

**MINUTES OF THE
COMBINED CONFERENCE AND REGULAR MEETING**

September 8, 2022

The Livingston Planning Board met for a Combined Conference and Regular 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 Government Services for meetings during the Covid-19 emergency.

At 7:31 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		Martin Kalishman
	Rudy Fernandez (Joined at 7:41 P.M.)		Sanjay Nambiar
	Barry Lewis		
	Samuel Ratner		
	Michael Rieber (Joined at 7:33 P.M.)		
	Steven Santola (Joined at 7:34 P.M.)		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Rocco Marucci, Assistant Engineer		
	Richard Vallario, Board Attorney		
	Barbara Ehlen. Planning Consultant (Joined at 7:58 P.M.)		

Minutes. The Minutes of August 16, 2022 were accepted as presented.

Old Business.

1. Consideration of Memorializing Resolution – 170 Beaufort Avenue LLC – Application No. 2022-26-MSUBV – Members Cucci, Lewis, Ratner and Klein being all of the Members present who had participated in the decision, all having read the Resolution, having no questions or comments and feeling that the Resolution was ready for a vote, unanimously adopted the Resolution upon motion by Member Ratner and second by Member Lewis.
2. Equitable Property Ventures, LLC – Application No. 2022-29-PFSP – The Memorializing Resolution not yet being ready, with concurrence by the Applicant this matter will be placed on the Board's September 20, 2022 agenda.

Absent objection, the Chairman departed from the order of the Agenda for consideration of:

Ordinance No. 27-2022 – Updating and Replacing Article XIV of Chapter 170 of the Township Code entitled “Affordable Housing Regulations”.

Upon motion by Member Lewis and second by Member Cucci, Ordinance No. 27-2022 was found to be substantially consistent with the Master Plan and the Housing Element & Fair Share Plan by the unanimous votes of Members Lewis, Cucci, Ratner, Rieber, Alternate No. 2 Wishnew (in place and stead of Member Dinar) and Klein with Member Santola abstaining; they being all of the Members then present.

The Board returned to Old Business.

3. Minor Subdivision with Variances (Continued from July 19, 2022)

113 Meadowbrook Road

Block: 4094; Lot: 38

Application No. 2022-20-MSUBV

John Russo

R-4 Zone

Applicant proposes a minor subdivision to create proposed Lots 38.01 and 38.02. Existing improvements will be removed in anticipation of two single-family dwellings.

Appearing for Applicant: William J. Rush, Esq.

Witness for Applicant: Nikia Bomar, A Principal of 113 Meadowbrook Livingston, LLC

No members of the public had questions for the witness.

Applicant’s expert witness Alexander Dougherty not being available, at 7:57 P.M. the hearing was continued to the Board’s October 6, 2022 Meeting at 7:30 P.M. with no further notice by the Applicant required and with the Applicant agreeing to confirm in writing the extension of the Board’s time to decide.

New Business.

Preliminary & Final Site Plan with Variance

R5-L Zone

136 & 140 Passaic Avenue

Block: 6101; Lots: 25 & 26

Application No. 2022-39-PFSPV

Executive West, LLC

Applicant is seeking preliminary and final site plan approval to permit the construction of 72 residential units within a 4-story building and related site improvements. Units will consist of 58 market rate apartments and 14 affordable apartments. Existing improvements consisting of two (2) single-family homes, a detached garage, and a rear framed building will be removed.

Appearing for Applicant: John P. Wyciskala, Esq., of Inglesino
Webster Wyciskala Taylor

Member Santola immediately stated that he and his employer have a business relationship with the firm representing the Applicant and he deemed that to be a basis for his disqualification. He recused himself and withdrew from the Meeting.

Witnesses for Applicant: Michael Lanzafama, P.E., P.P. and Land
Surveyor, of Casey & Keller, Inc.
Brian Conway, Landscape Architect, of
Casey & Keller, Inc.

Members of the public with questions for witnesses:

Samir Patel, 26 Dickinson Lane
Clifford Schafer, 128 Passaic venue
John Schafer, 130 & 166 Passaic Avenue

The Board was in recess from 9:43 P.M. until 9:49 P.M.

At 10:35 P.M., the Applicant having agreed to Special Meeting; the hearing was continued to a Special Meeting at 7:30 P.M. on Tuesday, September 20, 2022 with no further notice by the Applicant required.

Adjournment. The Meeting was adjourned at 10:36 P.M.

Respectfully submitted,

Jackie Coombs-Hollis, Secretary