

NUTLEY PLANNING BOARD
Public Hearing
Wednesday, July 2, 2008

PRESENT: P. McGovern – Chairman, C. Tangorra – Vice Chairperson,
A. Eisenfelder – Secretary, M. Craine, P. Ritacco, J. Viola, B. Kozyra, Esq.

EXCUSED: M. Arcuti, C. Cioban, J. Greengrove, 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 7:10 p.m.

The minutes of the June 18, 2008 meeting were circulated and approved.

BILLS AND COMMUNICATIONS:

Mr. Kozyra noted there were invoices to be presented:

Linda Posternock – attendance at and preparation of minutes for the June 18, 2008 meeting in the amount of \$150.00. A duplicate invoice was presented for attendance at and preparation of minutes for the May 21, 2008 meeting in the amount of \$150.00. The invoices were approved for payment.

Mr. Kozyra stated that he was in receipt of a notice from the Township of Belleville regarding a neighboring property owner with respect to the development of property located at 116 Cortlandt Street which is within 200 feet of property owned by the Township. There is a meeting scheduled to discuss this on July 3, 2008. Mr. Kozyra noted that there was no reason to respond but it is a statutory requirement that the Township receive notice.

OLD BUSINESS:

Mr. Kozyra reminded Board members that there will be a special meeting scheduled for July 16, 2008 for purposes of discussing the Master Plan. Mr. Hay would be available for the meeting and Mr. Kozyra said he would try to get other department officials in the community to attend and give their viewpoints on the Master Plan if they have any.

Mr. Kozyra submitted and circulated a proposed RFP for a planner and asked the Board for their comments or suggestions. It would be published July 3, 2008 and once feedback is received, it would be up to the Planning Board whether or not to have a committee or sub-committee of one or more members of the Planning Board to review the information.

Mr. Kozyra reported that he and Mr. McGovern attended the Commissioners Meeting on July 1, 2008 to present 3 proposed ordinance changes that were previously discussed. Mr. Kozyra noted that the Commissioners had questions on each one of them but they were favorably received and they are expected to move forward on them.

Mr. Kozyra stated that the Palma litigation is continuing. There were scheduling dates from the Court that were previously submitted and we will proceed until we have all briefs filed. Mr. Kozyra expects that there will not be a decision until late in the year, at least not before October 2008.

Mr. Kozyra noted that the Defeo litigation is still pending and could be resolved in the near future.

NEW BUSINESS:

Mr. Kozyra asked the Board members about their availability for a proposed special meeting on July 23 or July 30. It appeared that July 30 was the better date. The special meeting was scheduled for July 30 at 7:00 p.m.. Mayor Cocchiola and Commissioner Evans will be in attendance at the meeting. Mr. Kozyra said that he would notice it for all Commissioners to be present and that community groups and citizens would be invited to discuss the Master Plan.

Mr. Kozyra noted that the 21 Edgewood Avenue application was withdrawn without prejudice. The applicant indicated that he intends to re-file the application and has already submitted plans for consideration. The plans have not yet been circulated but will be as quickly as possible. A request was made at the Commissioners meeting that the hearing be rescheduled for August 6 provided that everything is submitted properly and there is a quorum.

With respect to the 308 Passaic Avenue application, Mr. DiBiasi noted that a resident's name was omitted from both the February and May lists. Mr. DiBiasi said he would go to the Tax Assessor's office to have the 2 lists combined into 1 certified list and then resend the notices. Mr. DiBiasi also stated that he would like to do a concept plan at this evening's meeting. Mr. McGovern said that given the notice problems, the Board would not desire to have a conceptual hearing on this project until notices have been adequately sent out. Mr. DiBiasi agreed to have an official hearing on August 6. This would be subject to the 21 Edgewood Avenue application.

Mr. Kozyra reminded the Board that this would be Mrs. Viola's last meeting before her move to California. Everyone wished her well in her future endeavors.

COMMITTEE REPORTS:

There were no committee reports.

There was no further business before the Board and the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Linda Posternock

Linda Posternock
Recording Secretary