two entrances being gated meant that the entire lot(s) will be fenced in and are these the only entrances into the lot. Mr. DiGiacinto responded that the lots are enclosed and that there is an emergency access in the back of the lot with a chain for emergency use only.

Mr. Malfitano stated that the two entrances are not shown on the Lighting Plan and is wondering where exactly those entrances are. Mr. DiGiacinto pointed them out.

Mayor Scarpelli asked if the parking lot at the rear of the building will be gated (Prism Way) and Mr. DiGiacinto responded "no", it will stay open.

Mr. Kozyra asked if the proposed changes reduce the amount of parking spaces and Mr. DiGiacinto responded yes, by 37. Mr. Kozyra asked if there was any way those spaces can be made up? Mr. DiGiacinto responded "no". To date the two lots have never been filled to capacity. Between the two lots and street parking Mr. DiGiacinto said they have sufficient access parking available.

Mr. Kozyra stated that when he drafts a resolution he will have to note that the applicant has reduced their already approved parking by 37 spaces. Mr. DiGiacinto responded that was correct. Mr. Kozyra expressed to the Board that they need to understand that an approval of the application will include the reduction of 37 spaces from its prior approval.

Mr. Malfitano asked if the total number of parking spaces still exceeds what is required and Mr. DiGiacinto responded "yes", 1,162 is required and with the revision there will be 1,207. Mr. Liebling stated that 196 temporary spaces were approved which were never built out. The parking garage was approved in Clifton and they are expecting construction to begin at the end of the summer. The building is not yet fully occupied so parking availability should not be a problem.

Mayor Scarpelli stated in previous testimony it was testified that Seton Hall students didn't pay for parking. Is that still the case? Mr. Liebling said that the Medical School and other students will pay for parking.

Mr. Contella asked if there will be security gates the students will have to use if they park on the side streets for free. Will they be able to access the property? Mayor Scarpelli said it was not something they would pay for every day, as it is included in the tuition.

Mr. Kozyra asked Mr. DiGiacinto if there were any time delays in the application approval process. Mr. DiGiacinto said this application took longer, but he was not sure why. He said he would never point fingers at anyone. Mr. Kozyra said that procedurally the Board tries to make these proceedings happen faster and smoother so all questions have been addressed. Mr. DiGiacinto said once he formally submitted it the application ran smoothly. It was getting to the formal submission that was tough. Mr. Kozyra said that we try to have all department heads review ahead of time so by the time you get here everything has been ironed out. Mr. DiGiacinto said that everything worked out great regarding the amount of time to work with Chief Paul Cafone.

Mayor Scarpelli said that the applicants did a great job presenting tonight. Although they are losing parking spots there is security for the students and staff. The additional 196 spaces approved as green space is a positive.

Ms. Tangorra asked for a vote and a motion was made to grant the application as submitted with any subsequent conditions that Mr. Kozyra has made known. All Board Members voted unanimously.

Mr. Malfitano – Yes  
Mr. Contella – Yes  
Ms. Kucinski – Yes  
Mr. Arcuti - Yes  
Ms. Tangorra – Yes  
Mayor Scarpelli – Yes

#### **Committee/Sub-Committee Reports**

None

#### **Public Comments**

None

The meeting concluded at 7:46 p.m.

The next meeting is scheduled for Wednesday, June 19, 2019 at 7:00 p.m.