

OK-BAK
6/20/18

**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, June 6, 2018**

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 14, 2017.

Roll Call:

Ms. Castro - excused
Mr. Malfitano - present
Mr. Contella - present
Mr. Kirk - present
Mr. Greengrove - present
Ms. Kucinski - excused
Mr. Algieri - present
Mr. Del Tufo, Secretary - present
Mr. Arcuti, Vice - Chairperson - excused
Ms. Tangorra - Chairperson - present
Mr. Kozyra - present
Commissioner Evans - excused
Mayor Scarpelli - excused

Meeting Minutes:

The Meeting Minutes for May 16, 2018 were approved by the Board.

Invoices:

An invoice for Debra Fontana for attendance and preparation of the May 16, 2018 Meeting Minutes was approved by the Board.

An invoice for Pennoni Associates, Inc. for professional services through March 25, 2018 for the Roche Site Roadway Inspection 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 Pennoni Associates, Inc. for professional services through April 22, 2018 for the Roche Site Roadway Inspection was approved by the Board.

An invoice for Pennoni Associates, Inc. for professional services through May 28, 2018 for the Seton Hall Medical School Site Plan Review was approved by the Board.

An invoice for Pennoni Associates, Inc. for professional services through May 28, 2018 for the Seton Hall Medical School Traffic Impact Statement Review was approved by the Board.

Mr. Kozyra stated that he has reviewed the invoices submitted by Pennoni Associates. These invoices reflect the rate that was approved and negotiated between the Township and Pennoni Associates. Mr. Kozyra also stated that the reason there are multiple invoices from Pennoni Associate is that they have been at the site almost full time for the numerous inspections that have been conducted for this project.

Hearings Schedule:

**S&S at Valley, LLC/North American Eagle Construction
367 - 371 Franklin Avenue Application**

Mr. Kozyra addressed the Board that it is his understanding that the application submitted by Valley National Bank for the property located at 367 - 371 Franklin Avenue will not move forward. Mr. Kozyra reminded the Board that they received plans for this location and that the applicant was going to submit revised substituted plans.

Mr. Kozyra has the understanding that the project is not going forward, and no substituted plans will be submitted to the Board. As of this date, this is not officially withdrawn, and he will request a letter from applicant's counsel confirming the withdrawal of the application.

212 Hancox Avenue Application

The hearing for the 212 Hancox Avenue application is currently scheduled for July 11, 2018. As of this date, there has been no additional information and/or reports provided for this application.

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Kingsland Street Urban Renewal/Prism Capital Partners
Kingsland Site Plan - Seton Hall Medical School

Mr. Kozyra stated that the Board will be receiving applications for additional work that is being done on the site. These applications may be reviewed over the Summer, and/or scheduled for a Special Meeting. At this time there is no need to address the additional work because no applications have been submitted, and it would be premature to speculate what needs to be done and when the hearings will have to be scheduled.

Mr. Kozyra also stated that the Township is in the process of trying to get the preliminary subdivision that was approved and amended by the Board to a final approval stage. There was some consideration in scheduling the final approval for the next meeting, but through conversations with the Township officials they have indicated that it is not likely to happen in the next two weeks but may happen within the next four weeks (at the July 11, 2018 meeting).

Historic Preservation Committee Presentation
Ruth Bedford Property (232 Highfield Lane)
Historic Preservation Designation by the Township
(Approved 7-0)

John Demmer, Town Historian and Vice-Chairman of the Historic Preservation Committee addressed the Board that he would like to speak about the application for Ruth Bedford's property located at 232 Highfield Lane. Mr. Demmer gave a brief history of the property and explained why the Committee feels it is essential that the property is approved as a historical landmark.

John Demmer stated that this property for several years was one of two homes on Highfield Lane which ran from Passaic Avenue to Washington Avenue, then stopping at the edge of the ever-shrinking Satterthwaite estate. The original owner was Laurence Hopkins. In 1884 Laurence was listed as an Officer of Grace Church, which was a small wooden structure on the corner of Whitford Avenue and Grant Avenue. Mr. Hopkins' home, which was singled out as a prominent residence in the 1884, *History of Essex and Hudson Counties*.

At that time, this home was a single lot and Whitford Avenue ran only three blocks which connected the commuter train station at Highfield Lane with Grant Avenue. This was an early well-used street that ran from Passaic Avenue all the way to the Duncan family dock on the Passaic River. Both Highfield Lane and the Erie Railroad Station seem to have arrived in the early 1860s.

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The second owner, George Bayne purchased the home in 1892. In 1909, George was a partner in Heneken, Bayne & McCarthy, a New York firm that specializes in dredging and architectural and engineering work. George Bayne was prominent enough to have his name mentioned regularly in a New York Times column called "*The Week in Nutley and Franklin*".

More significantly to Nutley history, George Bayne played a prominent role in the Nutley Amateur Circus of 1894. George Bayne and Frank Butler, who was Annie Oakley's husband, were co-managers of the Red Cross fundraiser, which holds a special place in Nutley history. One source states that Clara Barton was in attendance. No other buildings in town have a strong connection to the circus. The Oakley/Butler home is gone, as is the home of H.C. Bunner. H.C. Bunner was internationally known as the editor of Puck Magazine, who was the press agent for the event. The Eaton Stone's circus pavilion is also long gone.

Another Annie Oakley connection continues with the next owner, William Longfelder. Annie Oakley was a dear friend of William and his wife Jane, and a frequent visitor to the property. In fact, Mr. Longfelder and Spencer Marsh, Vice-President of the National Newark and Essex Banking Company, were named by Annie Oakley as executors of her Will.

William Longfelder was the Treasurer for the Free Nutley Public Library Committee, which secured funding for Nutley's first public library in 1913. William Longfelder received the checks from the Carnegie Foundation, which in today's equivalent is half of a million dollars.

Ruth Grey and Stanley Bedford met at the Nutley Young Republican Club in 1952, during the Eisenhower years. Stanley served as an Essex County Court Judge from 1972 through 1976 and as a Superior Court Judge from 1976 through 1986. Over the years, he volunteered his time and legal expertise to Nutley charitable groups including the Red Cross chapter. The late Stanley Bedford hosted many parties and weddings in his yard.

The current owner, Ruth Bedford is a lifelong resident of Nutley for over one hundred years. From 1957 to 1992, Ruth was the secretary to W.T. Grant, the owner of a department store chain. Ruth continues to live in and oversees the property, and actively supports many charitable and social causes throughout the area.

Ruth is also related to the Blum family, who arrived from Alsace Lorraine. Two of the ten siblings founded butcher shops in Nutley. Ruth's grandfather, Abram Blum was the first Mayor of Nutley, thereby establishing the family place in local political history.

Ruth hosts many events at her home, including the annual Lollipop Party for the Nutley Volunteer Emergency and Rescue Squad, political meet-and-greets, fundraisers, and social gatherings. There are tours of the home and grounds available at these events.

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Mr. Demmer stated for these reasons, this home should be strongly considered for designation as a historical landmark by the Board. Mr. Demmer confirmed that Ruth Bedford is very much in favor of the designation, and the Committee is working very hard to have this happen for her. Mr. Demmer confirmed compliance with the ordinance with notice to Board, and a certified letter to Ms. Bedford. Mr. Demmer will supply a copy of the letter to the Board.

Mr. Del Tufo made a motion to approve the designation of Ruth Bedford's property, located at 232 Highfield Lane as a historical site, seconded by Mr. Greengrove.

Board Roll Call

Mr. Contella - Yes
Mr. Malfitano - Yes
Mr. Kirk - Yes
Mr. Greengrove - Yes
Mr. Algieri - Yes
Mr. Del Tufo - Yes
Ms. Tangorra - Yes

**Kingsland Street Urban Renewal
(Proposed Lighting Change)**

Meryl Gonchar, Esq., Sills Cummis & Gross, P.C.
Attorney for PB Nutcliff Med, LLC and PB Nutcliff Master, LLC

Ms. Gonchar addressed the Board that the purpose of this presentation is to discuss the proposed change to the street lighting that had been previously approved by the Board. She stated that she will explain the reason for the change in the lighting, and the need to install temporary lighting until the delivery of what is being proposing tonight.

Mr. Gonchar advised Todd Hay, Township Engineer of the proposed lighting change, and at that time he suggested that she discuss the change with the Board. Mr. Hay did not feel the change required a formal amendment of the Preliminary Site Plan Resolution.

Steven Powers, P.E.
GreenbergFarrow

Mr. Powers addressed the Board that there are two reasons they are before the Board tonight. The first reason is to change the light fixture that was previously approved by the Board, and the second reason is the need for temporary lighting until the permanent lighting fixtures are installed.

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Mr. Powers stated that the previously approved lighting was an Alcott fixture, which was sixteen feet high. They are proposing a change to a Philips light fixture, which is also sixteen feet high. The Philips light fixtures are dark sky approved, and the height and photometrics are the same as the previously approved light fixtures. The reason they are proposing a change is that the Philips lighting fixtures are easier to maintain, the Alcott is a smaller company and Philips is a well-known company and contractors are more familiar with the installation, these lights are more cost effective and offer the same aesthetic with a dimmer feature and have a provision to install a security camera or Wi-Fi.

The second reason they are before the Board is the need for temporary lighting during the minimum eight weeks wait time for the proposed new fixtures. The temporary lighting will ensure the school can open on time. They are proposing to install the bases relatively soon, and have temporary lighting installed until the new fixtures are delivered. These temporary fixtures offer the same photometrics and will illuminate the roadways.

Mr. Powers stated that the temporary lighting will be installed immediately and estimated an eight week wait time for delivery of the permanent fixtures. The plan is to order the lighting tomorrow, it will take a week to install and the completion of the lighting installation would be approximately three months, subject to any delays in the delivery.

Mr. Malfitano made a motion to approve the proposed lighting change, seconded by Mr. Greengrove, and granted by the Board.

Board of Commissioners Meeting
June 7, 2018 - Mixed Use Density Recommendations

Mr. Kozyra stated that if any members of the Board are available, the Board of Commissioners meeting is scheduled for June 7, 2018, rescheduled from Tuesday, June 5, 2018, and the Commissioners will be addressing the Board's recommendations for the mixed-used density.

Public Comment:

No Public Comments.

The meeting concluded at 7:32p.m.

The next meeting is scheduled for Wednesday, June 20, 2018 at 7:00 p.m.

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