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11/15/17

**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, October 18, 2017**

A meeting of the Planning Board of the Township of Nutley was held on the third floor of the Township of Nutley Municipal Building, One Kennedy Drive, Commission Chambers. Adequate notification was published in the official newspapers of The Herald News, the Star Ledger and the Nutley Sun on December 1, 2016.

Roll Call:

Mr. Contella - present
Mr. Malfitano - present
Ms. Kucinski - present
Mr. Greengrove - excused
Mr. Algieri - present
Mr. Del Tufo - present
Mr. Arcuti, Vice - Chairperson - present
Ms. Tangorra - Chairperson - present
Mr. Kozyra - present
Commissioner Evans - present
Mayor Scarpelli - present

Meeting Minutes:

Meeting Minutes for October 4, 2017 were approved by the Board.

Invoices:

An invoice for Debra Fontana for attendance and preparation of the October 4, 2017 Meeting Minutes was approved by the Board.

An invoice for Pennoni Associates, Inc. for professional services through August 27, 2017 regarding Roche Redevelopment was approved by the Board.

2018 Meeting Schedule:

2018 Regular Planning Board Meeting Schedule was approved by the Board.

The proceedings in this matter were voice recorded. The recital of facts in the Minutes is not intended to be all-inclusive, but is a summary and highlight of the complete record made before the Planning Board.

Site Plan Application
Parking, Streets and Roads at Seton Hall Medical School
Discussion of the Resolution

Mr. Kozyra received and circulated to the Board correspondence from the applicant's attorney, Kevin Coakley dated October 18, 2017 for their review regarding the Site Plan Application for the Seton Hall Medical School. Mr. Coakley stated that the applicant is in discussions with the Township Council regarding an amendment to the Redevelopment Agreement. Mr. Coakley requested the Board adjourn the vote on the resolution until the November 1, 2017 meeting, and waives all time constraints with respect to the application between October 18, 2017 through November 1, 2017. Mr. Kozyra stated the Board will have to decide if they want to grant this request in light of the ongoing negotiations.

Mayor Scarpelli addressed the Board explaining that the Commissioners have been in negotiations with Seton Hall and Hackensack Meridian regarding the amendment of the Redevelopment Agreement. Mayor Scarpelli stated that the reason for the applicant's request for the adjournment is because Seton Hall and Hackensack Meridian needs approval from their Boards, which is expected at the end of the month. Mayor Scarpelli made a motion to grant the applicant's adjournment request until the next scheduled meeting of November 1, 2017, seconded by Commissioner Evans and approved by the Board.

After the motion was granted, Mr. Kozyra stated that the applicant will appear at the November 1, 2017 meeting, and request that the Board allow them to reopen the application that is currently pending so they can comply with the amendment to the Redevelopment Agreement. At that time, it will be up to Board to grant the applicant's request. The Commissioners have agreed to the amendment to the Redevelopment Agreement, but have not signed the amendment. Once everyone signs the amendment to the Redevelopment Agreement, the Board will receive a copy.

Mr. Kozyra stated if the Board grants their request to reopen the application, the applicant will have to republish and notice the hearing like the applicant previously did, and their hearing may not be scheduled until December or January. There may be a need to schedule a Special Meeting. Once the hearing is scheduled, the applicant will have to come back before the Board which may take more than one hearing with the new information, the new plans and allow the public to ask any questions. The applicant can rely on what was previously presented on the record to the Board because the application has not been decided, but they are going to have to present their witnesses again so any member of the public or neighboring property owners can have an opportunity to be heard.

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Public Comments:

No Public Comments.

The meeting concluded at 7:17 p.m.

The next meeting is scheduled for Wednesday, November 1, 2017 at 7:00 p.m.

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