

**MINUTES OF THE
COMBINED CONFERENCE AND SPECIAL MEETING
July 21, 2020**

The Livingston Planning Board met for a Combined Conference and Special Meeting, by means of Zoom Webinar and a link to Facebook Live, called for 7:30 P.M. Notices of the Meeting 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 current state of emergency.

At 7:34 P.M. Secretary Jackie Coombs-Hollis announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman	Absent:	Barry Lewis
	Richard Dinar, Vice Chairman		Stephen Santola
	Rudy Fernandez		Jill Wishnew
	Martin Kalishman		
	Nathan Kiracofe		
	Sanjay Nambiar *		
	Samuel Ratner		
	Michael Rieber **		
	Jackie Coombs-Hollis, Secretary		
	Catherine Maddrey, Assistant Secretary		
	Rocco Marucci, Assistant Township Engineer		
	Richard Vallario, Board Attorney		
	Donna Holmqvist, Planning Consultant		
	Lee Klein, Traffic Consultant		

* Joined the Meeting at 7:36 P.M.

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1. Minutes. The Minutes of July 7, 2020 were accepted as presented.

2. Old Business.
 - a. Mango Tree Real Estate Holdings (MJ), LLC – Application No. 2020-6-MSUBV – Memorializing Resolution - Members Dinar, Fernandez, Kalishman, Kiracofe, Ratner and Klein, being the Members present who had participated in the decision, having read the Resolution, having no questions or comments, and feeling that

the Resolution is ready for a vote, unanimously adopted the Memorializing Resolution denying the Application.

- b. Eugene Taylo. Jr. – Application N0. 2020-10-MSUBV – Memorializing Resolution -Members Dinar, Fernandez, Kalishman, Kiracofe, Ratner and Klein, being the Members present who had participated in the decision, having read the Resolution , having no questions or comments, and feeling that the Resolution is ready for a vote, unanimously adopted the Memorializing Resolution.

- c. Minor Subdivision with Variances (*Continued from June 2, 2020*)
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 square 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 (*Continued from March 3, 2020*)
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-MSUB, to incorporate one (1) shared new surface infiltration detention basin.

Consideration of Resolution based on non-binding guidance

These two applications have been heard together. Non-binding guidance for preparation of resolutions was given to the Board Attorney on June 2nd. The Applicants have each given written extension of the Board's time to decide to August 6th which is the date of the Board's next scheduled meeting.

Upon motion by Member Dinar and second by Member Fernandez, it was unanimously resolved to continue the hearing on these two applications to the 7:30 P.M. Combined Conference and Regular Meeting on Thursday, August 6, 2020, with no further notices by the Applicants required.

The Chairman then announced that the motion having been adopted, the hearings on JMZ Enterprises, LLC, Application No. 2018-72-MSUB and Green Terrace Homes, LLC, Application Number 2003-93-PSPV (Amendment) are continued to 7:30 P.M. on August 6, 2020 with no further notices by the Applicants required.

3. Absent objection from the Board, the Chairman departed from the order of business on the Agenda:

Report of Preferred Planning Group, LLC re Block 3700, Lots 1-8, 24, 25 & 27-30 fronting on E. Mt. Pleasant Ave., S. Livingston Ave. and Arden Rd. – Consideration of Reopening Investigation of whether Lots 1, 2, 3, 4, 5, 6, 7, 8, 24, 25, 27, 28, 29, and 30 in Tax Block 3700 meet the statutory requirements for designation as an area in need of redevelopment as a “Non-Condemnation Redevelopment Area” under criteria established by N.J.S.A. 40A:12A-5.

On June 25th the Board, after public hearing, found that the investigation did establish that the Study Area constitutes an area in need of non-condemnation redevelopment.

The Township has a special counsel for redevelopment, who reviewed the report and agreed with the Board's finding. However, he felt that there were potential additional criteria under State law that could provide further support for the finding. He

recommended a reopening of the investigation to consider whether those criteria would also apply.

Upon motion by Member Fernandez and second by Member Dinar, and after opportunity for discussion, it was resolved that the investigation is reopened for determination by Preferred Planning Group, LLC of whether additional criteria under State law apply to the Block 3700 Study Area, the vote being unanimous by Members Dinar, Fernandez, Kalishman, Kiracofe, Rieber, Alternate No. 1 Nambiar (in place and stead of Member Lewis), Alternate No. 2 Wishnew (in place and stead of Member Santola) and Member Klein; they being all of the Members present.

4. Preliminary Final Site Plan with Variances (Continued from August 8, 2019)
Block: 3808; Lot: 3.01
90 South Livingston Avenue
Application No. 2017-83-PFSPV (Amendment)
CP Management Group II, LLC

B-1 Zone

The Applicant proposes the following:

- Remove existing pavements, utilities, trees, etc. and re-grade portions of the site;
- Construct a new building, with two (2) retail/service tenants, totaling approximately 4,200± SF;
- Include an outdoor patio area form one of the tenant spaces;
- Construct sidewalks, parking areas, and associated driveway from South Livingston Avenue and re-utilize the Oak Street driveway.
- Construct a loading zone, trash and recycling enclosure;
- Construct a monument sign, landscaping improvements, lighting, etc.

Appearing for Applicant: CherylLynn Walters, Esq., of Nehman Perillo Davis & Goldstein, PC

Witnesses for Applicant: Michael T. Lanzafama, P.E. & P.P., of Casey & Keller Incorporated
Justin A. Mihalik, AIA, of J.A. Mihalik Architect, LLC
Irv Cyzner, Principal of Applicant
Gary W. Dean, P.E. & P.P., of Dolan & Dean Consulting Engineers, LLC

Members of the public with questions for witnesses:


Barry Bambo, 32 Wilson Terrace
Suzanne Bambo, 32 Wilson Terrace

Elaine Denton, 17 Oak Street
Jan Press, 38 North Ridge Road
Bernard Searle, 14 Washington Court

The hearing was continued to a Combined Conference and Special Meeting at 7:30 P.M. on Thursday, August 18, 2020, with no further notice by the Applicant required.

5. Adjournment. The Meeting was adjourned at 10:19 P.M.

Respectfully submitted,


Jackie Coombs-Hollis, Secretary