

**PLANNING BOARD
MINUTES OF THE COMBINED
CONFERENCE AND SPECIAL MEETING
May 21, 2020**

The Livingston Board met for a combined Conference Meeting and Special Meeting, by means of Zoom Webinar telecommunications and a link to Facebook Live, at 7:31 P.M. Notice of the Meeting had been published pursuant to the Open Public Meetings Act and guidance provided by the State’s Division of Local Government Services.

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 Barry Lewis Sanjay Nambiar Samuel Ratner Michael Rieber Stephen Santola Jackie Coombs-Hollis, Secretary Rocco Marucci, Township Assistant Engineer Richard Vallario, Board Attorney	Absent:
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1. Minutes. The Minutes of April 21, 2020 were accepted with correction of a misspelling of one word.

2. Old Business. The Chairman explained that at the April 21st Meeting there were members of the public watching on Facebook, but there was no direct public role since there was no application hearing. Tonight that opportunity will be present.

3. New Business. Without objection there was a departure from the order of business on the Agenda
 - a. Review on Referral – Ordinance No. 7-2020 - Establishing §170-107.1 Mixed Use Overlay District - For the benefit of

members of the public watching, the Chairman explained the Board's role. After confirmation that all Members had read the propose ordinance, upon motion by Vice Chairman Dinar and second by Member Kalishman and after disccussion, it was unanimously resolved that the Township Council be informed that the Board finds the proposed Ordinance to be in substantial compliance with the Master Plan.

- b. Discussion – Possible Temporary Zoning Regulation Changes Due to Impact of Declared Emergency - Members Township Manger Lewis and Mayor Fernandez briefed the Board on the progress made thus far in discussions with representatives of the Business Improvement District. It was the sense of the Board that the Township Council's approach that many of the interim relief requests can be dealt with less formally than by Code amendments was best. It was the further sense of the Board that, after the temporary transition to normal business has been achieved, some issues could be looked at for possible amendments to the Code.

4. Preliminary & Final Site Plan with Variances

Block: 3808; Lot: 3.01

92 South Livingston Avenue

Application No. 2017-83-PFSPV (Bifurcated for Starbucks)

CP Management Group II, LLC

B-1 Zone

On August 8th of last year, after lengthy hearings, the Board was prepared to formally vote on a Resolution determining the outcome of this portion of the Application. However, the Applicant requested that the record be kept open so that a new concept for the lot involved could be submitted. Subsequent additional requests that the record be kept open were granted. Accordingly, the record remains open with the Applicant having agreed that the Board's time to render a decision is extended to the 31st of this month.

This being Board's last meeting in the month, a vote on the Resolution was placed on the agenda. The Applicant has submitted a request for a further extension of the open record and of the time to decide to June 30, 2020.

The Board Attorney cautioned the Applicant's attorney that with 9 months already having passed since the Board was ready to vote on the Resolution, the Board might wish to make the requested further extension the last that it would grant. The Applicant's attorney expressed the Applicant's intent to submit revised plans prior to June 30th.

Upon motion by Member Kalishman and second by Member Lewis, and after opportunity for discussion without participation by Member Santola who had not had any presence at hearing sessions on the Application, it was unanimously resolved that the evidentiary record remains open, with the Board's time to decide having been extended,

to June 30, 2020 with no further motions to keep the record open to be considered by the Board.

Accordingly, announcement was made that the hearing on the Application was continued to the Board's Regular Meeting at 8:00 P.M. on June 2, 2020, but if the Conference Meeting and Regular Meeting are combined the continuance is to 7:30 P.M. on that date. No further notice by the Applicant is required.

5. Preliminary & Final Site Plan with Variances (Amendment)

Block: 102; Lot: 214

17 Microlab Road

Application No. 2017-17-PFSPV (Amendment)

Universal Microlab, LLC

CI Zone

The Applicant proposes the following:

- Expand Universal Rehab into the currently vacant tenant space which was previously occupied by a Ballet School requiring an associated parking variance for deficiency;
- Remove an existing loading dock and door;
- Remove various parking lot areas for installation of new curb landscaped areas;
- Install a new concrete platform and handicap accessible ramp to the rear tenant space.

Appearing for the Applicant: Kara A. Kaczynski, Esq. of
McNally Yaros Kaczynski Lime LLC

Witnesses for the Applicant: Lisa Lasso, an Officer of Applicant
Gerald J. Novak, AIA, Architect

There were no questions or statements from members of the public.

Upon motion by Vice Chairman Dinar and second by Member Lewis, after opportunity for discussion and subject to a memorializing resolution, it was unanimously resolved (without voting by the Alternate Members being required) that the Application be approved subject to variances and conditions consistent with the record.

6. Adjournment. There being no other business, the Combined Meeting was adjourned at 9:05 P.M.

Respectfully submitted.

Jackie Coombs-Hollis
Secretary