

Approved
3/18/15
BAIL

**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, November 5, 2014**

A meeting of the Planning Board of the Township of Nutley was held at the Township of Nutley Municipal Building, One Kennedy Drive, third floor Commission Chambers, Nutley, New Jersey. Adequate notification was published in the official newspaper of the Nutley Sun, Star Ledger and Herald News on December 12, 2013.

ROLLCALL:

Ms. Tangorra - Vice Chairperson - present
Mrs. Eisenfelder - Secretary - present
Mr. Greengrove - present
Mr. Arcuti - present
Mr. Barry - excused
Mr. Algieri - present
Mr. Ritacco - excused
Mr. Contella - present
Commissioner Scarpelli - present
Ms. Petolino - present
Mr. McGovern - Chairman - excused
Mr. Kozyra - Attorney - present

The meeting minutes dated June 11, 2014, June 18, 2014, July 9, 2014, July 30, 2014 and October 15, 2014 were approved by the members of the board.

Mr. Kozyra addressed the members of the board with a letter from The County of Essex, Department of Public Works with respect to the property located at 203 Darling Avenue which application was previously submitted and approved by the Planning Board. The letter indicated that in connection with the approved project, a deteriorating curb and sidewalk, fronting the property, must be replaced. The County Roadway Inspector shall be the determining authority with respect to the sidewalk and curbing. The letter also indicates that the left turn movement from the site onto Kingsland Street and Darling Avenue shall be restricted with appropriate signage. These conditions are from the County and will not affect the prior resolution. Mr. Kozyra thought the Board recommended no left turns onto Darling Avenue as part of the application. Mr. Kozyra stated that one of the problems was that the owner was not to park a tractor trailer in front of the building. It was agreed by the applicant that the tractor trailer would be removed, but it is still at the site. Mr. Kozyra would contact the applicant's counsel and remind him of the commitment to do so. Mr. Kozyra thinks the applicant will comply with the request.

An invoice from Linda Posternock for the attendance and preparation of minutes for the meeting on June 11, 2014, June 18, 2014, July 9, 2014 and July 30, 2014 was approved by the members of the board.

An invoice from Paul Ricci for his preparation, review and attendance at the hearing for 203 Darling Avenue application was approved by the members of the board.

An invoice from Paul Ricci for his review of the application, attendance at the hearing, a meeting internally with the Town officials, research, review of school population and follow-up with the school board for Passaic and Kingsland Avenue was rejected by the members of board. Mr. Kozyra feels that this invoice should not be presented before the Board and will speak to Mr. Ricci.

Mr. Kozyra mentioned that in regard to the Roche Redevelopment project, he has spoken to Maser Consulting and they had a telephone conference to review their efforts regarding the redevelopment presentation to the Board. Maser Consulting is nearly done with their work and will take about a week or so to finish up. The City of Clifton would like to join the Nutley application and may also use Maser Consulting. There may be a schedule of a meeting with Maser Consulting for sometime late in December 2014, but most likely the beginning of January, 2015.

The Clover and Prospect Street proposed application hearing date will be sometime in December.

Comment from the Public

Ray Wagner, who lives on the corner of Kingsland and Franklin Street, addressed the board stating that there was a sign posted at the corner gas station, right across the street from his home, stating that there was a retail center coming. Mr. Wagner said that the last he heard, the application was denied. After Mr. Wagner saw the sign, he came to the town hall and was shown a set of plans that were already approved. Mr. Wagner stated that if the board was going to make a decision of this magnitude and change the traffic pattern in the front of his home, then at least the board should make sure he receives a letter so he and the neighbors could attend the hearing and voiced their opinion. He said not one person on his block knew this was happening and were floored when they found how this was going to happen.

Mr. Kozyra stated that there were neighbors in attendance at the hearing and they spoke about their concerns and any opposition they had to the application. The application was approved, but there were modifications that were made.

Mr. Kozyra stated that notices go out in a number of different ways, there is a certified mailing that should have been mailed and the addresses for the mailing are provided by the tax office. In addition, there is a notice that is published in the newspaper for the town prior to the meeting occurring. Mr. Wagner stated that he will be putting a list together of the neighbors that did not receive the notice.

The Board recommended that some research be done because this application was heard between two different boards and there is a need to know what Board approved it and when it was approved.

The public meeting ended at 7:40 p.m. and the Board members moved into Workshop Session.

Mr. George Kimmerle made a presentation to the members of the board regarding the East Centre Street Development area. Mr. Kimmerle conducted a field survey of all the existing buildings in the town and walked each block of the town with the plans and marked down exactly that he saw. He tied all this information with the assessor's information. The majority of what we saw was residential as opposed to industrial. He stated that the elementary schools, the middle school and the high school of the town are very well placed and are in the right areas. They took a census data and converted that to the population density and found that in Nutley in general has a ratio of 13.1 people per acre across the entire town. The average household size is 2.5 and it does vary between rentals and family units. He stated that when you go to the perimeter of the site, it is basically a transit oriented site and there is a potential for future development. He looked at the density of the site and the site has a low density, but the density is mostly in the center. He stated that there are approximately 160 – 200 students in the school located near the property and the school is walking distance from this project.

The members of the board recommended that an additional meeting be scheduled with Mr. Kimmerle.

The meeting concluded on motion at 8:45 p.m.

The next meeting is scheduled for Wednesday, November 19, 2014 at 7:00 p.m. in the Commission Chambers.