

**PLANNING BOARD
MINUTES OF THE MEETING
May 21, 2019**

The Livingston Planning Board met for a Conference/Workshop Meeting at 7:30 P.M. in the Conference Room of the Municipal and Police Building, 357 S. Livingston Avenue, with a Special Meeting scheduled to follow in Chambers at 8:00 P.M. Notice of both Meetings had been published as required by law and posted on the Municipal and Police Building Bulletin Board.

Conference Meeting:

At 7:30 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman	Absent:	Nathan Kiracofe
	Richard Dinar, Vice Chairman		Sanjay Nambiar
	Rudy Fernandez		Steven Santola
	Martin Kalishman		Richard Vallario,
	Barry Lewis		Attorney
	Samuel Ratner		
	Michael Rieber		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Rocco Marucci, Assistant Township Engineer		
	Catherine Maddrey, Assistant Secretary		
	Donna Holmqvist, Planning Consultant		
	Gary Hall, Acting Board Attorney		

Minutes. The Minutes of May 7, 2019 were accepted as presented.

Old Business. Consideration of Memorializing Resolution: Newark Academy – Application No. 2009-49-PFSPV (Amendment) - All Members present and eligible to vote having acknowledged that they had read and understood the Resolution, had no questions, and felt that it was ready for a vote; upon motion made and seconded, the Memorializing Resolution was adopted by the unanimous votes of Members Dinar, Kalishman, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Fernandez) and Klein.

New Business. Request for Adjournment. By letter dated May 20, 2019 Henry C. Walentowicz , attorney for the Applicant in JMZ Enterprises, LLC, Application No. 2018-72-MSUBV, and for the Applicant in Green Terrace Homes, LLC, Application No. 2003-93-PSPV (Amendment), requested an adjournment and continuance of both Applications to the Special Meeting

on June 18, 2019. Upon motion made and seconded and opportunity for discussion, the relief requested was unanimously granted.

Future Meetings. Secretary Coombs-Hollis identified the anticipated matters for the Regular Meeting on June 4th and the Special Meeting on June 18th.

Adjournment. The Conference/Workshop Meeting was adjourned at 7:50 P.M.

Special Meeting:

At 8:00 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman	Absent:	Nathan Kiracofe
	Richard Dinar, Vice Chairman		Sanjay Nambiar
	Rudy Fernandez		Steven Santola
	Martin Kalishman		Richard Vallario,
	Barry Lewis		Attorney
	Samuel Ratner		
	Michael Rieber		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Rocco Marucci, Assistant Township Engineer		
	Catherine Maddrey, Assistant Secretary		
	Donna Holmqvist, Planning Consultant		
	Gary Hall, Acting Board Attorney		

1. Minor Subdivision with Variances
Block: 1900; Lot: 21
Corner of East McClellan Ave & Scott Terrace
Application No. 2018-72-MSUB
JMZ Enterprises, LLC R-4 Zone

Applicant seeks to subdivide Lot 21 to create four (4) new lots designated as proposed lots 21.01, 21.02, 21.03 and 21.04 that measure approximately 14,484 square feet, 10,691 square feet, 11,171 square feet, and 18,616 squares feet, respectively. Increase the footprint size & storage volume of the new surface detention basin to incorporate the original Scott Terrace Subdivision (Block 1900 – Lots 19 & 20), Green Terrace Homes, LLC (formerly Kantanas, and Application NO. 2003-93-PSPV). This will eliminate the previously approved underground detention basin from beneath the roadway.

And

Preliminary Site Plan and Major Subdivision with Variances
Block: 1900; Lots: 19 & 20
20 Scott Terrace
Application No. 2003-93-PSPV (Amendment)

Applicant seeks to maintain the original subdivision approvals with same lot sizes, configurations, etc. Maintain the original approvals of the roadway network design, grading, location, etc. Eliminate the previously approved underground detention basin from beneath the roadway and work together with the adjacent minor subdivision development, JMZ Enterprises, LLC (Block 1900 – Lot 21), Application No. 2018-72-MSUBV, to incorporate one (1) shared new surface infiltration basin.

Without objection, the Chair deviated from the order of Applications on the agenda to announce that the two Applications are related to each other, the two Applicants are represented by the same lawyer, and that the Board has granted the request of the lawyer that the two Applications be continued to the Board’s Special Meeting at 8:00 P.M. on June 18, 2019 with no further notice by the Applicants required.

2. Final Major Subdivision

281 North Livingston Avenue & 25, 27, 28 and 29 Emerson Drive
Block: 1103; Lots: 13, 13.1, 13.2, 13.3, 13.4
Application No. 2003-82-PSPV (Final)
Emerson Drive Properties, LLC & Joseph Battista

R-4 Zone

Applicant is seeking approval of the final major subdivision plat and building plans. Applicant is also seeking approval to amend the resolution, which permitted the building footprint of 40’x30’, to 40’x40’ in order to stay consistent with the 2011 Master Plan’s amendment to the R-4 Zoning District.

Appearance for the Applicant: Stephen A. Geffner, Esq., of Schenck Price.

Witnesses for the Applicant: Mark Fusari, a principal shareholder
Fred Meola, P.E.
Paul Grygiel, P.P. of Phillips Preiss Grygiel
Leheny Hughes LLC

Applicant Joseph Batista retains ownership of proposed remainder Lot 31. Emerson Drive Properties, LLC is the purchaser of the balance of Lot 31 for 4 proposed new lots.

Applicants seek amendment of the preliminary approval to increase the building envelopes to 40 feet by 40 feet and to permit an increase in the habitable floor area of houses on the 4 proposed lots to 3,200 square feet, including garage, and the grant of final subdivision approval with those changes.

Applicants agreed to the further conditions that the current trees ordinance shall be complied with and that all sidewalks and driveway aprons shall be of concrete.

Upon motion by Member Dinar and second by Member Rieber and opportunity for discussion, the Application, with conditions and consistent with the record, was approved and granted, subject to a memorializing resolution, by the unanimous votes of Members

Dinar, Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Santola) and Klein; they being all of the Members present.

3. Minor Subdivision
Block: 3200; Lot: 15
28 Glannon Road
Application No. 2019-20-MSUBV
Gershon Group, LLC

R-4 Zone

Applicant is seeking to subdivide Lot 15 to create two (2) new lots designated as proposed Lots 15.01 and 15.02 that measure approximately 10,000 square feet each, with 6,250 square feet within 125' of the R.O.W. Remove the existing single-family house, detached garage, driveway, walkways, etc. to create two (2) new building parcels for the construction of new single-family homes with new separate driveways, and building utility lateral connections, etc.

Appearance for the Applicant: Stephen A .Geffner, Esq., of Schenck Price.

Witness for the Applicant: Michael T. Lanzafama, P.P. & P.E.

Public Questions and Comment: Elena Lombardi of 24 Glannon Road.

With concurrence of the Board, the Application number was amended to 2019-20-MSUBV to reflect the relief sought.

The Applicant sought only subdivision, with a variance of 3,150 feet for each proposed new lot so as to permit an area of 6,250 square feet within 125 feet of the front street right-of-way line; having offered testimony that any other bulk or dimensional factors, or issues as to tree removal or drainage, would be at the permits level.

Upon motion by Member Lewis and second by Member Dinar and opportunity for discussion, the Application, consistent with the record, was approved and granted, subject to a memorializing resolution, by the unanimous votes of Members Dinar, Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Santola) and Klein; they being all of the Members present.

4. Adjournment. The Special Meeting was adjourned at 9:28 P.M.

Respectfully submitted,

Jackie Coombs-Hollis, Secretary