

**Planning Board  
Minutes of the Meeting  
June 5, 2018**

The Livingston Planning Board met for a Conference Meeting at 7:30 P.M. in the Conference Room of the Municipal and Police Building, 357 S. Livingston Avenue, with a Regular Meeting scheduled to follow at 8:00 P.M. in Chambers. Notice of the Meetings was published in the West Essex Tribune and posted on the Municipal and Police Building bulletin board.

**Conference Meeting:**

At 7:30 P.M. it was announced that proper notice had been given and the Roll was called:

Present:	Peter Klein, Chairman	Absent:	Rudy Fernandez
	Richard Dinar, Vice Chairman		Martin Kalishman
	Nathan Kiracofe		Jackie Coombs-Hollis,
	Barry Lewis, Jr.		Secretary
	Sanjay Nambiar *		
	Samuel Ratner		
	Michael Rieber		
	Stephen Santola		
	Jill Wishnew		
	Richard Vallario, Attorney		
	Rocco Marucci, Assistant Engineer		

\*Joined the Meeting at 7:34 P.M.

1. Minutes. The Minutes of May 1, 2018 were accepted as presented.
2. New Business
  - a. Setting Priorities The Board reviewed, and agreed to, the 6/01/18 draft of planning priorities in regard to working on accomplishing recommendations in the 2018 Master Plan. The purpose was to set targeted completion dates for specific recommendations. There are 5 targeted to be accomplished by August 31, 5 by December 31, and 6 by June 30, 2019. Those in the first group are most likely to be accomplishable prior to a new Township Planner being in place.

b. Pending Matters & Meetings:

June 19	Lifetown Inc. 19 Cornerstone Way 133-135 E. McClellan
June 28	St. Barnabas Special Meeting
July 17	29 Lab Associates Lightbridge Academy & Starbucks 34 South Livingston Ave. if not completed tonight.
August 9	Saber Livingston

3. Adjournment. The Conference Meeting was adjourned at 7:49 P.M.

**Regular Meeting:**

At 8:00 P.M. it was announced that proper notice had been given and the Roll was called:

Present:	Peter Klein, Chairman Richard Dinar, Vice Chairman Nathan Kiracofe Barry Lewis, Jr. Sanjay Nambiar Samuel Ratner Michael Rieber Stephen Santola Jill Wishnew Richard Vallario, Attorney vRocco Marucci, Assistant Engineer	Absent:	Rudy Fernandez Martin Kalishman Jackie Coombs-Hollis, Secretary
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1. Minor Subdivision with Variances  
Block: 3300; Lot: 58  
127 East Cedar Street  
Application No.2018-7-MSUBV  
Garden State Property Management IV, LLC R-3 Zone

Applicant proposes to subdivide Lot 58 to create 2 new lots designated as proposed Lots 58.01 and 58.02 that would be approximately 14,420 square feet and 11,355 square feet in area respectively where 15,000 square feet is required.

On May 1st the Board heard testimony and received evidence on this Application, and by unanimous vote of the Members present approved the Application subject to conditions and a Memorializing Resolution.

Subsequently, and prior to adoption of a Memorializing Resolution, it was determined that there had not been adequate notice of the Application and of the May 1<sup>st</sup> hearing provided to at least one owner of property within 200 feet of the Lot that was the subject of the Application.

The inadequacy of notice deprived the Board of jurisdiction. Therefore the approval actions taken by the Board on May 1<sup>st</sup> are null and void.

The Applicant has since given new notice, by publication and by certified mail, and has submitted proof of having mailed notice to the owners of all properties within a radius of 200 feet from the site.

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

Witness for the Applicant: Michael T. Lanzafama, PP, PE & Land Surveyor

Members of the public with questions:

James Mcguire, 7 N. Baums Court  
Michael Schwartz, 18 N. Baums Court

Members of the public with sworn statements:

Chinmay Dhavalikar, 28 N. Baums Court  
James Mcguire, 7 N. Baums Court  
Michael Schwartz, 18 N. Baums Court

Two exhibits offered by Mr. Schwartz were accepted into evidence as Exhibits O-1 and O-2.

After a closing statement by Attorney Geffner and opportunity for all to have been heard, the evidentiary record was closed and the Board began discussion.

Upon motion by Member Lewis and second by Member Dinar, the Application was approved, subject to conditions and a Memorializing Resolution, by the affirmative votes of Members Rieber, Kiracofe, Lewis, Ratner, Dinar, Alternate No. 2 Wishnew (in place and stead of Member Kalishman) and Member Klein. Member Santola and Alternate No. 2 Nambiar (in place and stead of Member Fernandez) voted in the negative.

2. Recess. The Board was in recess from 8:52 P.M. to 9:00 P.M.

3. Preliminary and Final Site Plan with Variances

Block: 3807; Lot: 8  
34 South Livingston Avenue  
Application No. 2017-69-PFSPV  
34 South Livingston Ave, LLC

B-1 Zone

Applicant proposes amendments to the building and site including façade, changes to the building, construction of a new wall in front of the building, a monument sign, expansion of the existing trash enclosure and relocation of the existing handicapped stall within the parking lot, and an undersized loading area not meeting required setback from the building.

Appearance for the Applicant: Barry Evenchick, Esq.

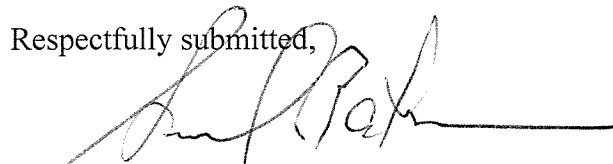
Witnesses for the Applicant: Stephen E. Parker, P.E. & P.P.  
Jim O'Brien, Licensed Architect

There were no questions from the public for the witnesses.

It being apparent from questions from the Board that the witnesses would have to prepare further testimony and exhibits, the hearing was continued to the Board's Regular Meeting at 8:00 P.M. on July 17, 2018 with no further notice by the Applicant required.

4. Adjournment. The Regular Meeting was adjourned at 10:08 P.M.

Respectfully submitted,



Samuel Ratner  
Recording Secretary of the Meetings