

Approved
3/18/15
BAC

**Township of Nutley
Planning Board
Meeting Minutes
Tuesday, February 24, 2015**

A Special Meeting of the Planning Board of the Township of Nutley was held on the second floor of the Township Hall. Adequate notification was published in the Nutley Sun on February 5, 2015 and February 12, 2015 and in the Herald News on February 4, 2015 and February 11, 2015.

ROLLCALL:

Ms. Tangorra - Vice Chairperson – Present
Mrs. Eisenfelder - Secretary - Present
Mr. Greengrove - Excused
Mr. Arcuti - Present
Mr. Ritacco - Excused
Mr. Barry - Present
Mr. Algieri - Present
Mr. Contella - Excused
Commissioner Scarpelli - Present
Ms. Kucinski - Present
Mr. McGovern - Chairman - Present
Mr. Kozyra - Attorney - Present

There was no general business discussed. No invoices or Meeting Minutes were approved.

Roche Site Redevelopment Investigation Report (R-1) Presentation by David G. Roberts of Maser Consulting, P.A.

David G. Roberts presented a PowerPoint slide show and photographic brochure (R-2) based on his report dated February 5, 2015 (R-1). Mr. Kozyra advised that the report (R-1) had been made available to the public both on the internet and at Town Hall.

Mr. Roberts said he gathered much of his information for R-1 regarding the history of the site from Nutley town records and a tour site of the Roche properties conducted on June 30, 2014.

Mr. Roberts explained that the site consists of 16 lots which contain 50.87 acres on seven different tax blocks. Three of the blocks (lots 200, 201 and 300) contain 36.91 acres and are separated by a railroad right-of-way. The other four blocks (lots 102, 2000, 2101 and 2304) are separated, but are immediately across the street from the main campus. He stated that the

property is not equally divided between Nutley and Clifton and the town and county property lines actually run through one of the buildings. Since the property line is running through two different municipalities and two different counties, this could be an issue when doing a development project and could discourage the undertaking of improvements.

Mr. Roberts looked at the conditions of the buildings, e.g., if they are unsafe, unsanitary, dilapidated or there is a lack of light, air or space. He inspected the buildings and looked for any damage by fire, building demolished or altered by a storm, cyclone, tornado, earthquake or any other casualty since some of the buildings have been vacant for ten years. He stated that there are only three buildings that have an "improvement ratio" above .5, but also stated that there were buildings located on the site that looked brand new, and had state of the art renovations. It would be very expensive if the buildings were demolished and rebuilt.

Mr. Roberts showed the progression of the buildings being removed on the site through the years from 1931 through 2008 and which buildings will be demolished or remain on the site. He showed the square footage of the existing building area for Buildings 1, 76, 102, 123 and 123A. Mr. Roberts presented graphics as to the economic value of the impact on Nutley and the decline in the value of improvements. As of 2014 the overall loss is 27.48%. Nutley will need to mitigate the impact that will continue for years on taxpayers of Nutley. He showed Block 201, Lot 1 and Block 300, Lot 1, have declined is assessed value by 21% since their peak assessment in 2013. Building #85 was an eight story office building which was demolished in 2013-2014. Block 102, Lot 2, Block 200, Lots 1,3,4, 5 and 24, Block 300, Lot 20, Block 2000, Lots 1,4 and 5, Block 2304 and Lot 17 are all vacant or are covered with parking areas. Without occupancy of these buildings, the parking lots serve no functional purpose which results in an unproductive use of the land. Block 200, Lot 2 is covered with parking areas and Building 70 is a maintenance garage. Block 2101, Lot 1 is a 7.54 acre lot which is across the street from the main Roche campus. A portion of the lot was the site of environmental control facilities which treated wastewater and a large portion of the site is unused pavement that serves no productive purpose. Block 102, Lot 9 is the former Roche daycare center and is currently vacant.

There are Roche property interests on lots not included in the recommendation. Block 2100, Lot 9 has been renovated and is jointly owned by several owners as a condominium. Block 2304, Lot 18 is divided into several uses and owners including the Park Pub. Blocks 102, Lot 9, 2100, Lot 9 and Block 2304, Lot 18 are independent from the recommended redevelopment area and involve owners other than Roche and operate with normal productivity.

Mr. Roberts stated that main body of the Roche site is 1.86 miles from a rail station and has eight bus routes along Route 3 and two bus routes along Kingsland Street.

Mr. Roberts concluded that the designated properties did satisfy two of the statutory criteria for redevelopment.

The presentation by Mr. Roberts was completed.

There were no comments or questions from the various members of the public in attendance.

Barry Kozyra, Esq., presented an objection letter dated February 24, 2015 (O-1) to the Board that he received prior to arriving at the meeting from Russell B. Bershada, Esq. of the Gibbons Law Firm located in Newark, New Jersey on behalf of Roche.

The Board moved to accept the recommendation that designated lots on the Roche site be designated for redevelopment together with powers of condemnation with the Township Board of Commissioners. The adopted Resolution indicates the specific lots to be included and excluded for redevelopment. The Resolution was adopted by a vote of 7 to 1.

Mr. Kozyra presented a form of Resolution for the Board to review, and if acceptable, sign. The written Resolution was moved for adoption and signed by the seven approving members.

The Special Meeting concluded at 7:25 p.m.

The next public meeting is scheduled for Wednesday, February 25, 2015 at 7:00 p.m. in the Commission Chambers.