

Approved
11/12/25
RAC


**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, November 6, 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 November 21, 2024, 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 – Excused
Dr. Marchese, Alternate – Excused
Mr. Arcuti, Chair - Present



Meeting Minutes

The Meeting Minutes for the October 29, 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 29, 2025 Meeting Minutes, was approved by the Board.

An invoice for Barry Kozyra, Esq., in the amount of \$800 for his attendance at a Special Meeting on September 22, 2025 regarding the Innovation Center application, was approved by the Board.

An invoice for Barry Kozyra, Esq., in the amount of \$800 for his attendance at a Special Meeting on October 29, 2025 regarding the Innovation Center application, was approved by the Board.

An invoice for Barry Kozyra, Esq., in the amount of \$800 for his attendance at a Special Meeting on November 3, 2025 regarding the Innovation Center application, 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.

An invoice for Michael Rubin, Esq., in the amount of \$1,237.50 for his preparation for and attendance at the October 15, 2025 Meeting (covering for Mr. Kozyra), was approved by the Board.

An invoice for Klein Traffic Consultants, Invoice #060625, dated 6/6/25, in the amount of \$2,090.00 regarding 275 Kingsland Street proposed warehouse development, was approved by the Board.

An invoice for Ricci Planning, LLC, Invoice #NTPB-00300-01, dated 6/3/25, in the amount of \$1,275.00 for professional services rendered for 275 Kingsland Street warehouse development, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #1273098, dated 5/5/25, in the amount of \$395.00 for professional services rendered through 4/20/25 for 275 Kingsland Street, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #1276822, dated 6/3/25, in the amount of \$3,352.00 for professional services rendered through 5/25/25 for 275 Kingsland Street, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #1282552, dated 7/10/25, in the amount of \$3,577.00 for professional services rendered through 6/22/25 for 275 Kingsland Street, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #1290384, dated 9/5/25, in the amount of \$2,102.00 for professional services rendered through 8/24/25 for the Franklin Avenue Redevelopment, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice #1294891, dated 10/2/25, in the amount of \$2,040.00 for professional services rendered through 9/21/25 for the Franklin Avenue Redevelopment, was approved by the Board.

New Business

A short recess was taken so that the Board could hold an Executive Meeting.

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

A motion was made to vacate the Innovation Center approval which was passed on 10/29/25 due to the fact that some of the Board Members may have not been present at, nor watched the meeting's videos, of all the hearings:

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

A motion was made to approve the Innovation Center application subject to the conditions discussed at the October 29, 2025 meeting, and consistent with the draft resolution prepared:

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

A motion was made to memorialize the written Resolution for the Innovation Center application approved PB Nutcliff Master, LLC/Roche Preliminary/Final Major Site Plan Application:

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

Adam Faiella, Esq., Sills Cummis & Gross P.C., appeared on behalf of PB Nutcliff Master, LLC. and formally withdrew the PB Nutcliff 275 Kingsland Street Preliminary/Final Major Site Plan Application with prejudice:

Franklin Avenue Redevelopment and Rehabilitation Area Application

Nicolas Racioppi, Jr., Esq., Riker Danzig, Madison, NJ. Appeared on behalf of the Applicant, Nutley Town Center Urban Renewal Entity, LLC. He advised who his witnesses were for tonight's hearing.

Paul Winters, Engineer, Bowman Consulting Group, Parsippany, NJ – still under oath. The topics he discussed were stormwater and construction/staging. He reintroduced Ex. A1 (existing conditions). He stated that the redevelopment of the site will result in several improvements over the existing site conditions, including improvements in ground cover, as well as improvements in

both the discharge and management of stormwater runoff. The proposed condition will result in a significant reduction (.81 acres) of the site's paved parking areas which will be replaced by the parking garage, and there will be an overall net reduction in total impervious coverage of .13 acres. He feels that there is going to be an improvement in the land cover because they are reducing the total impervious cover, and that is going to lead to benefits in the quality of runoff water, as well as the total volume of stormwater runoff from the site. He reintroduced Ex. A2 (proposed rendered conditions). He stated that the building will be taking up most of the current paved areas, but they will be increasing the green space. He feels that these improvements will collect and better control the discharge of runoff. They will have new inlets and a collection/conveyance system, and the roof will direct the runoff into three stormwater management basins that will be placed behind the building and one under a parking lot on the side of the building. Their proposed improvements meet the NJDEP stormwater management regulations.

Regarding the Franklin Avenue Redevelopment Plan, he stated that they will be seeking relief from provisions that require some additional reductions and peak rates of runoff from the site above those required by the DEP. The roof areas will be able to collect stormwater before discharging it to Franklin Avenue, but they will be unable to accommodate adequate measures throughout the balance of the site to also meet the reductions in those areas. Basically, they are reducing the total impervious area, reducing the total volume of runoff from the site, and collecting and controlling runoff through the BMPs and pipe conveyance which will result in a net decrease in the impacts and a net improvement in the reduction in impacts.

He gave some updates on Phase 1 of the construction – the parking garage. They expect this will take approximately 90 – 180 days for completion. Approximately 27 parking spaces in the municipal lot will remain available during construction. Once the garage is in place, the ground level will be made available for parking, resulting in approximately 75 additional spaces providing a total of 102 spaces for the balance of the construction project.

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

Joe Forgione, Developer. He gave a brief history of the project and how the new drainage design will improve the drainage situation on Franklin Avenue. He stated, "I think that municipalities can be surprised on the rents that we're going to achieve, and through your pilot program I think you're going to see a great rate available here." He feels strongly about a high-end restaurant coming into the development and he feels that will help the Town greatly.

Questions from the Public

Jan Craft, 214 Hillside Avenue, had concerns regarding the parking lots and the amount of stormwater runoff.

Miriam Gabriel, owner of Melandre Salon, had concerns regarding parking for her staff and customers during construction, and any possible disruption to her business.

Sarah Sabba, 188 Hillside Avenue, had questions about the type of trees the Applicant plans to plant behind her property.

Frank Nora, 194 Hillside Avenue, had questions regarding the space between the building and the fence on top of the retaining wall.

Bradley Kozelek, 198 Hillside Avenue, had concerns about a specific tree (white pine) being taken down.

Matthew Murello, Acoustic Engineer, Lewis S. Goodfriend & Associates, Chester, NJ. He was accepted as an expert in his field. He stated that he submitted a report, dated July 17, 2025, to the Board and a response letter to the Township's acoustical expert. He stated that they evaluated the sound levels using a software package that accounts for topography and barriers so they could model the sound level at the actual structures of the building, the houses, as well as the property line. Because the houses are multi-leveled, they evaluated at the first-story window, the second-story window, and the tops of the houses – 49 DBA.

Joseph Keefe, Ostergaard Acoustical Associates, Township's acoustic expert. He asked questions regarding Mr. Murello's study. He confirmed that the DBA level does meet the code level allowed by New Jersey. He also asked what they expect the noise level (mechanical equipment) to be if a restaurant leases part of the retail space. Mr. Murello was not able to answer that question because they have not leased the space as of yet. Mr. Murello did state that if there was a problem with the mechanical noise level after the space was rented, the Applicant obviously has to make sure the proper level is met. Mr. Keefe asked that a specific daytime timeframe be set to test the generators. He would also like the garbage pick up to be restricted to a specific time.

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

Questions from the Public

Mike Pratt, 214 Hillside Avenue, had questions about the noise level on different floor levels of his home.

Michael McNamara, 210 Hillside Avenue, had a question about moving the dumpster location away from the residential properties.

Due to the time, Chairperson Arcuti put the continuation of the hearing on hold until November 12, 2025. All time constraints were waived.

Old Business

None

Workshop Issues

None

Committee/Sub-Committee Reports

None

Counsel's Report

None

Public Comments (Franklin Avenue Redevelopment)

Victoria McGeown, 206 Hillside Avenue, has concerns about their privacy in relationship to the balconies on the 4th floor.

Ian McGeown, 206 Hillside Avenue, has concerns about how the issues the builder has agreed to being carried out and where do the Hillside residents go if these are not followed through.

Michael McNamara, 210 Hillside Avenue, has questions about what building conditions are fixed and what are still in the talking stage.

The meeting concluded at 9:58 p.m.

The next meeting (Special Meeting) is scheduled for Wednesday, November 12, at 7:00 p.m.