

Approved OK-BAL
9/3/25

**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, August 20, 2025**

A public meeting of the Planning Board of the Township of Nutley was held. Adequate notification was published in the official newspapers of the Herald News, the Star Ledger and the Nutley Sun on August 8, 2025, and posted on the Township website and at the Township of Nutley Municipal Building, One Kennedy Drive, Nutley, New Jersey.

Salute to the Flag

Roll Call

Mr. Malfitano – Present
Ms. Kucinski – Present
Mr. Del Tufo, Secretary – Excused
Mr. Arcuti, Chair - Present
Mr. Smith – Excused
Mr. Koribanick, Mayor's Designee – Present
Ms. Rempusheski - Present
Ms. Tangorra, Vice Chair – Present
Mr. Kozyra – Present
Commissioner Scarpelli – Present
Mayor Kelly – Excused
Mr. Contella, Alternate – Present (**sat for Del Tufo**)
Dr. Marchese, Alternate – Present (**sat for Smith**)

Meeting Minutes

The Meeting Minutes for the August 6, 2025 meeting were approved by the Board.

Communications/Bills

An invoice for Gail Santasieri in the amount of \$150.00 for her attendance at and preparation of the August 6, 2025 Meeting Minutes, was approved by the Board.

An invoice for Pennoni Associates, Invoice 1285876 in the amount of \$3,096.00 for professional services rendered for the Franklin Avenue Redevelopment, was approved by the Board.

New Business

**Continuation of PB Nutcliff Master, LLC/Roche
Preliminary/Final Major Site Plan Application
41-47, 44-50 and 54 Winsor Place; 340, 430, 434 and 438 Kingsland Street**

Exs.: A1 - Affidavit of Publication

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.

- A2 - Affidavit of Service
- A3 - Site Plan, dated 7/15/25
- A4 - Site Plan (zoomed in view)
- A5 - Truck Turning Movement (substituted page), dated 7/30/25
- A6 – Artist’s rendering of the building, dated 7/30/25
- A7 – Material Board. Dated 7/30/25

Meryl Gonchar, Esq., Sills Cummis & Gross P.C., appeared on behalf of PB Nutcliff Master, LLC. Ms. Gonchar went over all of the documents that were provided to the Board in advance of the 10 day submission date for tonight’s meeting.

Lee Klein. Engineer/Traffic Consultant with Klein Traffic Consulting, he is testifying on behalf of the Township of Nutley. He submitted his review letter, dated August 6, 2025, in response to the traffic report submitted by Stonefield, Engineering dated June 30, 2025. Due to the day of the week, he corrected the date of Stonefield’s traffic counts from November 20 to November 30, 2023. He stated that Stonefield used the NJDOT’s projections in figuring the background growth and he said that he was, “okay with that.” He is also okay with the 5% transit usage credit (or 7 trips) that they figured into their report. He was not sure how they got their distribution percentages regarding the railroad crossing and getting to Route 3, but he said that he spoke with Justine Fox earlier and she was able to explain some of their analysis, so he is also okay with that. Regarding the intersection of Brookdale and Kingsland, he wishes there was more than 75 feet from the proposed building’s driveway to this intersection, but he is also okay with this. The level of service analysis for the Darling Avenue and Metro Boulevard intersections he is also okay with. The 293 parking spaces he is also okay with because all of the proposed employees will not be showing up and/or leaving at the same time. He had a concern about the 500-600 foot walkway from the parking lot to the entrance of the building, but then looked into mass transit and anyone taking mass transit and getting off on Kingsland will have just as long a walk, if not longer. He knows that they have corrected the amount of ADA parking spaces they need to provide, they are going to provide 4% of the 29312 EV parking spaces, they also provided updated templates for the WB 53 turning radius and he feels that there would be no need to make any changes to the island located on their driveway, and if there should ever become the need for visitor parking they have enough spaces close to the building entrance to cover that.

Numerous questions and/or comments were made by the following Board Members: Commissioner Scarpelli, Ms. Rempusheski and Mr. Malfitano.

Public Questions:

None

Justine Fox, Traffic Engineer with Stonefield Engineering & Design, 92 Park Avenue, Rutherford, NJ. Her credentials were accepted by the Board as an expert in traffic engineering.

In response to Mr. Klein's comment about the date of the actual traffic count, she confirmed that it was done on November 30, 2023. She also stated that the report was done on a Thursday which is one of the most typical travel days. Regarding the distribution issue in Question #5 of their June 30, 2025 report, she explained that between the Journey to Work model they created and the actual count data from November 2023, they applied it to the proposed building to have an understanding of how many trips are estimated to be coming from Kingsland and /or Route 3. Regarding question #6 in the report regarding the 75 foot distance from the building to the two intersections, they went back to do another count and they estimate that the 75 feet comes to over 3 car lengths, so if two people were to be making left turns at the same time you would be able to see each other and still have three vehicle lengths between the two cars as you are turning onto Kingsland. They feel that moving the driveway closer to the Kingsland/Bloomfield Avenue intersection would reduce the distance between the signaled intersection and driveway. She advised that the County would have the final decision on the intersections. With regard to Question #7 regarding Brookdale Avenue, she stated that they did another traffic count and they found that the site driveway on average gets about 1 second of delay on weekday mornings, and 4 seconds of delay on weekday evenings. She also mentioned that they looked into the proposed pre-school traffic, and they feel that the biggest impact would be to anyone leaving the On3 campus but the normal business working hours are 7 a.m. – 4 p.m. and the school's pick-up time will be 2:45 p.m..

Numerous questions and/or comments were made by the following Board Members: Commissioner Scarpelli, Mr. Malfitano, Ms. Rempusheski, Mr. Contella and Mr. Arcuti

Public Questions:

Alexander Compton, 307 Hillside Avenue, Nutley. He is wondering what traffic contingencies would be available once the proposed work is done.

Richard Procanik, Civil Engineer at Colliers Engineering & Design. Mr. Procanik appeared again to testify to the point-by-point responses he prepared and submitted to the Board on August 8, 2025, in regard to the Town's experts' reports..

To reiterate his previous testimony, they need to adhere to the stormwater regulations that the DEP has published and the Township of Nutley has adopted and then further supplemented them with their own requirements within the ordinance. The methodology that the Applicant utilized was to demonstrate that the proposed conditions, in terms of volume and time, never exceeds the existing conditions. They will reduce the volume of water leaving the site in the same or shorter amount of time as it exists today and they will do this by reducing the impervious coverage by 1.55 acres or 67,700 sq. feet, approximately. So through the reduction of impervious coverage and demonstrating that the volumetric flow rate over time is less than existing, he feels they meet the NJDEP requirements.

In response to the Pennoni review letter, he has spoken with Ms. Raja and submitted a revised stormwater submission, they also provided a geotechnical report (how quickly and how much

water runs over land based on the soil condition), and also a point-by-point response to all of the Town's experts' reports.

Numerous questions and/or comments were made by the following Board Members: Commissioner Scarpelli, Ms. Rempusheski, Mr. Arcuti and Mr. Malfitano.

Public Questions:

David Morehouse, 138 Kenzel Avenue, Nutley. Has concerns about the setbacks, the grade staying the same, and the amount of rainwater they would get in their backyards during and after construction.

Monica Suarez, 73 Elm Place, Nutley. Has concerns about the present flooding and what can be done.

Mr. Chun, 528 Passaic Avenue, Nutley. Has concerns about storm and waste water.

David Novak, Planner with Birch Associates. His credentials were accepted by the Board as a Planner.

He stated that the intent of Redevelopment Plan is to facilitate the development of a research and development facility serving as an innovation hub based on design, research, and development which is physically, economically, and socially integrated with Nutley. Both Mr. Reiner and Mr. Ricci submitted correspondence stating that the proposed building is consistent with the Redevelopment Plan. Mr. Novak's conclusion is that this is a variance-free application, consistent with the Town's Redevelopment Plan.

Questions and/or comments were made by the following Board Member: Commissioner Scarpelli, and Mr. Malfitano.

Mr. Arcuti stated that this matter will be carried to the September 3, 2025 Meeting.

Old Business

None

Workshop Issues

None

Committee/Sub-Committee Reports

None

Counsel's Report

None

Public Comments

None

The meeting concluded at 10:11 p.m.

The next meeting is a Special Meeting scheduled for Wednesday, August 27, at 7:00 p.m.