

**MINUTES OF THE
COMBINED CONFERENCE AND REGULAR MEETING**

April 5, 2022

The Livingston Planning Board met for a Combined Conference and Regular Meeting by means of Zoom Webinar and a link to Facebook Live. The Meeting was called for 7:30 P.M. Notices were published pursuant to the Open Public Meetings Act and guidance provided by the State's Division of Local Government Services for meetings during the state of emergency.

At 7:31 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll.

Present: Peter Klein, Chairman
Richard Dinar, Vice Chairman
Ann Cucci
Rudy Fernandez
Martin Kalishman
Barry Lewis
Samuel Ratner
Michael Rieber
Jill Wishnew
Jackie Coombs-Hollis, Secretary
Richard Vallario, Attorney
Rocco Marucci, Assistant Engineer
Barbara Ehlen, Planning Consultant
John Rea, Traffic Consultant

Absent: Stephen Santola
Sanjay Nambiar

1. Minutes. The Minutes of March 15, 2022 were accepted as presented.

2. Old Business.

- a. Consideration of Memorializing Resolution - Mango Tree Real Estate Holding (NJ), LLC - Application No. 2021-57-MSUBV – 116 East Cedar Street – Members Cucci, Dinar, Fernandez, Kalishman, Ratner, Rieber and Klein, having participated in the decision, having read the Resolution, having no comments or questions, and feeling that the resolution was ready for a vote,

unanimously adopted the Resolution upon motion by Member Ratner and second by Member Dinar.

- b. Model Conditions of Approval – The Members having received the March 22 mark-up and having no further comments or suggestions, a final draft will be submitted for a vote at the April 14, 2022 meeting.

3. New Business.

- a. Engagement of an Expert – Metropolitan YMCA of the Oranges – Application No. 2021-80-PFSP – Member Fernandez, being recused from consideration or action on the related Application, left the Meeting. It was determined that none of the Board Members still present are members of the YMCA.

Upon motion by Member Kalishman and second by Member Dinar and opportunity for discussion, it was, with Alternate No. 2 Wishnew in place and stead of Member Fernandez, unanimously

RESOLVED, that the Planning Board of the Township of Livingston hereby finds that the technical review services of an expert in water and sewage capacity, to render advice to the Board, is required for proper consideration of issues that have arisen in connection with Metropolitan YMCA of the Oranges Application No. 2021-80- PFSP; and it is

FURTHER RESOLVED, that the Board engage the services of an expert in water and sewer capacity to conduct a technical review of the plans and the issues that have arisen in respect thereto and to provide expert advice and opinion to the Board; and it is

FURTHER RESOLVED, that, pursuant to Section 170-52.B of the Code of the Township of Livingston, Applicant Metropolitan YMCA of the Oranges is hereby required to file with the Administrative Officer an escrow deposit fee of adequate funds to cover the costs that may be incurred by the Board for such technical review.

- b. The Chairman announced that both Members Fernandez and Santola were absent and will not be seen or heard during the hearing on the Application about to be called. They are recused

because Member Fernandez is a member of the Board of the Applicant and Member Santola has a relative who is a management employee of the Applicant.

Preliminary & Final Site Plan 304 South Livingston Avenue Overlay Zone
304 South Livingston Avenue
Block: 4402; Lot: 6
Application No. 2021-80-PFSP
Metropolitan YMCA of the Oranges

The Applicant proposes to construct a 54,049 sq. ft. YMCA facility, which will include indoor/outdoor recreation, a 24,719 sq. ft. early learning center/office building, and related site improvements.

Appearing for the Applicant: Michael J. Lipari, Esq.

Witnesses for the Applicant:

Edward Phillip, COO & SVP of Applicant
Matthew Jarmel, AIA
Erin B. Abline, P.E.
Elizabeth Dolan, P.E. Traffic
Alexandra Handel, P.P.

Members of the public with questions for witnesses:

Roxanne Cavanaugh, 32 Berkeley Place
May Chen, 5 Berkeley Terrace
Martin Friedman, 14 Berkeley Place
Colleen Gilsenan, 2 Berkeley Terrace
Carolyn Johnston, 19 Belmont Drive

No members of the public offered sworn statements.

After a closing statement by Attorney Lipari the evidentiary record was closed.

Upon motion by Member Lewis, second by Member Cucci and with discussion, it was resolved to grant the Application with waivers, deviations and conditions agreed to on the record, subject to a memorializing resolution, with the unanimous votes of Members Cucci, Dinar, Kalishman, Lewis, Ratner, Rieber,

Alternate No. 2 Wishnew (in place and stead of Member Fernandez) and Klein; they being all of the Members present.

4. Future Matters. The Secretary advised the Board of the Applications scheduled to be heard on April 14, April 19, May 5, May 12 and May 17.

5. Adjournment. There being no other business, the Meeting adjourned at 10:09 P.M.

Respectfully submitted,

Jackie Coombs-Hollis, Secretary