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**Township of Nutley
Planning Board
Meeting Minutes
Wednesday, July 11, 2018**

A meeting of the Planning Board of the Township of Nutley was held on the third floor of the Township of Nutley Municipal Building, One Kennedy Drive, Commission Chambers. Adequate notification was published in the official newspapers of The Herald News, the Star Ledger and the Nutley Sun on December 14, 2017.

Roll Call:

Mr. Contella - excused
Mr. Malfitano - present
Ms. Castro - excused
Mr. Kirk - present
Mr. Greengrove - present
Ms. Kucinski - present
Mr. Algieri - present
Mr. Del Tufo, Secretary - excused
Mr. Arcuti, Vice - Chairperson - present
Ms. Tangorra - Chairperson - present
Mr. Kozyra - present
Commissioner Evans - present
Mayor Scarpelli - present

Meeting Minutes:

The Regular and Executive Session Meeting Minutes for June 20, 2018 were approved by the Board.

Invoices:

An invoice for Debra Fontana for attendance and preparation of the June 20, 2018 Meeting Minutes was approved by the Board.

An invoice for Barry Kozyra for attendance at the June 25, 2018 Special Meeting regarding the Prism Phase 2 Redevelopment was approved by the Board.

The proceedings in this matter were voice recorded. The recital of facts in the Minutes is not intended to be all-inclusive but is a summary and highlight of the complete record made before the Planning Board.

Prism Capital Partners
Phase II Application and
Kingsland Street Urban
Renewal, LLC Final Site Plan

Mr. Kozyra stated that a Special Meeting was conducted on June 25, 2018, to speed the application for a consistency review hearing before the Board. Prism would submit all paperwork for amendment to the Redevelopment Plan for review and approval by the Commissioners at their July 3, 2018 meeting and obtain approval at that meeting. The applicant's paperwork was not completed and the meeting was rescheduled for July 17, 2018.

In addition, Mr. Kozyra stated that there has been a request made by Kingsland for final site plan approval on Phase I. Mr. Kozyra stated that his understanding from the Township was that Phase I was not ready for final approval since Prism has not completed its last work on Phase I. In the hope of having the final approval scheduled, Mr. Kozyra has scheduled another Special Meeting on July 18, 2018, and has confirmed that everyone will be in attendance.

Mr. Kozyra stated that he has pushed for Prism and Kingsland to get the development moving a little faster, and has tried to arrange combined approvals at two separate Board meetings during the last week of July, and on August 1, 2018. Mr. Kozyra was advised earlier that day that Prism would not have the Phase II site plan ready that week. The Board has a regularly scheduled meeting on August 1, 2018, and the Board should receive the materials to consider amendment to the Redevelopment Plan by then if the applicant receives the Commissioners' approval at the July 17, 2018 meeting.

Hearing Schedule

New Application - Clover Street

Mr. Kozyra stated that there is a new application that is going to be made with respect to Clover Street. The application has not been finalized, and there is currently no hearing date scheduled. Mr. Kozyra was advised that the application has three buildings, and is unsure exactly what configuration the applicant is requesting but it is much smaller than the original application that had at least seven or more buildings on the lots.

S&S at Valley, LLC/North American Eagle Construction
367 - 371 Franklin Avenue Application

Mr. Kozyra confirmed with Thomas DiBiasi, attorney for the applicant that he will be expeditiously issuing his letter withdrawing the application. Once Mr. Kozyra receives a copy of the letter, he will forward a copy to the Board.

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Municipal Excess Liability Joint Insurance Fund

Earlier in the day, the Board received documents regarding the Municipal Excess Liability Joint Insurance Fund. Mr. Kozyra stated that Mayor Scarpelli has requested that he and Ms. McGovern, Board Attorney for the Zoning Board, distribute the paperwork to their Board members.

Mr. Kozyra explained that there had been some concerns regarding a gap in the existing insurance coverage provided by the Township. The Township currently has a one-million-dollar insurance policy, and in addition, the members are also indemnified by the Township. Mr. Kozyra stated that there have been times when an individual Planning and Zoning Board member has been sued for an alleged civil rights violation. As a result, the Township has secured additional indemnity coverage in the amount of \$50,000.00 that could be used by a member for legal representation.

To get the additional coverage, there is a free, short training program (approximately one hour) that is available, but the members will have to attend the program to receive the coverage. Mr. Kozyra stated that both he and Ms. McGovern have agreed that it would make the most sense to schedule a training session at night, or possibly two nights if needed to accommodate members' schedules. After the members have completed the training, that member and the Board attorney will have to certify the member's attendance. Currently, there are no training sessions scheduled but anticipate that the training will take place during the months of September and/or October.

Nutley Board of Education **LRFP Update - Various Projects for the Nutley School District**

The Board was distributed drawings and correspondence from Kenneth Ross from DiCara Rubino Architects that contained updated site and floor plans on behalf of the Nutley School Board of Education for the Board to review and provide their comments.

Mr. Kozyra requested that the Board review the drawings and paperwork, email their comments, and he will prepare a draft letter to be reviewed at the August 1, 2018 meeting.

Board's Density Recommendations to Board of Commissioners for Mixed Use Applications

Ms. Tangorra asked Mayor Scarpelli if any action has taken place regarding the Board's density recommendations to the Commissioners.

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Mayor Scarpelli responded that there have been issues as to the Prism site that were taking priority. The density proposal should be addressed soon since there is nothing currently pending before the Zoning and Planning Boards.

Public Comments:

No Public Comments

The meeting concluded at 7:19 p.m.

The next meeting is scheduled for Wednesday, August 1, 2018 at 7:00 p.m.

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