11/4/26
Approved

TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, October 21, 2026

A Meeting of the Planning Board of the Township of Nutley was held. Adequate notification was published in the official newspapers of the Herald News, the Star Ledger and the Nutley Sun on November 21, 2025, and posted on the Township website and at the Township of Nutley Municipal Building, One Kennedy Drive, Nutley, New Jersey.

Salute to the Flag

Roll Call

Mr. Malfitano – Present
Mr. Del Tufo, Secretary – Excused
Mr. Smith – Present
Ms. Tangorra, Vice Chair - Present
Dr. Marchese – Present
Mr. Koribanick, Mayor's Designee – Present
Commissioner Scarpelli – Present
Mr. Goitiandia - Present
Mayor Kelly – Present
Mr. Contella, Alternate – Present
Ms. Rempusheski, Present **(sat for Del Tufo)**
Mr. Kozyra – Present
Mr. Arcuti, Chair - Present

Meeting Minutes

The Meeting Minutes for the October 7, 2026 meeting were approved by the Board.

Communications/Bills

An invoice for Gail Santasieri, in the amount of $150.00 for her attendance at and preparation of the October 7, 2026 Meeting Minutes, was approved by the Board.

Mr. Kozyra received an e-mail copy of a letter the Township received concerning a treatment works approval application for sanitary sewer metering improvements in Nutley from PB Nutclif Master LLC. with respect to the Innovation Center project, which was recently approved. He stated that he received no other details, so he does not think there is anything the Board needs to do at this time.

Scheduled Future Hearings

437 and 441 Franklin Avenue - Preliminary/Final Site Plan Approval - a hearing has been scheduled for November 4, 2026. Mr. Kozyra stated that he believes this hearing will take more than one session because some of the Township's experts will not be available on the 4th.

New Business

None

Old Business

None

Workshop Issues

Ken DeGennaro from Pennoni Associates gave a verbal presentation regarding stormwater drainage. He stated that stormwater drainage is regulated by both the DEP and Nutley's local ordinance as to land use. There are several requirements under those provisions that deal with managing stormwater quantity, stormwater quality, runoff reduction, etc., which are basically designed for large projects and properties. The thresholds from the DEP are 1 acre disturbance, or an additional 1 quarter acre of impervious area (11,000 sq. ft.). With site plan applications and applications to the Planning Department the requirement of stormwater mitigation is often questioned. He stated the general answer is that unless a proposal triggers those thresholds, 1 acre of disturbance, or quarter acre of impervious area, addressing stormwater is not required. If the applicant knows that there are flooding and drainage issues then they can voluntarily add stormwater mitigation. The better way to approach this problem is through an amendment of the local ordinance for stormwater management as the DEP governing language cannot be changed. Again, an amendment of Nutley's ordinance is possible by adding additional provisions for different scenarios. Nonetheless, he feels that changing the local law will require several Board conversations.

Mr. DeGennaro further stated that this is something Pennoni is already looking into and they know that remediation can become very expensive. They are considering underground detention a/k/a dry well or a coal tech chamber. A dry well is a concrete structure put into the ground, it does not have a bottom, usually rests on stone and sand, and there are openings in the sides to allow water to drain back into the ground. If there is overflow, which can happen, there are different ways to handle the overflow.

A coal tech chamber is a less expensive option that may consist of a plastic half-round pipe. It is easier to install but less efficient than a dry well, and an application is still required. Pennoni is also considering a rain garden: a depression at ground level, 1–2 feet deep, with stone and sand at the bottom and often specific plantings. All three options can prevent or reduce stormwater flooding on properties, streets, and rivers by allowing water to return to the groundwater table.

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.

Mr. DeGennaro further stated that Pennoni is working on calculations and wants to talk to the Township's building and engineering departments before submitting anything to the Board. He stated that work to correct a problem could be as simple as a one page proposed addition that says if you are adding 1,000 square feet of impervious area, under the 10,000 plus threshold, then you have to provide so much reduction volume; then you can install 6-foot diameter dry wells (maybe two) that are 4 feet deep' There could be different options that the applicant can choose from to provide storage of the rainfall runoff and get approval for a building permit. Applicants can either use these suggestions or can hire an engineering company.

Mr. DeGennaro further stated that if this is something that the Board is considering the big question is, what would be the thresholds where the Town would require this – for example, 500 square feet of impervious area, or 1,000 square feet, or 2,000 square feet? Or if someone wanted to add a 20 x 20 detached garage they would have to put in the stormwater mitigation. He also feels that maintaining these systems is not complex but definitely needs to be done.

Several comments and questions were made by the following Board members: Ms. Rempusheski, Mr. Berry, Mayor Kelly, Commissioner Scarpelli, Mr. Arcuti, Ms. Tangorra and Mr. Malfitano.

Mr. Arcuti asked Mr. DeGennaro to continue to do all of the research on what he had presented and once Mr. Arcuti reviews his notes he will reach out to Mr. DeGennaro to make sure they are on the same page. And once Pennoni has something in written form some members of the Board will meet as the Zoning Committee to discuss Pennoni's suggestions and decide if this should be brought to the BOC.

Committee/Sub-Committee Reports

None

Counsel's Report

None

Public Comments

None

Online Attendees: 2

The meeting concluded at 8:19 p.m.

The next meeting is scheduled for Wednesday, November 4, 2026 at 7:00 p.m. at the Public Safety Building, 228 Chestnut Street, 2nd floor.

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