

Approved
4/29/26
BAK

**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, April 15, 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 – Present
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 18, 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 18, 2026 Meeting Minutes, was approved by the Board.

Notice of Public Hearing (City of Clifton) for the Re-examination of the Master Plan on 4/23/26.

Notice of Hearing (City of Clifton’s Planning Board) for the Re-Examination of the Master Plan on 4/23/26.

Scheduled Future Hearings

530 Franklin Avenue LLC application has been carried to May 20, 2026.

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

530 Franklin Avenue LLC Preliminary/Final Major Sit Plan Application

Josh Koodray, Esq., Sills Cummis & Gross P.C., representing the Applicant, 530 Franklin LLC. He confirmed with Mr. Kozyra that he received the Applicant's notice of tonight's hearing, dated 4/1/26 (Ex. A1) and affidavit of service, dated 4/7/26 (Ex. A2). He stated that the Applicant is seeking to renovate and modify the existing structure, and add an additional apartment unit, with variances. He acknowledged for the record that he did receive the Board's engineering review letter, dated 4/1/26, and Mr. Ricci's review memo dated 4/10/26.

Edward S. Dec, Civil Engineer with Guarriello & Dec Assoc., LLC. He was accepted as an expert in the engineering field. He stated that the plans he will be using tonight have already been submitted to the Board (Ex. A3 – 3 sheets). Page 1 contains a 200-foot radius map, a photo of the site and the adjoining properties, and a zoning map (B3 mixed-use). Page 2 contains the proposed site plan, and the landscaping/lighting plan. He stated that the footprint is not changing. The proposed changes will be to the interior and the addition of the third-floor apartment. The exterior will remain as is. He said that everyone understands that parking will be a major issue with this application. Page 3 contains a larger scale drawing of adjoining properties with highlighted driveway locations to help with traffic expectations. The site improvement variances they are applying for are: (1) two-bedroom units with square footage of 961 sq. feet where a minimum of 1,175 sq. feet is required; (2) four tandem off street parking spaces of 9 x 17 where 9 x 18 is required; (3) a driveway width of less than 24 feet where 24 feet is required; (4) the lot width is an existing non-conformity; and (5) parking within 10 feet of the right of way. He confirmed that they will not be making any changes to the curb-cuts and length of the driveway. He also confirmed that they will not be adding any additional parking.

Numerous questions/comments were made by the following Board Members: Mr. Del Tufo, Mr. Smith, Ms. Rempusheski, Commissioner Scarpelli, Ms. Tangorra, Mr. Arcuti and Mayor Kelly.

Hayk Ekshian, Architect with Space & Mark Architecture. He was accepted as an expert in the architectural field. The plans he already submitted to the Board were marked as Ex. A4. At the very beginning Mr. Koodray stated that they will have to resubmit their plans to improve the current parking issues. He went over the improvements/additions they are planning to make to the exterior of the building: adding an ADA compliant ramp and small porch; and adding foundations to square off the front of the building for the aesthetics. Inside the building they are keeping the unfinished basement "as is," they are keeping the load-bearing walls, keeping the two offices, full bathroom and kitchenette on the first floor and relocating the stairway to get to the two proposed apartment units. He stated that he will be reviewing the accessibility codes since this project was started in 2022 and there could have been changes made to some of the codes. There is a current apartment on the second floor. Modifications will be made to make it a 2 bedroom/2 bathroom unit. The same floor plan will be used for the third floor 2 bedroom/2 bathroom apartment. He pulled up the Architectural Rendering (A5) which was previously provided to the Board. They

are trying to have a modern façade, but not so modern that the building will not meet with the surrounding commercial businesses. He passed around what is now called Architectural Alternatives (Ex. A5) showing three different aesthetics of the proposed buildings and asked the Board which one they preferred.

It was agreed that no decisions would be made until new plans were submitted to meet the numerous comments/suggestions made by the Board regarding parking, etc. The Applicant sought adjournment to May 20, 2026 waiving all time constraints which was granted with no required publication of notice or notice to adjoining property (subject to the review of the new plans).

Public Comments

AnnMarie Biondi stated that she and her long-existing business (Biondi Funeral Home) have concerns about the structural integrity of the current and proposed building.

Numerous questions/comments were made by the following Board Members: Mr. Arcuti, Commissioner Scarpelli, Mr. Del Tufo, Mayor Kelly, Mr. Contella, Ms. Rempusheski, and Mr. Kozyra.

Old Business

Mr. Arcuti asked about the status of the definitions provided to the BOC a few weeks ago, most importantly the warehouse definition, and he was advised that a discussion was started at their last meeting, and they would continue their discussion at their next scheduled meeting.

Workshop Issues

Mr. Arcuti stated that he was going to get a copy of the Zoning Board's report used at the Joint Meeting so that workshops could be scheduled to discuss some of the Zoning Board's concerns over the past year.

Committee/Sub-Committee Reports

None

Counsel's Report

None

Online Attendees: 2

The meeting concluded at 8:13 p.m.

The next meeting is scheduled for Wednesday, April 29, 2026 at 7:00 p.m. at the Parks & Rec Building, Room 200 (second floor above the gym).