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**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, March 18, 2026**

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 on November 21, 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 – Absent
Mr. Del Tufo, Secretary – Present
Mr. Smith – Present
Ms. Tangorra, Vice Chair – Present
Dr. Marchese – Present
Mr. Koribanick, Mayor’s Designee – Absent
Commissioner Scarpelli – Present
Mr. Goitiandia - Present
Mayor Kelly – Present
Mr. Contella, Alternate – Present
Ms. Rempusheski, Alternate – Present
Mr. Kozyra – Present
Mr. Arcuti, Chair - Present



Meeting Minutes

The Meeting Minutes for the March 4, 2026 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 March 4, 2026 Meeting Minutes, was approved by the Board.

Correspondence from Summit Risk Services, dated February 3, 2026, regarding denial of coverage for Nutley Lumber Company litigation. No action is required by this Board,

Correspondence from Colliers Engineering & Design, dated March 9, 2026, regarding Flood Hazard Area Verification & Individual Permit Application for Block 200, Lots 1-6 and 24; and Block 102, Lot 2. No action is required by this 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.

Scheduled Future Hearings

530 Franklin Avenue (abandoned building next to Biondi's and Meal) – Applicant: 530 Franklin LLC. Proposed mixed use building – commercial space with two apartments. Mr. Arcuti asked Mr. Berry to inform the Applicant that the Board wants a rendering with both properties on the sides of the proposed building shown to scale.

New Business

None

Old Business

Mr. Arcuti reviewed some of the proposed Code definitions that were sent to the Board of Commissioners for their review/approval on October 3, 2025: The Board recommended that these definitions be adopted and they be deemed a prohibited use in ALL zones.

PAWN SHOPS

A business or store where you can leave possessions in order to borrow money or buy objects that others have left there and that are now for sale.

BAIL BONDSMAN

A person or business who charges a fee to criminal defendants in exchange for standing as surety for their bail.

CHECK CASHING BUSINEES OR SERVICE

A business that accepts or cashes, for compensation, a payment instrument regardless of the date of the date of the payment.

SHORT TERM RENTALS

A residential dwelling unit or portion thereof, rented by the property owner, or lessee, for income purposes, to a person or group of people for a period of less than 30 days.

Workshop Issues

Review Proposed Definition of Accessory Warehouses

Mr. Arcuti read the proposed definition into the record:

Accessory Warehouse Definition

A completely enclosed non-residential building or buildings in a non-residential zone where up to 90 percent of the total gross floor area on the lot may be used for the storage of goods, materials, supplies, or equipment directly related to the

principal permitted use shall constitute an accessory use to such establishment. An accessory warehouse may not exceed 35,000 square feet of gross floor area on a lot.

Mr. Arcuti stated that there are reportedly 39 properties that have a building that meets this definition. The biggest building in Town that meets this definition is 33,000 square feet. Basically, this definition is being proposed to protect the citizens in Town who already have uses that have this kind of warehouse use. He feels that, "We need to have it defined and be part of our ordinances."

Some comments/questions/suggestions were made by various Board Members.

A motion was made and passed that the Accessory Warehouse definition be approved by the Board and submitted to the Board of Commissioners for consideration to be added as a definition in the Code. The updated list of the 39 properties meeting this definition will also be provided to the Commissioners.

Mr. Del Tufo – Yes
Mr. Smith – Yes
Ms. Tangora - Yes
Dr. Marchese –Yes
Commissioner Scarpelli – Yes
Mr. Goitiandia - Yes
Mayor Kelly- Yes
Mr. Contella - Yes
Mr. Arcuti - Yes

Mr. Contella mentioned a new short-term rental arrangement that is becoming popular – "Home Hacking" – where a property owner rents out a room, or even a couch in a room, for short stays of a night or two. This arrangement can all be done by the property owner online.

Committee/Sub-Committee Reports

None

Counsel's Report

Mr. Kozyra spoke about total virtual public meetings and how they may not be legal without good cause.

Public Comments

None

Online Attendees: 0

The meeting concluded at 7:38 p.m.

The next meeting is scheduled for Wednesday, April 15, 2026 at 7:00 p.m. at the Parks & Rec Building, Room 200 (second floor above the gym).

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