

**Township of Nutley**  
**PLANNING BOARD**  
**Meeting Minutes**  
**Wednesday, January 6, 2010**  
**7:00 P.M.**

A regular meeting of the Planning Board of the Township of Nutley was held in the 3<sup>rd</sup> 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. Riccio	- Absent/Excused
Mrs. Craine	- Absent/Excused
Mr. Ritacco	- Absent/Excused
Mr. Barry	- Present
Mayor Cocchiola	- Present
Commissioner Scarpelli	- Absent/Excused
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 Chairman McGovern. The meeting was called to order by Mr. McGovern at 7:03 p.m.

**MINUTES:**

The minutes of the December 16, 2009 meeting were circulated. There were two corrections to be made to the minutes. A motion to approve was made by Mr. Greengrove and seconded by Mrs. Eisenfelder. All ayes. Mr. Kozyra asked that the minutes be submitted to Mrs. DeBlasio for posting on the website.

**BILLS AND COMMUNICATIONS:**

Mr. Kozyra noted there was one invoice to be presented.

**Linda Posternock** – attendance at and preparation of minutes for the December 16, 2009 meeting in the amount of \$150.00. A motion to approve was made by Mr. Arcuti and seconded by Mrs. Eisenfelder. All ayes.

**OLD BUSINESS:**

Mr. Kozyra noted that he had the Master Plan subcommittee schedule with tentative dates, some of which would have to be rescheduled.

Mr. Kozyra stated that the proposed date of January 20, 2010 for the joint meeting with

the Zoning Board, would have to be rescheduled since they will not have had their reorganization meeting by then.

Some traffic issues were discussed but were inaudible.

**NEW BUSINESS:**

Mr. Kozyra stated that Commissioner Scarpelli had introduced a proposed retail ordinance change. The ordinance would limit the ability of like businesses from opening up too close to each other. Mr. Kozyra noted that the Master Plan calls for diversity in the development of the downtown area. The Commission asked the Planning Board for their viewpoint on the matter. There was a discussion among the Board members. Mr. McGovern asked if there was any member of the Board who was opposed to the steps that the Commission is presently taking with respect to the proposed ordinance change. There were no Board members opposed to the change. Mayor Cocchiola asked if any member of the Board would be willing to attend the hearing on January 26. Mr. McGovern said that he would attend.

Reorganization and Appointment of Officers and Counsel for 2010 – Mr. Greengrove made a motion to nominate Mr. McGovern, Chairman, Ms. Tangorra, Vice Chairperson, and Mrs. Eisenfelder, Secretary. The motion was seconded by Mr. Arcuti. All ayes on a roll call vote. Mr. McGovern made a motion to reappoint Mr. Kozyra as Counsel to the Planning Board. The motion was seconded by Mr. Greengrove. All ayes on a roll call vote. Mayor Cocchiola administered the Oath of Office to the Planning Board members and they were duly sworn.

Mr. Kozyra had the Approval of Amendment of the 65 River Road Site Plan which was to be signed. The signing was postponed from a previous meeting due to a complex issue with the environmental study. At that meeting, Mrs. Craine advised that there was an inconsistency between the requirements of the DEP and the builder. While assurances were made that the requirements have been met, Mr. Kozyra noted that written confirmation from the developer had not yet been received. Mr. Kozyra stated that there needs to be a final review with respect to the project so that there are assurances of compliance with everything that the Board, as well as the DEP, has required before for a certificate of occupancy is issued. Mr. Kozyra circulated the revised Resolutions to be signed by those who participated. A motion was made by Ms. Tangorra that the site plan be granted with the revision that a final review by the Code Enforcement office be submitted. The motion was seconded by Mr. Greengrove. All ayes on a roll call vote except for abstentions by Mr. McGovern, Mr. Arcuti, and Mr. Barry.

**MEETING OPEN TO PUBLIC**

**PUBLIC COMMENTS:**

None.

**COMMITTEE REPORTS:**

None.

**ADJOURNMENT:**

A motion to adjourn was made by Mr. Greengrove and seconded by Ms. Tangorra. All ayes. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

*Linda Posternock*

Linda Posternock  
Recording Secretary