

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

May 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	Absent:	Sanjay Nambiar
	Richard Dinar, Vice Chairman		Samuel Ratner
	Ann Cucci		Jill Wishnew
	Rudy Fernandez *		
	Martin Kalishman		
	Barry Lewis		
	Michael Rieber		
	Stephen Santola		
	Jackie Coombs-Hollis, Secretary		
	Richard Vallario, Attorney		
	Nicholas Graviano, Planning Consultant		

*Joined the Meeting at 7:36 P.M.

Minutes. The Minutes of April 5, 2022 and of April 19, 2022 were accepted as presented.

Old Business. a. Consideration of Memorializing Resolution – George Reinhardt – Application No. 2022-4-SUBV - Members Cucci, Kalishman, Lewis, Rieber, Santola 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 Kalishman and second by Member Cucci.

- b. Consideration of Memorializing Resolution – Okner Parkway Development Partners Urban Renewal, LLC – Application No. 2022-3-MSUB – Members Kalishman, Lewis, Santola 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 Lewis and second by Member Santola.

- c. Consideration of whether draft “West Essex YMCA 321 South Livingston Avenue Redevelopment Area Assessment Livingston Township, New Jersey” is ready for a public hearing and, if so, setting June 2, 2022 as the hearing date. – Upon motion by Member Rieber and second by Member Cucci, it was upon the votes of Members Rieber, Cucci, Kalishman, Rieber and Klein (Members Fernandez and Santola being disqualified):

Resolved, that the Beacon Planning and Consulting Services, LLC draft report “West Essex YMCA 321 South Livingston Avenue Redevelopment Area Assessment Livingston Township, New Jersey”, regarding a Study Area identified on the Tax Map as Block 3100, Lot 56, has been reviewed and found to be ready for a public hearing, that the hearing be held on June 2, 2022, and that the Secretary provide notices consistent with applicable law.

- d. Continued Discussion – In Person Meetings - It was the sense of the Board that the difficulties in maintaining appropriate social distance among the Members, staff and presenters considering the current increase in infections makes it prudent not to set a date for a return to in person meetings. The matter will be reviewed again in the second half of June.

New Business.

- a. Ordinance No. 10-2022 – Adopted Revised Official Zoning Map with Zoning Table – Review upon referral after First Reading – The Board reviewed the subject Ordinance and, upon motion by Member Fernandez and second by Member Lewis, found it to be substantially consistent with the Master Plan Land Use Element and the Housing Element and Fair Share Plan by the unanimous

votes of Members Fernandez, Lewis, Cucci, Dinar, Rieber, Santola and Klein; they being all of the Members present.

- b. New study of whether an area is in need of redevelopment - Upon motion by Member Lewis and second by Member Fernandez, and after discussion, the following Resolution was adopted by the affirmative votes of Members Lewis, Fernandez, Cucci, Kalishman, Rieber, Santola and Klein, Member Dinar voting in the negative; they being all of the Members present:

Whereas, by Resolution 22-142, the Township Council “Council”) authorized and requested the Board to conduct an investigation of a Study Area, consisting of Lots 50, 51 and 52 in Tax Block 2700, to determine whether the Study Area meets the statutory requirements for designation as an area in need of redevelopment as a non-condemnation redevelopment area; and

Whereas, the Council, having appointed Beacon Planning and Consulting Services, LLC (“Planner”) as planning consultant for the Township, has authorized Planner to provide planning services to the Board in the conduct of such investigation and preparation of a report from the Board to the Council;

Now, therefore, the Board hereby determines to conduct the requested investigation of the Study Area utilizing the services of the Planner in the investigation and preparation of a report.

- c. Preliminary & Final Site Plan with Variances
9 Peach Tree Hill Road
Block: 6100; Lot: 29
Application No. 2018-69-PFSPV (Amendment)
Solar Landscape, LLC
Applicant proposes to install ten solar carport canopies over existing surface parking representing Phase 2 of the project of owner Formosa Plastics Corp., USA.

Appearing for the Applicant: Donna M. Jennings, Esq., of
Wilentz, Goldman & Spitzer, PA

Witnesses for the Applicant: Daniel J. Patterson, PE
Justin Auciello, PP

There were no members of the public with questions for witnesses or offering statements in support of or opposition to the Application.

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

Upon motion by Member Lewis and second by Member Dinar and opportunity for discussion, the Application amended as to variances in the course of the hearing was approved with conditions identified on the record and subject to a memorializing resolution, by the unanimous votes of Members Lewis, Dinar, Cucci, Fernandez, Kalishman, Rieber, Santola and Klein; they being all of the Members present.

Adjournment. The Meeting adjourned at 8:42 P.M.

Respectfully Submitted,

Jackie Coombs-Hollis, Secretary