

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

**September 20, 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 Government Services for meetings during the Covid-19 emergency.

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

Present:	Peter Klein, Chairman	Absent:	Ann Cucci
	Richard Dinar, Vice Chairman		Steven Santola
	Rudy Fernandez		
	Martin Kalishman		
	Barry Lewis		
	Sanjay Nambiar		
	Samuel Ratner		
	Michael Rieber		
	Jill Wishnew		
	Jackie Coombs-Hollis, Secretary		
	Catherine Maddrey, Assistant Secretary		
	Rocco Marucci, Assistant Engineer		
	Richard Vallario, Board Attorney		
	Barbara Ehlen, Planning Consultant		
	Lee Klein, Traffic Consultant		

Minutes. The Minutes of September 8, 2022 were accepted as presented.

Old Business. Equitable Property Ventures, LLC – Application No.2022-29-PFSP – Consideration of Memorializing Resolution - Members Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 1 Nambiar (in place and stead of Member Santola) and Klein, having participated in the decision and all having read the Resolution, having no questions or comments and feeling that the Resolution was ready for a vote, unanimously adopted the Memorializing Resolution upon motion by Member Ratner and Second by Alternate Nambiar.

Marsag LP – Application No. 2020-21-PFSPV (Amendment -2) – The Chairman announced that by Agreement with the Applicant, the resolution in the matter will be considered at the Board's meeting at 7:30 P.M. on Thursday, October 6, 2022.

Announcement.

The Chairman made an announcement, for the benefit of members of the public interested in the OM Divya site plan application, that at the request of the Applicant the matter will be heard at the Board's Tuesday, October 18, 2022 meeting at 7:30 P.M. Member Lewis noted that no additional notice by mail will be provided to persons who had received such notice for tonight.

New Business.

321 South Livingston Avenue District Redevelopment Plan and Ordinance No. 29-2022

The Board reviewed both the subject redevelopment plan and the ordinance as referred by Resolution No. 22-231.

Upon motion by Member Dinar and second by Member Lewis and the unanimous votes of Members Dinar, Fernandez, Kalishman, Lewis, Ratner, Rieber, Alternate No. 1 Nambiar (in place and stead of Member Santola), Alternate Member No. 2 Wishnew (in place and stead of Member Cucci) and Klein, the Board determined, pursuant to N.J.S.A. 40A:12A-7,

- a. To report that it found the 321 South Livingston Avenue Redevelopment Plan to be substantially consistent with the Master Plan; and
- b. That it also found Ordinance No. 29-2022 to be substantially consistent with the Master Plan; and
- c. That the Board makes three recommendations in regard to the redevelopment plan:
  - Page 21 *Vehicular access and parking*. Add language as to where off-site parking would be.
  - The text in item "D" on page 13 should be repeated among the Master Plan provisions recited on pages 29 and 30.
  - Consideration should be given to any need to address water and sewer system improvement.

Hearings.

1. Preliminary & Final Site Plan with Variances B-1 Zone  
212-214-222 North Livingston Avenue  
Block: 1706; Lots: 1, 2, & 5  
Application No. 2013-22-PFSPV (Amendment)  
Om Divya Realty LLC  
Applicant is seeking to amend the previously approved application to include a shed in the rear of the building, maximize the current seating of 120 with 60 indoor and 60 outdoor combined as one indoor and outdoor limit, replace spotlights behind the store with down lighting on sidewalk, and reconfigure allocation of parking signs.

The Chairman announced that, at the request of the Applicant, the hearing is continued to the Board's Tuesday, October 18, 2022 meeting at 7:30 P.M. with no further notice by the Applicant required.

2. Preliminary & Final Site Plan with Variances R-5L Zone  
(Continued from September 8, 2022)

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

Appearing for Clifford Schafer: Matthew E. Gilsonon, Esq. of  
Weiner Law Group, LLP

Witnesses for Applicant: Harold K. Maltz, P.E., of Hamal  
Associates, Inc.  
Laurance D. Appel, R.A., of Appel  
Design Group, PA

Member of the public with questions for witnesses:  
John Schafer, 130 & 166 Passaic Avenue

The Board was in recess from 8:53 P.M. to 9:00 P.M.

The hearing was continued to the Board's Meeting at 7:30 P.M.  
November 1, 2022 with no further notice by the Applicant required.

Adjournment. The Meeting was adjourned at 9:45 P.M.

Respectfully submitted,

Jackie Coombs-Hollis,  
Secretary

