

**TOWNSHIP OF NUTLEY  
PLANNING BOARD MEETING MINUTES  
Wednesday, October 29, 2025**

BAK  
Approved  
11/6/25

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

**Meeting Minutes**

The Meeting Minutes for the October 15, 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 October 15, 2025 Meeting Minutes, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #PEN05 dated 10/2/25 in the amount of \$2,040.00 for professional services rendered for the Franklin Avenue 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.

## **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**

**Meryl Gonchar, Esq.**, Sills Cummis & Gross P.C., appeared on behalf of PB Nutcliff Master, LLC. She made her opening statement and advised that Mr. Procanik would be testifying tonight on his revised Stormwater Plans, which have been resubmitted within the timeframe requested by the Township's Engineer. She feels that the revised Plans meet all of the Board's previous recommendations and/or requests and the DEP requirements.

**Eugene Diaz**, Manager of PB Nutcliff. He stated that PRISM has done more than what it is required to do by law.

**Richard Procanik**, Applicant's Engineer stated that they have submitted revised site plans which address the Township Engineer's comments, while also changing their proposed methodology for the stormwater management on site. In that packet they also submitted a Stormwater Management Report and a response letter that itemized the individual changes in response to the Township Engineer's letter. Ex. A9 – Site Plan, dated 10/27/25, has been updated with minor site changes to match the current Site Plans. To meet DEP requirements, they shifted the riparian zone further into the site, made minor adjustments to the landscaped islands to maintain parking along the west side (there are now 285 parking spaces, with 7 ADA spaces), along the exiting ditch they added a sanitary sewer easement, as per the Town Engineer's requests, a saw cut line was added along Kingsland Street, to be compliant with DEP standards, they lowered portions of the driveway so they would not be filling within the flood plain, they fixed a side yard setback error, and the largest change made is the conversion of the curve under curve proposal to the new peak flow reduction. The peak flow reduction method is an underground system using concrete vaults. The vaults will hold the stormwater and then slowly discharge the stormwater back to the initial point of infiltration nearest Kingsland Street. He stated that they did receive a review letter (October 27, 2025) from the Township Engineer, and they will comply with all of those comments.

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

Mr. Procanik stated that they received several reply letters from the opposing engineer, Mr. Vuich, and he responded to Mr. Vuich's letters and testimony:

Ms. Gonchar asked him questions regarding the curve under curve design. He went through a quick description but pressed that the curve under curve was not the methodology before the Board as the Applicant was now using the peak flow reduction method.

Mr. Procanik wanted it on the record that he may have insinuated that the Township Engineer, Ms. Raja, reviewed the revised curve under curve design, but that is incorrect as they have not submitted that design. What Ms. Raja has agreed with is the peak flow reduction method.

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

**Public Questions:**

Joseph Vuich, Engineer, on behalf of Nutley Lumber, asked several questions regarding the curve under curve presentation. Ms. Gonchar objected to many of his questions.

Robert Gorrie, Esq., on behalf of Nutley Lumber, had several questions regarding Mr. Procanik's responses to the opposing engineer's response letters.

Dipti Raja, Township Engineer, testified that she did receive a revised 10/15/25 submission stating that the Applicant is no longer going with the curve under curve approach but rather using the peak flow reduction approach. She stated that she had several comments which she identified in her letter dated 10/27/25, but the majority of those comments were satisfied. The remaining 10 open comments could be satisfied during resolution compliance should the Board approve the application. She stated that the application is contingent on the DEP's flood and environmental reviews. The Applicant has promised to keep her in the loop as to DEP communications.

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

**Public Questions:**

Robert Gorrie, Esq. had several questions regarding stormwater management.

Joseph Vuich had several questions regarding stormwater and groundwater management.

Howard Davis, Esq., Davis Environmental Law, had questions regarding groundwater level investigations.

Mr. Vuich made a closing argument going over his objections regarding the timing of all responses and the implications to Nutley should this application be approved.

Ms. Gonchar made her closing statement wherein she went over the changes that have been made since the beginning of this application.

### **Comments by the Board:**

Numerous comments were made by the following Board Members: Mr. Arcuti, Commissioner Scarpelli, Ms. Tangorra, Mr. Malfitano, Mr. Contella, Ms. Rempusheski, Mr. Smith, and Mr. Del Tufo.

A motion was made to approve the preliminary/final site plan application with numerous conditions noted by Mr. Del Tufo:

Mr. Malfitano – Yes  
Mr. Del Tufo, Secretary – Yes  
Mr. Smith – Yes  
Ms. Rempusheski - Yes  
Ms. Tangorra, Vice Chair – Yes  
Commissioner Scarpelli – Yes  
Mr. Contella, Alternate – Yes  
Mr. Arcuti, Chair - Yes

### **Old Business**

Franklin Avenue Redevelopment and Rehabilitation Area Application – Hearing carried to November 6, 2025.

PB Nutcliff 275 Kingsland Street Preliminary/Final Major Site Plan Application – Hearing has been carried to November 6, 2025. At the close of tonight's meeting Chair Arcuti asked Ms. Gonchar and Mr. Diaz if this application was being withdrawn. Both agreed that it would be withdrawn when the Innovation Center Resolution was signed.

### **Workshop Issues**

**None**

### **Committee/Sub-Committee Reports**

**None**

### **Counsel's Report**

**None**

### **Public Comments**

**None**

The meeting concluded at 10:30 p.m.

The next meeting is scheduled for Wednesday, November 6, 2025 at 7:00 p.m.