

**Township of Nutley**  
**PLANNING BOARD**  
**Meeting Minutes**  
**Wednesday, January 20, 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 and called to order at 7:00 pm. Adequate notification was published in the official newspapers of the Township of Nutley.

**ROLLCALL:**

Ms. Tangorra – Vice Chairperson	- Present
Mrs. Eisenfelder – Secretary	- Absent/Excused
Mr. Greengrove	- Absent/Excused
Mr. Arcuti	- Present
Mr. Riccio	- Present after roll call
Mrs. Craine	- Present
Mr. Ritacco	- Present
Mr. Barry	- Present
Mayor Cocchiola	- Absent/Excused
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.

**MINUTES:**

The minutes of the January 6, 2010 meeting were circulated. A motion to approve was made by Ms. Tangorra and seconded by Mr. Arcuti. All ayes.

**BILLS AND COMMUNICATIONS:**

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

Linda Posternock – attendance at and preparation for the January 6, 2010 meeting in the amount of \$150.00. A motion to approve was made by Mr. Arcuti and seconded by Ms. Tangorra. All ayes.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Mr. Kozyra reviewed some of the previous Old Business items and asked the members for their comments or suggestions. The first was the subcommittee report schedule. Mr. Kozyra said that the next element was Historic Preservation, which was scheduled for the February 3 meeting. Mr. Kozyra noted that the Traffic and Land Use elements

would probably take more time than the others.

Mr. Kozyra stated that the joint meeting with the Zoning Board had to be scheduled and suggested the February 24 meeting. Mr. Kozyra noted that he would contact the Zoning Board about the date.

At this point in the meeting, Mr. Riccio entered the Chambers.

Mr. Kozyra advised the Board that he had spoken to the Code Enforcement office with respect to what they do, in terms of procedures, when they complete building projects in the Township.

Mr. Kozyra stated that before leaving office, Governor Corzine introduced new legislation granting the extension of building permits up to 2-1/2 years, giving builders more time to complete their projects.

Mr. Kozyra made reference to a case, just decided this week, that deals with Planning Boards and the authority they have with respect to applications and Zoning Board approvals. Mr. Kozyra recommended that everyone read it over.

Mr. Kozyra mentioned the proposed ordinance change, which will be coming before the Commissioners. This change deals with the opening of discount stores that are too close to each other. The Commissioners will be looking for the Planning Board's comments and support with respect to changing the definition under the ordinance. Mr. Kozyra noted that Mr. McGovern was planning to speak before the Commission on the issue.

In his meetings with Code Enforcement, Mr. Kozyra indicated that the Board is at a disadvantage by not having a member of that department at our meetings. Commissioner Evans advised that in the near future, someone would be assigned to attend the meetings as a non-voting member.

Mr. Kozyra stated that there were discussions concerning the ordinances that exist in town with respect to fines and penalties that are assessed for violating the Land Use portions of the ordinance. Mr. Kozyra noted that some of the fines and penalties were quite severe since they are assessed daily. Mr. Kozyra said that in many instances the fines are waived or dramatically compromised, so they do not make much of an impact. They will be working on smaller fines and penalties in the near future.

Mr. Kozyra administered the Oath of Office to reappointed members, Mrs. Craine, Mr. Riccio, and Mr. Ritacco, and they were duly sworn.

**MEETING OPEN TO PUBLIC**

**PUBLIC COMMENTS:**

None.

**COMMITTEE REPORTS:**

None.

**ADJOURNMENT:**

A motion to adjourn was made by Mr. McGovern and seconded by Mr. Arcuti. All ayes.  
The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

*Linda Posternock*

Linda Posternock  
Recording Secretary