

MINUTES OF THE  
COMBINED CONFERENCE AND SPECIAL MEETING

June 14, 2022

The Livingston Planning Board met for a Combined Conference and Special Meeting by means of Zoom Webinar and a link to Facebook Live. The Meeting was called for 7:30 P.M. Notices were published pursuant to the Open Public Meetings Act and guidance provided by the State's Division of Local Governmental Services for meetings during the Covid-19 state of emergency.

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

Present:	Peter Klein, Chairman +	Absent:	Richard Dinar, Vice Chairman
	Ann Cucci		
	Rudy Fernandez		
	Samuel Ratner		
	Martin Kalishman +		
	Barry Lewis		
	Sanjay Nambiar		
	Steven Santola		
	Michael Rieber *+		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Andrew Janiw, Planning Consultant		

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

+ Left the Meeting at 7:46 as disqualified by 200 ft. rule.

1. Minutes. The Minutes of June 2, 2022 were accepted as presented.
2. Old Business.

Consideration of Memorializing Revolution – Marsag, LP – Application No. 2021-21-PFSPV (Amendment – 1) Members Cucci, Santola, Alternate No. 1 Nambiar (in place and stead of Member Lewis), Alternate No. 2 Wishnew (in place and stead of Member Ratner), and Klein, having participated in the decision, having read the Resolution, having no comments or questions, and feeling that the Resolution was ready for a vote, unanimously adopted the Resolution upon motion by Member Cucci and second by Member Santola.

Sunset Ridge Developers, LLC, Lafayette Drive, Application No. 2002-91-FS - Request for Continuance - Matthew P. Posada, Esq. appeared for the

Applicant. – Upon motion by Member Santola, second by Member Lewis, and after discussion, it was resolved by the unanimous vote of Members Santola, Lewis, Fernandez, Kalishman, Ratner, Alternate No. 1 Nambiar (in place and stead of Member Dinar), Alternate No. 2 Wishnew (in place and stead of Member Rieber) and Klein that:

The Board having, on March 15, 2022, granted Applicant a continuance to June 14, 2022, and the Applicant having requested a further continuance to August 16, 2022 and having extended the Board’s time to decide to September 30, 2022, a continuance to a Special Meeting on August 16, 2022 at 7:30 P.M. is granted without further notice by the Applicant required.

3. New Business.

- a. Ordinance No. 15-2022 – Amending Township Code § 170-90, Signs by adding Subsection Q. Temporary Development Signs – Review Upon Referral after First Reading. - Upon motion by Member Lewis, second by Member Fernandez and discussion of the purpose of the Ordinance and provisions of the Master Plan, it was found that the proposed Ordinance is substantially consistent with the Master Plan by the unanimous votes of Members Lewis, Fernandez, Cucci, Kalishman, Santola, Ratner, Rieber, Alternate No. 1 Nambiar (in place and stead of Member Dinar, and Klein; they being all of the Members both present and eligible to vote.
  
- b. Ordinance No. 12-2022 – Amending Township Code §170-106.1 RIAO Inclusionary Adult Residential Overlay District – Review Upon Referral after First Reading after Further Amendment – Noting that the Ordinance had been found to be substantially consistent when reviewed by the Board on May 12, 2022 and that this further amendment reduces the maximum permitted number of townhouses from 40 to 30 with no other changes Amended Ordinance is found to be substantially consistent with the Master Plan Land Use Plan Element and Housing and Fair Share Plan Element upon motion by Member Lewis, second by Member Fernandez and the affirmative votes of Members Cucci, Fernandez Kalishman, Lewis, Santola, Alternate No. 1 Nambiar (in place and stead of Member Dinar), Alternate No. 2 Wishnew (in place and stead of Member Rieber, who being disqualified in respect of this matter had left the Meeting) and Klein; they being all of the Members present and eligible to vote.

Member Rieber then briefly rejoined the Meeting and left again because of disqualification in respect of a matter on the agenda for later in the Meeting.

At 7:46 Members Klein and Kalishman, being disqualified from all of the additional, matters on the agenda left the Meeting and Member Santola assumed the Chair as Chairman pro tempore.

- c. Preliminary & Final Site Plan with Variances (Amended)  
100 Old Short Hills Road  
Block: 7300; Lots: 4.01, 5, 6  
Application No. 2019-49-PFSP (Amendment)  
Cooperman Barnabas Medical Center

Applicant proposes to eliminate the lowest basement of the garage and to raise its height.

Attorney for Applicant: Peter J. Carton, Esq., of Gibbon Law Firm

Witnesses for Applicant: Catherine Gow, Architect, of Francis Cauffman Architects

Mario Iannelli, P.E., of Dewberry

William Kavanagh, Architect, of  
The Harmon Group

Members of the public with questions for witnesses:

Erin Miner, 8 Ross Rd.

Brian & Shira Rost, 10 Ross Rd.

Members of the public with statements in opposition:

Erin Miner, 8 Ross Rd.

Brian & Shira Rost, 10 Ross Rd.

After a closing statement by Attorney Carton and the closing of the evidentiary record, upon Motion by Member Lewis and second by Member Fernandez and opportunity for discussion, and subject to a memorializing resolution, by the unanimous votes of Members Lewis, Fernandez, Alternate No. 1 Nambiar (in place and stead of Member Dinar), Alternate No. 2 Wishnew (in place and stead of Member Rieber) and Santola, it was resolved to grant the Application with Conditions agreed to by the Applicant

- d. Preliminary & Final Site Plan with Variances (Amended)  
346 East Cedar Street  
Block: 7300; Lot: 4.02

Application No. 2014-46-PFSPV - #2 (Amendment)  
Livingston ALF AMPROP LLC

Applicant proposes to amend the previously approved courtyard layout, and install a monument sign in the front yard, and installation of a transformer and generator.

Attorney for the Applicant: Michael P. Posada, Esq., of  
Sills Cummis & Gross PC

Witness for the Applicant J. Michael Petry, P.E & P.P., of Petry  
Engineering:

Member of the public with questions for the witness:  
Omer Nimrodi, 49 Cornel Dr.

Members of the public with statements in opposition:  
Danielle & Omer Nimrodi,  
49 Cornel Dr.

After a closing statement by Attorney Posada and the closing of the evidentiary record, upon motion by Member Fernandez and second by Member Lewis and opportunity for discussion, and subject to a memorializing resolution, by the unanimous votes of Members Fernandez, Lewis, Alternate No. 1 Nambiar (in place and stead of Member Dinar), Alternate No. 2 Wishnew (in place and stead of Member Rieber) and Santola, it was resolved to grant the Application with Conditions agreed to by the Applicant

4. Adjournment. There being no other business, the Meeting was adjourned at 9:34P.M.

Respectfully submitted,

Jackie Coombs-Hollis, Secretary