

**MINUTES OF THE  
COMBINED CONFERENCE, WORKSHOP AND SPECIAL MEETING  
March 16, 2021**

The Livingston Planning Board met for a Combined Conference, Workshop and Special 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 7:32 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman	Absent:	Michael Rieber
	Richard Dinar, Vice Chairman		
	Rudy Fernandez		
	Martin Kalishman		
	Nathan Kiracofe		
	Barry Lewis		
	Sanjay Nambiar		
	Samuel Ratner		
	Stephen Santola		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Catherine Maddrey, Assistant Secretary		
	Richard Vallario, Board Attorney		
	Andrew Janiw, Planning Consultant		
	Barbara J. Ehlen, Planning Consultant		

1. Minutes. The Minutes of March 2, 2021 were accepted as presented.
  
2. Old Business.
  - a. Preliminary & Final Site Plan with Variances (Continued from 1/21/2021)  
Block: 3100; Lot 58  
101 South Livingston Avenue  
Application No. 2020-61-PFSPV  
Santander Bank, N.A.  
The Applicant proposes the following:
    - Replace existing wall signs (name and logo)
    - Add three logos to the drive thru canopy
    - Add two signs for dedicated Drive Thru Teller and ATM Lanes

At the request of the Applicant, due to a family emergency, a further continuance to the Board's Meeting on April 20, 2021, with no notice by the Applicant required, was granted on motion by Member Kalishman and second by Member Dinar with the unanimous votes of Members Dinar, Fernandez, Kalishman, Kiracofe, Lewis, Ratner, Santola, Alternate No. 1 Nambiar (in place and stead of Member Rieber) and Klein.

b. Roosevelt Realty Associates, LLC – Application No. 2021-1-PFSPV - Request by Objector to Re-Open the Record for a New Hearing

Susan S. Rubright, Esq. appeared for Applicant.

Board Attorney Richard Vallario advised that Stephen Schnitzer, Esq., attorney for the Objector, is unable to be present due to medical reasons.

**WHEREAS**, on March 2, 2021 the Board granted approval of the Applicant's parking variance subject to a memorializing resolution. On March 5<sup>th</sup> the Objector's attorney filed a request for a reopening of the record and a rehearing. Subsequently, the Board's Secretary determined that the Applicant's proof of service of notice lacked evidence that notice of the Roosevelt Realty Application had been provided to the County Planning Board. The Applicant's Attorney then determined and confirmed that a filing error had occurred; and

**WHEREAS**, the M.L.U.L., at N.J.S.A. 40:55D-12.e, requires notice to the County Planning Board when the Application is for property adjacent to a county road; and

**WHEREAS**, upon motion by Member Lewis, second by Alternate No. 1 Nambiar and discussion it was, by the unanimous vote of Members Fernandez, Kalishman, Kiracofe, Lewis, Ratner, Santola, Alternate No. 1 Nambiar (in place and stead of Member Rieber), Alternate No. 2 Wishnew (in place and stead of Member Dinar) and Klein; they being all of the Members both present and qualified to vote;

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that there having been a failure of notice to the Essex County Planning Board, this Board did not have jurisdiction over the Application of Roosevelt Realty Associates, LLC, Application No. 2021-1-PFSPV, and all actions taken by this Board in regard to the Application are null and void.

c. Klein Traffic Consulting, LLC – Final Report – Parking Ordinance Evaluation – The Board, having reviewed traffic expert Lee Klein's February 5, 2021 report and identified and expressed views on the uses on which emphasis should be placed. He was directed to meet with the BID's

expert with the goal of arriving at common recommendations for those uses.

3. New Business.

- a. Township Council Resolution R-21-105 directs the Board to conduct an investigation of whether a Study Area consisting of Lots 1, 1.01, 2 and 3 in Tax Block 6002 (commonly known as The Livingston Mall) should be designated as an area in need of non-condemnation redevelopment. The Resolution makes Beacon Planning and Consulting Services, LLC (Beacon) available to provide professional services to the Board. Upon motion by Member Lewis, second by Member Dinar and discussion, the Board determined to proceed with the investigation, using the services of Beacon, by the unanimous vote of Members Dinar, Fernandez, Kalishman, Kiracofe, Lewis, Ratner, Santola, Alternate No. 1 Nambiar (in place and stead of Member Rieber) and Klein.
- b. Meeting anticipated work load. The Chairman and Secretary apprised the Board of the number of Applications pending or anticipated for the balance of the year. Upon motion by Member Kiracofe, second by Member Fernandez and discussion, it was unanimously determined that the second meeting in each of the months of May through September is changed from a Workshop to a Regular Meeting and that the 2021 Planning Board Schedule now in effect be amended accordingly.

4. Adjournment The Meeting adjourned at \*:18 P.M.

Respectfully submitted,

Jackie Coombs-Hollis  
Secretary