

**Township of Nutley**  
**PLANNING BOARD**  
**Meeting Minutes**  
**Wednesday, March 5, 2014**  
**7:00 PM**

A regular meeting of the Planning Board of the Township of Nutley was held in the third floor Commission Chambers. Adequate notification was published in the official newspapers of the Township of Nutley.

**ROLLCALL:**

Ms. Tangorra – Vice Chairperson	- Present
Mrs. Eisenfelder – Secretary	- Present
Mr. Greengrove	- Present
Mr. Arcuti	- Present
Mr. Ritacco	- Absent/Excused
Mr. Barry	- Present
Mrs. Petolino	- Absent/Excused
Mr. Algieri	- Present
Mr. Contella	- Present
Commissioner Scarpelli	- Present
Mr. McGovern - Chairman	- Present
Mr. Kozyra, Esq.	- Present

**OPEN PUBLIC MEETING STATEMENT:**

The Notice of Public Meeting of The Nutley Planning Board was read by Chairperson McGovern. The meeting was called to order by Mr. McGovern at 7:04 pm. Mr. McGovern asked Mr. Algieri to sit for Mrs. Petolino.

**MINUTES:**

The minutes of the February 26, 2014 meeting were circulated. A motion to approve was made by Mr. Greengrove and seconded by Mrs. Eisenfelder. All ayes except for Ms. Tangorra who abstained.

**BILLS AND COMMUNICATIONS:**

Mr. Kozyra noted there was one invoice to be paid:

Linda Posternock – attendance at and preparation of minutes for the February 26, 2014 meeting in the amount of \$150.00. A motion to approve was made by Mr. Greengrove and seconded by Mrs. Eisenfelder. All ayes.

**OLD BUSINESS:**

Commissioner Scarpelli reported that Commissioner Tucci was going to put into capital a new recording system for the Chambers.

Mr. DiBiasi, counsel for the Clover Street application, requested a 10-minute recess to speak to his witnesses and the objectors.

After the recess, Mr. DiBiasi noted that he tries to present applications that make the Board and the neighbors happy and that fit in with his clients' needs. He stated that he just found out this evening that there was a significant group of neighbors that have some questions about the project and are represented by counsel. Mr. DiBiasi suggested to counsel that they meet in his office to work out some of the issues that the neighbors have and then present a plan that is pleasing to the neighbors, the client, and hopefully the Board.

Mr. DiBiasi asked that the Board carry the matter to a date in April and said that he would work with counsel for the objectors and come up with a solution that would be satisfactory. Mr. DiBiasi also said that the Board would get a new set of plans that would have to be reviewed by Mr. Hay. Mr. McGovern noted that he didn't think there would be any objection from the Board to carry the meeting to an April date. Mr. Kozyra said that he reviewed the calendar and the April 2 meeting would be an acceptable date to begin the application and he would check the second meeting date in April as a date to complete the hearing. Mr. Kozyra reminded Mr. DiBiasi of the 10-day rule to submit any plans or drawings for the Board's consideration.

Mr. Gregory Mascera, counsel for the objectors, noted that he had a list of neighbors/objectors that he would present at the next meeting.

**NEW BUSINESS:**

Mr. Kozyra reported that he and Ms. Tangorra reviewed and made changes to the by-laws and they were ready for adoption. A motion to adopt the by-laws was made by Mr. Greengrove and seconded by Mrs. Eisesenfelder. All ayes.

**MEETING OPEN TO PUBLIC**

**PUBLIC COMMENTS:**

None.

**COMMITTEE & SUBCOMMITTEE REPORTS:**

None.

**ADJOURNMENT:**

A motion to adjourn was made by Mr. Greengrove and seconded by Ms. Tangorra. All ayes. The meeting was adjourned at 7:30 pm.

Respectfully submitted,

*Linda Posternock*

Linda Posternock  
Recording Secretary