

**PLANNING BOARD
MINUTES OF THE MEETING
June 4, 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 Regular 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:	Rudy Fernandez
	Richard Dinar, Vice Chairman		Martin Kalishman
	Nathan Kiracofe *		Barry Lewis
	Steven Santola		Sanjay Nambiar
	Samuel Ratner		Jill Wishnew
	Michael Rieber		
	Jackie Coombs-Hollis, Secretary		
	Richard Vallario, Attorney		

*Joined the Meeting at 7:38 P.M.

Minutes. The Minutes of May 21, 2019 were accepted as presented.

Communications. CP Management Group II, LLC – Application No.2017-83-PFSPV – Request for Continuance and Reopening of Record for a further closing statement. By voice votes on May 7th the Board formally approved, subject to memorializing resolutions, the subdivision of Lot 3 and the Lot 3.02 site plan for Lightbridge.

The Board gave non-binding guidance for preparation of a resolution of denial regarding the Lot 3.01 site plan proposal for a Starbucks, and continued the hearing to tonight for vote on that.

The Applicant has a new attorney who has requested a continuance to the Board's Special Meeting on June 18th for the limited purpose of allowing a further closing statement to be made on behalf of the Applicant before the voice vote.

The Board Attorney advised that the Board has discretion to grant the request as to the remaining Lot 3.01 site plan application that has not yet been voted on.

On motion and second, and after discussion, it was unanimously resolved that a continuance is granted to the Special Meeting on June 18, 2019 for the sole purpose of allowing a further closing statement in regard to the site plan application for Lot 3.01. Members voting were Dinar, Kalishman, Ratner, Santola and Klein; they being the only Members then present.

Old Business.

- a. Consideration of Memorializing Resolution: JSDD Foundation, Inc. – Application No. 2018-39-PFSPV - 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 Kiracofe, Ratner, Rieber, Santola and Klein; they being all of the Members present and eligible to vote.
- b. Consideration of Memorializing Resolution – CP Management Group II, LLC – Application No. 2017-73-MSUB - 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, Ratner, Rieber, Santola and Klein; they being all of the Members present and eligible to vote.

Adjournment.

The Conference Meeting adjourned at 7:45 P.M.

Regular 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:	Rudy Fernandez
	Richard Dinar, Vice Chairman		Barry Lewis
	Nathan Kiracofe		Barry Lewis
	Samuel Ratner		Sanjay Nambiar
	Michael Rieber		Steven Santola
	Jackie Coombs-Hollis, Secretary		Jill Wishnew
	Richard Vallario, Attorney		

1. Preliminary & Final Site Plan with Variances (*Continued from 5/7/2019*)
Block: 3803; Lot: 3
92 South Livingston Avenue
Application No. 2017-83-PFSPV
CP Management Group II LLC
Lightbridge Academy and Starbucks

B-1 Zone

Applicant proposes to subdivide existing Lot 3 to create two new lots. The presently vacant building would be expanded on one of the new lots to be a childcare center. A drive-thru Starbucks is proposed to be constructed on the second new lot.

The Chairman announced that the subdivision of Lot 3 and the site plan application for Lot 3.02, where Lightbridge Academy is proposed, were both approved on May 7, 2019 and, at the request of the Applicant, the Board has granted a continuance to the Special Meeting on June 18, 2019 at 8:00 P.M. for the limited purpose of reopening the record to allow the Applicant's new attorney to make a further closing statement in regard to the site plan application for Lot 3.01 on which construction of a Starbucks was proposed. No further notice by the Applicant is required.

2. Minor Subdivision with Variances & Preliminary & Final Site Plan with Variances
(Continued from 5/7/19)

110 South Orange Ave & Peach Tree Hill Road

Block: 6100; Lots: 30.01, 30.02 & 30.03

Application Nos. 2014-75-MSUBV (Amendment) & 2014-76-PFSPV (Amendment)

Pulte Homes of NJ, Limited Partnership

R5-G Zone

Applicant seeks amended minor subdivision approval to: decrease the size of Lot 30.01 (JKHA School Site) from 20.9684 acres to 20.7429 acres; to increase the size of Lot 30.02 (Livingston Square-Pulte Townhouse Site) from 10.3762 acres to 10.5459 acres; to increase the size of Lot 30.03 (Affordable Housing Site) from 1.2714 acres to 1.4610 acres; to annex a portion of the Eisenhower Parkway right-of-way acquired from Essex County so as to add 0.0016 acres of such land to Lot 30.02 and 0.1338 acres to Lot 30.03; and, to establish an access easement across a portion of Lot 30.01 for the benefit of Lot 30.03 for vehicle and pedestrian access. Applicant also seeks Amended Preliminary and Final Site Plan approval for Lots 30.02 and 30.03.

The Applicant having maintained its position that elevators are not required for the affordable apartment buildings; but, having submitted revised site plans meeting other requests of the Board, there being no Members of the public having questions or offering statements, and the Applicant's attorney having made a closing statement, the evidentiary record was closed. After discussion, upon motion made by Member Dinar and second by Member Rieber, the Board approved both the subdivision application and the site plan application, subject to a memorializing resolution, by the unanimous votes of Members Dinar, Kiracofe, Ratner, Rieber and Klein; they being all of the Members present and eligible to vote and no other Members being present.

3. Adjournment. The Regular Meeting was adjourned at 8:20 P.M.

Respectfully submitted,


Jackie Coombs-Hollis, Secretary