

**MINUTES OF THE  
COMBINED CONFERENCE AND REGULAR MEETING  
June 1, 2021**

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

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: Barry Lewis
	Richard Dinar, Vice Chairman	Sanjay Nambiar
	Nathan Kiracofe	
	Samuel Ratner (Joined at 7:46 P.M.)	
	Michael Rieber	
	Stephen Santola (Joined at 7:37 P.M.)	
	Jill Wishnew	
	Jackie Coombs-Hollis, Secretary	
	Catherine Maddrey, Assistant Secretary	
	Richard Vallario, Board Attorney	
	Rocco Marucci, Assistant Engineer	
	Andrew Janiw, Planning Consultant	
	Jay Troutman, Traffic Consultant	

1. Minutes. The Minutes of May 20, 2021 were accepted as presented.
  
2. Old Buisness.
  - a. Livingston ALF AMPROP, LLC – Application No. 2014-46-PFSPV (Amendment) - Consideration of Memorializing Resolution - Members Fernandez, Kiracofe, Rieber and Alternate No. 2 Wishnew, being all of the Members present who 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.
  
  - b. InSite Development Partners, LLC – Application No. 2020-36 PFSPV - Consideration of Memorializing Resolution – Members Dinar, Kiracofe, Kalishman and Klein, being all of the Members present who 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.

3. New Business a. Ordinance No. 12-2021 Establishing the R-5P Residence Overlay District – Review after First Reading –After reference to Master Plan Objectives 1 and 21, Land Use Plan Element Strategy 4 and the Housing Element and Fair Share Plan, it was upon Motion by Member Dinar, Second by Member Kiracofe and the votes of Members Dinar, Fernandez, Kalishman, Kiracofe, Rieber, Santola, Alternate No. 2 Wishnew (in place and stead of Member Lewis) and Klein unanimously:

Resolved, that Ordinance No. 12-2021 is in substantial compliance with the Master Plan.

- b. Ordinance No. 13-2021 – Replacing Existing Chapter 170 Article XV Entitled “Development Fees” - Review after First Reading – After reference to Master Plan Land Use Plan Element Strategy 4 and the Housing Element and Fair Share Plan, and the purpose of the Ordinance being funding of affordable housing, it was upon Motion by Member Dinar and Second by Member Kiracofe, and the votes of Members Dinar, Fernandez, Kalishman, Kiracofe, Rieber, Santola, Alternate No. 2 Wishnew (in place and stead of Member Lewis) and Klein unanimously:

Resolved, that Ordinance No. 13-2021 is in substantial compliance with the Master Plan; with the recommendation that on page 17, in D “22-21011” be changed to “22-2011” and that in E “in connection in connection” be changed to “in connection”.

- c. Ordinance No. 14-2021 - Supplementing Chapter 170 Section 94 Off-Street Parking and Loading Provisions– Review after First Reading - After reference to the Master Plan, it was upon Motion by Member Dinar and Second by Member Rieber and the votes of Members Dinar, Fernandez, Kalishman, Kiracofe, Rieber, Santola, Alternate No. 2 Wishnew (in place and stead of Member Lewis) and Klein found that the Ordinance does not make changes that substantially or materially undermine or distort the basic provisions of the Master Plan, so that it was unanimously:

Resolved, that Ordinance No. 14-2021 is in substantial compliance with the Master Plan.

- d. Shivapriva, LLC - Application No. 2020-64-PFSPV - The Chairman announced that the hearing on this Application is continued to the Board's July 6, 2021 Meeting at 7:30 P.M. with no further notice by the Applicant required.

- e. **Continued Hearing**

Preliminary & Final Site Plan                      Zone: R-5K  
Block: 6101; Lot: 45  
220 South Orange Avenue  
Application No. 2020-57-PFSP  
**Livingston Corporate Park Associates, LLC**

The Applicant proposes to redevelop a 13.87 acre site with a 166 unit multifamily residential rental complex that will include 15% set aside (25 units) for affordable housing. The site is in the R-5K Residence District (Township Code § 170-104.6) and presently has an office building that would be demolished.

Appearing for the Applicant: Richard J. Hoff, Jr., Esq.

Witnesses for the Applicant: Mario Ianneli, Jr., P.E.  
Susan Berninger, of Livingston  
Corporate Park Associates, LLC  
John Corak, P.E.  
Christian Lessard, Architect

No Members of the public had questions for witnesses.

Member of the public offering a sworn statement:

David Berger, 23 Stratford Drive  
Jerry Cecil, 802 Kensington Lane

After a closing statement by Attorney Hoff and closing of the evidentiary record, the record was reopened for a second member of the public, Jerry Cecil, 802 Kensington Lane to make a sworn statement. The evidentiary record was again closed.

Upon Motion by Member Fernandez and Second by Member Kiracofe, and after discussion, the Application was approved subject to a Memorializing Resolution, with terms and conditions justified on the record. Members Dinar, Fernandez, Kiracofe, Rieber, Santola, Alternate No. 2 Wishnew (in place and stead of Member Lewis) and Klein voted in the affirmative. Member Kalishman voted in the negative.

4. Adjournment. The Meeting adjourned at 9:16 P.M.

Respectfully submitted,

Jackie Coombs-Hollis,  
Secretary