

**Planning Board
Minutes of the Meetings
January 16, 2018**

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 Special Meeting scheduled to follow at 8:00 P.M. in Chambers. Notice of both Meetings was published in the West Essex Tribune and posted on the Municipal and Police Building bulletin board.

Conference Meeting:

At 7:32 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman Richard Dinar, Vice Chairman Rudy Fernandez Martin Kalishman Nathan Kiracofe Sanjay Nambiar Samuel Ratner Michael Rieber Stephen Santola Jill Wishnew Jackie Coombs-Hollis, Secretary Richard Vallario, Attorney Veena Sawant, Planner Rocco Marucci, Assistant Engineer	Absent:	Alfred Anthony
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1. Minutes The Minutes of January 2, 2018 were accepted as presented.
2. Old Business LifeTown – Application No. 2012-48-PFSPV (Amendment) – Consideration of Memorializing Resolution - The Board having received in advance of the Meeting a draft of a Resolution memorializing the decision reached at a hearing on December 5, 2017 and each Member otherwise eligible to vote having acknowledged reading and understanding the Resolution, having no questions and considering the Resolution ready for a vote; upon motion made and seconded, the Memorializing Resolution was adopted by the unanimous votes of Members Dinar, Kalishman, Kiracofe, Rieber, Santola. Klein, Alternate No. 1 Nambiar (in place and stead of then Member Silverman) and Alternate No. 2 Wishnew (in place and stead of Member Anthony).

3. New Business Lightbridge Academy/Starbucks – Applications Nos. 2017-73-MSUB and 2017-74-PFSPV - Upon motion by Member Dinar and second by Member Kiracofe, and after discussion, it was unanimously

- a. RESOLVED, that the Planning Board of the Township of Livingston hereby finds that the technical review services of an expert in water and sewage capacity, and an expert in traffic, each to render advice to the Board, is required for proper consideration of issues that have arisen in connection with Application Nos. 2017-73-MSUB and 2017-74-PFSPV (Lightbridge Academy/Starbucks); and it is

FURTHER RESOLVED, that the Board engage the services of an expert in water and sewage capacity, and an expert in traffic, each to conduct a technical review of the plans and the issues that have arisen in respect thereto and to provide expert advice and opinion to the Board; and it is

FURTHER RESOLVED, that, pursuant to Section 170-52.B of the Code of the Township of Livingston, Applicant CP Management Group II, LLC is hereby required to file with the administrative officer an escrow deposit fee of adequate funds to cover the costs that may be incurred by the Board for such technical review.

- b. Determined that the Applicant’s request for an Environmental Impact Statement waiver is granted.

Workshop:

- 1. Land Use Plan Element. The Board proceeded directly into the Workshop with a review of the 1/07/18 draft that included all changes agreed to on January 2nd plus new language regarding the OS Open Space District and Off-Street Parking. The Chairman reported that Member Santola had informed him that last week Governor Christie had signed into law additional requirements for the content of a Land Use Plan. Although no Member had issues with the content of the 1/07/18 draft, it was agreed that the Land Use Plan would not be deemed complete until language meeting the new requirements could be considered.
- 2. Member Dinar briefed the Board on the forum held by the County Executive and the Mayor on possible improvements to Riker Hill Art Park.

Adjournment

The Conference/Workshop Meeting adjourned at 7:52 P.M.

Special Meeting:

At 8:07 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Stephen Santola, Chairman Pro Tempore	Absent:	Alfred Anthony
	Rudy Fernandez		Peter Klein, Chairman
	Nathan Kiracofe		Richard Dinar, Vice
	Sanjay Nambiar		Chairman
	Samuel Ratner		Martin Kalishman
	Michael Rieber		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Richard Vallario, Attorney		
	Veena Sawant, Planner		
	Rocco Marucci, Assistant Engineer		

1. Lots Merger and Preliminary & Final Site Plan (Continued Hearing)
Block: 7600; Lots: 7, 8, & 16
40 Old Short Hills Road
Applications Nos. 2017-41-LM & 2017-42-PFSP
Cider Mill Partners

R-5J Zone

Applicant proposes to merge existing Lots 7, 8, and 16 to create a single lot for the construction of 56 new stacked townhouses of which 44 would be market rate units and 12 affordable units.

Member Santola took the chair as Chairman Pro Tempore.

Appearing for the Applicant: Stephen A. Geffner, Esq.

Chairman Pro Tempore Santola informed the Board and Applicant that the Court Reporter was absent. Both the Board and the Applicant agreed to rely upon the electronic digital recording.

Witnesses for the Applicant:

Michael Lanzafama, P.P., P.E. and Land Surveyor, of Casey & Keller
Lawrence Appel, Architect, of Appel Design Group Architects
Elizabeth (Betsy) Dolan, Traffic Engineer
Brian Conway, Landscape Architect, of [K1]Casey & Keller

Members of the public with questions for Witness Appel:

Robert Rashkes, 36 Oak Crest Dr., West Orange
Suzanne Robinson, 34 Dogwood Dr., West Orange

Recess The Board was in recess from 9:33 P.M. to 9:41 P.M.

Members of the public with questions for witness Dolan:

Martin Hwang, 35 Dogwood Dr., West Orange
Kenneth Kayser, Esq., Assistant Township Attorney, Township of West Orange
Robert Rashkes, 35 Oak Crest Dr., West Orange
Suzanne Robinson, 34 Dogwood Dr., West Orange

Members of the public making sworn statements in support of, or in opposition to, the Application:

John B. Collins, Esq., representing the Ochs family.
Martin Hwang, 35 Dogwood Dr., West Orange
Robert Rashkes, 35 Oak Crest Dr., West Orange
Suzanne Robinson, 34 Dogwood Dr., West Orange

The Applicant, the public and the Board, having had reasonable opportunity to be heard, and the evidentiary record having been closed, the Board gave non-binding guidance to its Attorney to prepare a resolution of approval with conditions for consideration at a later Meeting. It was noted that preparation of the resolution cannot begin until a transcript has been prepared from the digital recording and provided to the Board's Attorney.

Adjournment There being no further business, the Special Meeting was adjourned at 10:44 P.M.

Respectfully submitted,

Jackie Coombs-Hollis, Secretary