

**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, December 3, 2025**

Approved
BAC 12/17/25

A 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 – 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 Kucinski**)
Dr. Marchese, Alternate – Present (**sat for Smith**)
Mr. Arcuti, Chair - Present

Meeting Minutes

The Meeting Minutes for the November 12, 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 November 12, 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 November 12, 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 Zoom Meeting on December 1, 2025 with the Town Engineer, Mr. Del Tufo, Mr. Berry and Mr. Arcuti regarding the resolution of the Franklin Avenue application, was approved by the Board.

The invoice for Michael Rubin, Esq., in the amount of \$1,237.50 for his preparation for and attendance at the October 15, 2025 Meeting (which was previously approved) needed to be signed by the Chair.

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 Klein Traffic Consultants, Invoice #073125, dated 8/22/25, in the amount of \$1,650.00 regarding a traffic report for the On3 Prism Redevelopment, was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice 1290385, dated 9/5/25, in the amount of \$16,470.00 for the On3 Prism Redevelopment (Molecular Drive), was approved by the Board.

An invoice for Pennoni Associates, Inc., Invoice 1294893, dated 10/2/25, in the amount of \$10,7341.00 for the On3 Prism Redevelopment, was approved by the Board.

Correspondence from Hudson-Essex-Passaic Soil Conservation District dated 10/9/25, regarding a sediment control plan for 113 St. Mary's Place. No action is needed by this Board.

Correspondence from Hudson-Essex-Passaic Soil Conservation District dated 10/22/25, regarding a revised sediment control plan for 259 Centre Street. No action is needed by this Board.

Correspondence from Hudson-Essex-Passaic Soil Conservation District dated 10/29/25, regarding a sediment control plan for 80 Park Avenue. No action is needed by this Board.

Correspondence from Essex County Department of Public Works dated 11/26/25, regarding an application for 509-543 Franklin Avenue. No action is needed by this Board.

New Business

Franklin Avenue Redevelopment and Rehabilitation Area Application

A motion was made to memorialize the Franklin Avenue Redevelopment/Rehabilitation Area Application, with deviations and conditions as set forth on the record:

Mr. Malfitano – Yes
Mr. Del Tufo, Secretary – Yes
Ms. Tangorra - Abstained
Mr. Koribanik - Yes
Ms. Rempusheski - Yes
Commissioner Scarpelli– Yes
Mr. Contella - Yes
Dr. Marchese – Abstained
Mr. Arcuti –Yes

A hearing for a Preliminary investigation for an Area in Need of Redevelopment – 300 Kingland Street, was preliminarily scheduled for December 17, 2025. (It was later rescheduled for January 7, 2026.)

382 Franklin Avenue Preliminary/Final Site Plan Application

Thomas DiBiase, Esq., appearing for the Applicant which seeks to decrease the size of the building and increase a side yard setback, which was approved in a previous mixed-use application last year. He also stated that they will agree to accept any conditions raised by the Township Engineer.

Mario Balente, owner of the property. He stated that when they started the construction of the building, he realized that he would be taking away parking spaces in his neighbor's parking lot, along with ingress and egress. He and his architect came up with a new plan – shorten the first floor by five feet and install all the drainage needed; and allow the second and third floors an overhang which will cause the stairways to now be placed on the left-hand side of the building.

Numerous questions/comments were asked by the following Board member(s): Mr. Del Tufo, Mr. Arcuti and Mr. Malfitano.

John Bryjak, Architect, 345 Boulevard, Suite 4, Hasbrouck Heights. His credentials were accepted by the Board as an expert in his field of engineering. He entered Ex. A4 and went through it page by page:

Ex. A1.1 – north and west elevations. The right-hand side, first story level, was reduced by about five feet, and the second floor would be cantilevered about 1'10". The other modification is the roofline. Previously, they had a ridge that ran left to right; now it runs front to rear, so the slope of the roof goes towards the sides. The materials they plan to use are similar to what was previously approved - the front will have board and batten siding at the pediment of the gable, fiber cement siding at the sides of the windows; PVC panel in between the windows at the second and third floors; a standing seam metal roof above the storefront; there will be a storefront window, the door, which will be centered, and then another storefront window; and flanking the right-hand side, at the base of the building, there will be a thin brick veneer along with a stone ledge. The materials on the sides consist of asphaltic shingles for the roof, fiber cement siding, and then some cement stucco parjing at the base wall.

Ex. A1.2 – south and east elevations. The planned materials will be asphaltic shingles for the roof, and fiber cement siding. The second/third floors are broken up with an apron board, they will have double-hung windows, and at the base of the building there will be a fibrous cement siding. The rear of the building shows a gable roof, double-hung windows at the second and third floors with apron board wrapping around. There will be the 1'10" cantilever, the entrance doors to the tenant space at the first-floor level, and the access door to the basement space.

Ex. A2.1 – floor plans (basement and first floor). In the basement there will be a corridor leading to storage spaces and the utility room near the front of the building. The first floor has the storefront windows at the front of the buildings flanking the door, and then the tenant space. There is a unisex bathroom, access to the basement and the rear access door.

Ex. A2.2 - floor plans (second and third floors). On the second floor is the corridor leading to dwelling #1, dwelling #2, and then towards the rear the entrance to dwelling #3. Dwelling #1 contains two bedrooms flanking a dining, living and center space, along with the kitchen. There are two bathrooms, one private for the master bedroom, one for guests and the second bedroom. The kitchen will be located in the center and there will be a utility/laundry space. Dwelling #2 will have a powder room, kitchen area, an open dining/living area, along with the internal stairs leading up to the second floor of this unit which is on the third floor of the building. On that floor there will be two bedrooms, a laundry/utility room and a bathroom. Dwelling #3 will be similar to dwelling #1 with two bedrooms flanking a center open space consisting of the kitchen, dining, and living room. There will be a private bathroom in the main suite and a second bathroom to be used for the second bedroom and guests. There will also be a utility/laundry space. The kitchen will have a closet. He stated that each bedroom will have a closet.

The final exhibit sheet shows the overall streetscape.

He handed out a picture, for informational purposes only, showing what color choices will be used for the building materials.

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

Joseph Staigar, Traffic Engineer and Planner, 17 Tremont Drive, East Hanover. The Board recognized him as an expert in his field of planning. Mr. DiBiase asked him to give a brief explanation of the meeting the two of them had with the County regarding two parking spaces on Franklin Avenue. The owner of the adjacent property wanted at least one parking spot in front of her store to remain. With some changes to the striping they were able to save one of the two spots, and that is what the neighbor specifically requested. Regarding the Pennoni report dated November 24, 2025, he stated that they would be able to comply with all of their requests. He is asking that they not be required to provide a turning template because they meet the RSIS requirements. He also stated that the only people accessing the property parking lot will be the tenants or employees of the building. He also stated that they had no problems complying with Paul Ricci's planning requirements.

Numerous questions/comments were asked by the following Board member(s): Commissioner Scarpelli, Me. Malfitano, Ms. Rempusheski, Mr. Del Tufo and Mr. Arcuti.

A motion was made to approve the 382 Franklin Avenue Preliminary/Final Site Plan Application with deviations and conditions as set forth on the record:

Mr. Malfitano – Yes
Mr. Del Tufo, Secretary – Yes
Ms. Tangorra - Yes
Mr. Koribanik - Yes
Ms. Rempusheski - Yes

Commissioner Scarpelli– Yes
Mr. Contella - Yes
Dr. Marchese – Yes
Mr. Arcuti –Yes

Old Business

None

Workshop Issues

None

Committee/Sub-Committee Reports

None

Counsel's Report

None

Public Comments

None

The meeting concluded at 8:20 p.m.

The next meeting is scheduled for Wednesday, December 17, 2025 at 7:00 p.m.