

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

June 2, 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 7:35 P.M. Assistant Secretary Catherine Maddrey announced that proper notice had been given and called the Roll.

Present:	Peter Klein, Chairman	Absent:	Ann Cucci
	Richard Dinar, Vice Chairman		Barry Lewis
	Rudy Fernandez		Michael Rieber
	Martin Kalishman		Jill Wishnew
	Samuel Ratner		Sanjay Nambiar
	Jackie Coombs-Hollis, Secretary		Stephen Santola
	Catherine Maddrey, Assistant Secretary		
	Donald Rinaldi, Esq. Acting Board Attorney		
	Alaina K. Patzke, Esq., Redevelopment Attorney		
	Rocco Marucci, Assistant Engineer		
	Barbara Ehlen, Planning Consultant		
	Lee Klein, Traffic Consultant		

Minutes. The Minutes of May 5, 2022, May 12, 2022 and May 17, 2022 were accepted as presented.

- Old Business a. Consideration of Amendment to Memorializing Resolution - Metropolitan YMCA of the Oranges - Application No. 2021-80-PFSP
Members Kalishman, Dinar and Klein, having participated in the decision, having read the Resolution, having no comments or questions, and feeling that the Resolution is ready for a vote, unanimously adopted the Resolution on motion by Member Dinar and second by Member Kalishman.
- b. Consideration of Memorializing Resolution - Okner Parkway Development Partners Urban Renewal, LLC – Application No. 2022-2-PFSP – Members Kalishman, Fernandez and Klein, having participated in the decision, having read the Resolution, having no comments or

questions, and feeling that the Resolution is ready for a vote, unanimously adopted the Resolution on motion by Member Fernandez and second by Member Kalishman.

7. New Business (a) Investigation of whether Block 3100; Lot 56 (West Essex YMCA) constitutes an Area in Need of Redevelopment as a Non-condemnation Redevelopment Area

The public forum on whether the draft West Essex YMCA Redevelopment Area Assessment report prepared by Beacon Planning and Consulting Services, LLC should be accepted and adopted as the report and recommendation of the Planning Board was called to order.

Recused: Rudy Fernandez

An explanation of the redevelopment study process and of the procedures for the forum was given by the Chairman.

Explanation of the draft Report was presented by Planner Barbara Ehlen who then was available for questions by the public.

There were no written comments submitted by the public in advance of the hearing.

Member of the Public with Comments:

Bernard Searle of 14 Washington Court

Following the opportunity for questions and comments from the public, upon motion by Member Kalishman and second by Member Dinar, it was unanimously resolved that the Beacon Planning & Consulting Services, LLC, West Essex YMCA; 321 South Livingston Avenue Redevelopment Area Assessment dated April 2022, File No. A22050 was adopted as the findings and recommendations of the Board to the Township Council.

It was noted that Member Fernandez returned to the Meeting.

- (b) Implementation of Township Council Resolution R22-161 directing and requesting a Planning Board preliminary investigation of whether a Study Area consisting of Block 6100, Lot 5 is an area in need of non-condemnation redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

Upon motion by Member Fernandez and second by Member Kalishman, and after discussion, the following Resolution was adopted by the affirmative votes of Members Fernandez, Kalishman, Ratner, Dinar and Klein; they being all of the Members present:

Whereas, by Resolution 22-161, the Township Council (“Council”) directed and requested the Board to conduct an investigation of a Study Area, consisting of Lot 5 in Tax Block 6100, 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 directed investigation of the Study Area utilizing the services of the Planner in the investigation and preparation of a report.

- (c) Ordinance No. 16-2022 - Amending Section 170-90.C.(6) re Signs - For Review After First Reading

After discussion, there were additional recommendations to be forwarded to Town Council for consideration.

It was upon motion by Member Dinar, second by Member Kalishman it was by the unanimous vote of Dinar, Kalishman, Ratner and Klein, it was

Resolved, that Ordinance No. 16-2022 is substantially consistent with the Master Plan Land Use Element and the Housing Element and Fair Share Plan.

- (d) Preliminary & Final Site Plan with Variances D-S2 Zone
277 Eisenhower Parkway
Block: 100; Lot: 43
Application No. 2020-21-PFSPV (Amendment-2)
Marsag LP

Applicant proposes to convert the construction of a new one-story retail building within the northeastern portion of the site; and the renovation of the existing one-story retail building within the northwest portion of the site. Associated site improvements, consisting primarily of restriping/reconfiguring parking in order to accommodate these changes.

Attorney for Applicant: Matthew Posada, Esq. of Sills
Cummis & Gross P.C.

Witnesses for Applicant: Michael Lanzafama, P.E. & P.P. of
Casey & Keller

Charlest Dietz, Architect of The
Dietz Partnership, LLC

Paul Mutch, Traffic Engineer of
Stonefield Engineering & Design,
LLC

No members of the public had questions for the witnesses or offered statements in support of, or opposition to, the Application.

The Application was continued to 7:30 P.M., August 16, 2022 with no further notices by the Applicant required.

Adjournment. The Meeting adjourned at 10:46 P.M.

Respectfully submitted,

Catherine Maddrey, Assistant Secretary