

**NUTLEY PLANNING BOARD**  
**Public Hearing**  
**Wednesday, May 7, 2008**

**PRESENT:** P. McGovern – Chairman, C. Tangorra – Vice Chairperson, M. Arcuti, M. Craine, J. Greengrove, P. Ritacco, J. Viola, B. Kozyra, Esq.

**EXCUSED:** A. Eisenfelder, C. Cioban, L. Riccio

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 7:35 p.m.

The minutes of the April 16, 2008 meeting were circulated and approved. The minutes of the March 19, 2008 meeting were also approved. The March 19 minutes were to be approved at the April 2 meeting but the meeting was adjourned due to the absence of a quorum.

Mr. Kozyra stated that at the next meeting he would provide, confidentially to the Board members, the minutes of the executive session held on April 16, 2008, to decide if there were any additions or deletions. The minutes were not available to be released at that time due to pending litigation regarding 2 matters that were discussed at that meeting. The minutes would be released at a later date when the matters were no longer subject to litigation and there was no need for confidentiality.

**BILLS AND COMMUNICATIONS:**

Mr. Kozyra noted there was one invoice to be presented:  
**Linda Posternock** – attendance at and preparation of minutes for the April 16, 2008 meeting in the amount of \$150.00. The invoice was approved for payment.

**OLD BUSINESS:**

Mr. Kozyra circulated to the members a resolution with respect to the final site plan approval for the 19 East Centre Street application. A motion was made to approve the resolution. The motion was seconded and approved. The resolution was then signed by the Board members.

**NEW BUSINESS:**

Mr. Kozyra stated that he had a draft of a proposal from Todd Hay, for “Visual Elevations” with respect to submitted plans. This was an idea the Board came up with after discussions concerning problems with applications, where looking at a 2-dimensional drawing or an architectural study does not really give a full explanation of what the building would look like. Mr. Kozyra stated that the existing applications, with respect to what gets submitted, need to be amended to instruct applicants to provide an additional drawing so the Board would have some visual representation graphical enough to see the height of the building compared to the neighboring properties. Mr. Kozyra and the Board then

discussed the draft submitted by Mr. Hay, to see if there were any thoughts or language they would like to have included.

Mr. Kozyra stated that the first workshop item submitted for discussion had to do with the current lot coverage definition and a proposed revised definition. Some amendments were made based on Board members' recommendations. Mr. Kozyra noted that if there were no other reasons for further discussion, he would like to get the proposed definition adopted and sent to the Board.

Mr. Kozyra recommended that all 3 items go to the Board for adoption – lot coverage, parking, and front yard setback. The Board members agreed that all three be sent to the Commissioners.

Mr. Kozyra stated that Mrs. Viola had received an application with respect to the bank building on the corner of Chestnut Street and Franklin Avenue where they will need a site plan for a parking lot and a drive-thru window. The applicant is Bank of Nutley, aka Pascack Valley, who is represented by Mr. Thomas Di Biasi. They have requested a special meeting for May 28 which is not a regular Board night. Mr. McGovern questioned the need for a special meeting and suggested that it be scheduled for June 4.

Mr. Kozyra noted that there was a pending application for 21 Edgewood. Mr. Darren Di Biasi previously appeared before the Board to request that it be adjourned with the intention of submitting revised plans with respect to that application. Since then, they had another application, with respect to that property, that had been in litigation but was resolved in favor of the applicant. Mr. Kozyra noted that it was his understanding that the applicant still had the application pending before the Planning Board even though the substitute plans have not been submitted. Mr. McGovern recommended that Mr. Kozyra contact Mr. Di Biasi's office to ascertain the status of the application and to advise the Board at the next meeting what they had to say so a determination could be made.

A motion was made for the proposed ordinances, parking, lot coverage, and front yard setback, to be presented to the Commissioners for their approval. The motion was seconded and approved.

#### **COMMITTEE REPORTS:**

There were no committee reports.

There was no further business before the Board and the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

*Linda Posternock*

Linda Posternock  
Recording Secretary