

**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, January 21, 2026**

Approved
2/4/26
[Signature]

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
- Mr. Del Tufo, Secretary - Excused
- Mr. Smith - Present
- Ms. Tangorra, Vice Chair - Excused
- Dr. Marchese, Alternate - Present
- Mr. Contella, Alternate – Present
- Mr. Goitiandia - Present
- Mr. Arcuti, Chair - Present
- Mr. Koribanick, Mayor's Designee - Present
- Ms. Rempusheski - Present
- Mr. Kozyra - Present
- Commissioner Scarpelli - Present
- Mayor Kelly - Excused

Meeting Minutes

The Meeting Minutes for the January 7, 2026, meeting were accepted by the Board.

Communications/Bills

An invoice for Gail Santasieri in the amount of \$150.00, for her attendance at and preparation of January 7, 2026, Meeting Minutes, was approved by the Board.

New Business

Workshop Topic 1. Accessory Dwelling Units

Mr. Arcuti states that the state is in the process of developing a law that would permit accessory dwelling units to be constructed on individual properties throughout the state. The state would have the power to override local government and permit these buildings. Mr. Kozyra believes that the members of the Board and the Township government have better expertise as to what is in the best interest of the health, safety and welfare of the community. If the Township is able to provide evidence as to some of the benefits of the Township ordinances as well as why certain accessory dwellings will be a detriment to the Township and the health, safety and welfare of the

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community, the Township will have a better chance of having their position upheld. One example discussed at length was the continued need for no on-street overnight parking if accessory dwelling units are permitted. The Township does not permit overnight parking and if the Township is able to explain why the law is beneficial for the Township health, safety and welfare, like snow removal, it can help the state or the courts to better understand the Township's opposition to the change. Mr. Kozyra suggests that the Township research and present data to the Commissioners to explain the benefits of the Township ordinances or policies and why these accessory dwelling units as proposed would be a detriment to the health, safety and well-being of the Township.

Workshop Topic 2. Noise Ordinance

Mr. Arcuti states that the town doesn't have a sufficient noise ordinance. The current ordinance is far too subjective and can be interpreted in various ways – making it unenforceable in certain situations. He suggests that the Board members take time to study the model state noise ordinance and consider adopting it or amending the current noise ordinance to be more in line with the state's model ordinance. The Board suggested having its own expert do a study and give a professional opinion as to what is necessary to ensure the noise levels in the ordinance are appropriate.

Public Comments

None

A motion to adjourn was made and unanimously approved.

The next meeting is scheduled for Wednesday, February 4, 2026, at 7:00 p.m.

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