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8/14/19

**TOWNSHIP OF NUTLEY  
PLANNING BOARD MEETING MINUTES  
Wednesday, August 7, 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 – Present
- Mr. Malfitano – Present
- Mr. Contella – Present
- Mr. Kirk – Excused
- Mr. Greengrove – Excused
- Ms. Kucinski – Present
- Mr. Algieri – Present
- Mr. Del Tufo – Present
- Mr. Arcuti - Present
- Ms. Tangorra – Present
- Mr. Kozyra – Present
- Commissioner Evans – Present
- Mayor Scarpelli – Present

**Meeting Minutes**

The Meeting Minutes for July 10, 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 July 10, 2019 Meeting Minutes was approved by the Board.

An invoice for Ricci Planning in the amount of \$650 for Mr. Ricci's preparation of a planning review letter and preparation for and attendance at the 2/27/19 hearing regarding 74 E. Passaic Avenue was approved by the Board.

An invoice for Ricci Planning, No. NTPB-00140-02 dated 6/30/19, in the amount of \$455 for the review of the Kingsland Street Urban Renewal Gated Parking Lot site plan and preparation of a letter regarding same was approved by the Board.

An invoice for ACME Properties, Application No. PB-18-00001 dated 7/19/19, in the amount of \$905 for the reimbursement of escrow fees for the application of 212 Hancox Avenue 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.

An invoice for Barry Kozyra, Esq. in the amount of \$800 for his preparation for and attendance at a technical review meeting for the Prism/Ralph Lauren parking deck application was approved by the Board.

An invoice for Pennoni Associates, #869261 dated 7/18/19, in the amount of \$645 for professional service through 6/23/19 with regard to the gated parking facility at the HMH facility was approved by the Board.

A letter from the Essex County Dept. of Public Works, dated June 26, 2019, regarding the Kingsland Street Urban Renewal. Any and all changes to the approved plans must be resubmitted for approval. This letter is for informational purposes only and no action is required by the Board.

A letter from the Hudson-Essex-Passaic Soil Conservation District, dated June 4, 2019, addressed to Joseph Haines regarding 74 East Passaic Avenue Project. Acknowledged receipt of his plans, reviewed them and set forth conditions for the start of and steps to be taken once the application is approved. This letter is for informational purposes only and no action is required by the Board.

### **Old Business**

Ms. Tangorra asked if any applications were submitted for the Ciccolini property. Mr. Kozyra stated that the RFP has to be republished but he is not sure where it was originally published. Mayor Scarpelli wants to find out what needs to happen to get that done. A voice motion was passed that the RFP will be republished once Mr. Kozyra speaks to the Planner and Clerk. Commissioner Evans wanted to make clear that the Clerk's office is not responsible for drafting the RFP but only publishing it. Mr. Kozyra stated that the RFP has already been drafted, it just has to be republished. Commissioner Evans stated that the Clerk runs it in the Town paper, the Herald News and Star Ledger, and on the website. A broader circulation/distribution list would need to be provided to the Clerk.

### **New Business**

#### **Board of Education Temporary Classroom Unit Plans**

Plans for Spring Garden and Washington Schools were handed out to all Board Members. Mr. Kozyra said these were similar to previous submissions the Board which were approved in the past. The Board needs to review and decide if they are consistent with what the Board requires.

Commissioner Evans asked if the Board has any rights regarding insuring the safety of the access to the trailers. Mr. Kozyra stated that that would be a good idea but it is beyond the purview of the application. He will add something regarding safety issues to his letter. Mr. Del Tufo stated that on the Washington plan they were adding a trailer on top of an existing trailer and at Spring Garden they are adding a new trailer in the back of the school and you cannot see it from the street. He has questions about the safety of the children, staff and code enforcement and he is

wondering who we need to alert regarding public safety or if it is even the Board's concern. Commissioner Evans agreed that putting this concern in the letter is a good idea. It was asked if anyone from the School Board was coming to speak to the Board about the site plans and Mr. Kozyra said "no" and that they were requesting the Board's response as soon as possible. Another question was brought up about the children's play areas and parking lots with regard to the new trailers. Mr. Kozyra suggested that he be instructed by the Board to send a letter stating that the Board has reviewed and approved the plans and when the plans are implemented that the School Board take appropriate steps to insure the same safety and security of the students in the trailers as they do in the public schools themselves. Ms. Tangorra asked if all were okay with this idea and it was verbally approved that he send such a letter.

### **Special Meeting Scheduled for 8/14/19**

Ms. Tangorra brought up the Special Meeting regarding the Prism roadways and Ralph Lauren parking garage. Mr. Kozyra said these roadways have not been approved in the prior application. They are considered an accessory use to existing improved property. He feels there are legal and strategic reasons for this approval being sought now as he attended a meeting earlier to review the proposed plans. He does not think it will be that complicated a hearing. Both Todd Hays and Paul Ricci were at that meeting and they are familiar with the changes to the plans. There was also one expert who testified at the meeting and Mr. Kozyra feels it is all pretty cut and dry.

Ms. Tangorra asked why the special meetings are called between Mr. Kozyra and the planners. Mr. Kozyra said it was decided that in order to make the Board's job easier it is better to iron out challenges by the experts to proposed plans in advance. The best way to handle that would be to have the plans reviewed by the Board's professionals (Paul, Todd and Dave (from Code Enforcement)) and they make some adjustments to the preliminary plans and they get the scut work started before the plans are approved. By the time the Board has a hearing a lot of the safety work will have been completed and/or refined. Ms. Tangorra asked if these meetings are advertised and Mr. Kozyra said "no", that they are more like workshops that only the professionals (and Township personnel) attend. He advised that the applicant pays for the professionals to attend.

Mayor Scarpelli clarified that this upcoming meeting is for access roads to the garage for service to 100 and 200 Metro Boulevard. The Planning Board needs to review these roads because Ralph Lauren will be moving in at the end of October. Mr. Kozyra mentioned that fire truck access (both Nutley and Clifton) is at issue here and that Board Engineers are on top of the technical issues. Commissioner Evans mentioned that Building 100's access road cuts around the building close to the railroad tracks. He is wondering how safe that is. Mr. Kozyra advised that the fire departments' reports were discussed at the technical review meeting so the clearance issue was resolved.

A question was asked about Building 200 and Mayor Scarpelli stated that the marble from the east side of the building is being removed and glass is being installed so it opens every floor to a view of the NY skyline. It is very labor intensive.

Ms. Tangorra asked if there was any news about the proposed hotel (in Clifton) and she was told “no” by the Mayor. It was asked if there is a tenant for Building 200 and the Mayor’s answer was also “no”.

**Committee/Sub-Committee Reports**

None

**Public Comments**

Mr. Ralph Chimento, 74 Mapes Avenue, commented favorably on how the Board’s meetings are handled and how they give the public an idea of what is going on in the Town. He had a question regarding the new trailers going in at the two schools. He was specifically wondering about Spring Gardens’ security and accessibility to the new trailer and was wondering if he could see a copy of the proposed plans. He was offered by Mr. Kozyra and shown a copy of the plans by one of the Board Members.

The meeting concluded at 7:35 p.m.

The next meeting is scheduled for Wednesday, August 14, 2019 at 7:00 p.m.