

**PLANNING BOARD
MINUTES OF THE MEETING
June 18, 2019**

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 Special Meeting scheduled to follow in Chambers at 8:00 P.M. Notice of both Meetings had been published as required by law and posted on the Municipal and Police Building Bulletin Board.

Conference Meeting:

At 7:30 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman Martin Kalishman Nathan Kiracofe * Barry Lewis Sanjay Nambiar + Samuel Ratner Michael Rieber Jill Wishnew Jackie Coombs-Hollis, Secretary Richard Vallario, Attorney	Absent:	Richard Dinar, Vice Chairman Steven Santola
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+Joined the Meeting at 7:34 P.M.
*Joined the Meeting at 7:39 P.M.

Minutes. The Minutes of June 4, 2019 were accepted as presented.

- Old Business.
- a. Consideration of Memorializing Resolution: Gershon Group, LLC – Application NO. 2019-20-MSUBV - All Members present and eligible to vote having acknowledged that they had read and understood the Resolution, had no questions, and felt that it was ready for a vote; upon motion made and seconded, the Memorializing Resolution was adopted by the unanimous votes of Members Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Santola) and Klein; they being all of the Members present and eligible to vote.

 - b. Consideration of Memorializing Resolution –Emerson Drive Properties, LLC & Joseph Battista – Application 2003-82-PSPV (Final) - All Members present and eligible to vote having acknowledged that they had read and understood the Resolution,

had no questions, and felt that it was ready for a vote; upon motion made and seconded, the Memorializing Resolution was adopted by the unanimous votes of Members Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Santola) and Klein; they being all of the Members present and eligible to vote.

- c. Consideration of Memorializing Resolution – CP Management Group II, LLC – Application No. 2017-83-PFSPV - (Bifurcated for Lightbridge Academy). All Members present and eligible to vote having acknowledged that they had read and understood the Resolution, had no questions, and felt that it was ready for a vote; upon motion made and seconded, the Memorializing Resolution was adopted by the unanimous votes of Members Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 1 Nambiar (in place and stead of Member Kiracofe) and Klein; they being all of the Members present and eligible to vote.

Adjournment. The Conference Meeting adjourned at 7:45 P.M.

Special Meeting:

At 8:00 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman Martin Kalishman Nathan Kiracofe Barry Lewis Sanjay Nambiar Samuel Ratner Michael Rieber Steven Santola Jill Wishnew Jackie Coombs-Hollis, Secretary Richard Vallario, Attorney	Absent:	Richard Dinar, Vice Chairman
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1. Without objection, the Chair deviated from the order of Applications on the agenda.

Minor Subdivision with Variances
Block: 1900; Lot: 21
Corner of East McClellan Ave & Scott Terrace
Application No. 2018-72-MSUB
JMZ Enterprises, LLC

R-4 Zone

Applicant seeks to subdivide Lot 21 to create four (4) new lots designated as proposed lots 21.01, 21.02, 21.03 and 21.04 that measure approximately 14,484 square feet, 10,691 square feet, 11,171 square feet, and 18,616 squares feet, respectively. Increase the footprint size & storage volume of the new surface detention basin to incorporate the original Scott Terrace Subdivision (Block 1900 – Lots 19 & 20), Green Terrace Homes, LLC (formerly Kantanas, and Application No. 2003-93-PSPV). This will eliminate the previously approved underground detention basin from beneath the roadway.

And

Preliminary Site Plan and Major Subdivision with Variances

Block: 1900; Lots: 19 & 20

20 Scott Terrace

Application No. 2003-93-PSPV (Amendment)

Green Terrace Homes, LLC

R-4 Zone

Applicant seeks to maintain the original subdivision approvals with same lot sizes, configurations, etc. Maintain the original approvals of the roadway network design, grading, location, etc. Eliminate the previously approved underground detention basin from beneath the roadway and work together with the adjacent minor subdivision development, JMZ Enterprises, LLC (Block 1900 – Lot 21), Application No. 2018-72-MSUBV, to incorporate one (1) shared new surface infiltration basin.

The Chairman announced that the Board has granted the request of the lawyer for the two Applicants that the two Applications be further continued to the Board's Regular Meeting at 8:00 P.M. on July 9, 2019 with no further notice by the Applicants required.

2. Preliminary & Final Site Plan with Variances (*Continued from June 4, 2019*)

Block: 3803; Lot: 3

92 South Livingston Avenue

Application No. 2017-83-PFSPV

CP Management Group II LLC

Lightbridge Academy and Starbucks

B-1 Zone

The Board (having taken voice votes, subject to memorializing resolutions, on subdivision of Lot 3 and site plan approval of Lot 3.02 for Lightbridge Academy) has, upon request by CherlLynn Walters, Esq., newly appointed substitute counsel representing Applicant CP Management Group II, LLC, granted reopening of the record for the sole purpose of allowing a further closing statement by Attorney Walters in regard to the site plan application for Lot 3.01 prior to voice vote on non-binding guidance given to the Board Attorney.

The Chairman explained that because of the request for the limited reopening of the record the Board Attorney had not yet submitted a draft resolution for the Board's consideration.

The evidentiary record was reopened.

CherylLynn Walters, Esq., of Nehmad Perillo Davis & Goldstein, entered her appearance on behalf of the Applicant and presented a supplementary closing statement.

Richard M. Sasso, Esq., representing Objector Raghav Varma was permitted to make a brief additional closing statement.


The evidentiary record was reclosed.

The Board Members were given opportunity to offer changes to the non-binding guidance previously given. None were offered.

The hearing was continued to the Board's Regular Meeting at 8:00 P.M. on July 9, 2019 for consideration and vote on a resolution.

3. Adjournment. The Special Meeting was adjourned at 8:25 P.M.

Respectfully submitted,


Jackie Coombs-Hollis, Secretary