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BAK - 7/1/26

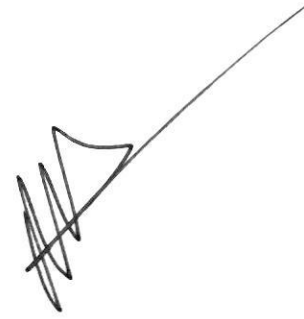
**TOWNSHIP OF NUTLEY
PLANNING BOARD MEETING MINUTES
Wednesday, June 17, 2026**

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



Meeting Minutes

The Meeting Minutes for the June 3, 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 June 3, 2026 Meeting Minutes, was approved by the Board.

Scheduled Future Hearings

Continuation of the 536-544 Washington Avenue Preliminary/Final Major Site Plan Application is carried to July 1, 2026 and possibly August 5, 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

536-544 Washington Avenue Preliminary/Final Major Site Plan Application

Matthew Gilson, Esq., Murphy, Schiller & Wilkes LLP, appeared on behalf of the Applicant, Galaxy Invest, LLC. The site is fully developed and consists of two buildings with a maximum height of two stories, parking, utilities, and landscaping. They are proposing to redevelop the site by removing the existing improvements and constructing a 24,740 sq. foot, two-story building with 28 parking spaces and 4 truck bays. This is a permitted use in the MO zone. It is their position that the application is fully conforming. The Township's experts have advised of some variance relief that may be required. He also stated that he will be presenting four witnesses tonight. He strongly stressed that the Applicant does not have a tenant(s) for the building as of this hearing, which he stated was more common than not in his experience.

Richard LaBarbiera, partner of Galaxy Invest, LLC. He stated that they will be redeveloping the site with a conforming application, repurposing and restoring a ratable to the community. He said they tried to stay within the limits of the existing disturbance. There is a slight area where they had to create additional impervious areas, and they complied with the request to make sure that they have a proper wall and landscaping. He confirmed that they do not have a tenant yet but stated that any future tenant would comply with all regulations, including hours of operation, noise requirements, etc.

Numerous and various questions/comments were made by the following Board Members: Mr. Malfitano, Mr. Del Tufo, Ms. Rempusheski, Mr. Berry, Mayor Kelly and Paul Ricci.

The following residents had questions/comments: Hugo Arellano, Mena Gabalal, Patrick Chow, and Antonio Passolino.

Matthew Clark, Engineer, MCB Engineering Associates, 11 Furler Street, Totowa. The Board accepted him as an expert in his field. Ex. A3 Site Plan (10 pages) was entered into the record.

Sheet 1 is the Title Sheet that gives some basic information; there is an aerial map, a street map, tax map, and a zone map. The property is 67,833.4 sq. feet with two commercial structures with accessory parking and is completely surrounded by residential development.

Sheet 2 shows the above-ground horizontal improvements associated with the project - a two-story, mixed-use building, first floor warehousing and second floor office space. Access to the property is similar to what is already there. There is a one-way ingress driveway which provides circulation around the property to the egress driveway. The egress driveway only allows for right-hand turns out of the property. The driveway provides access to the parking field, which has 28 spots where only 27 are required, including one EV space which is required by State ordinance. Trash will be collected and stored in the building and picked up by a private hauler.

Sheet 3 is their Grading Utility Plan. This plan represents how they are going to grade the property, manage stormwater, and where they intend to get their soft utilities - gas, water, and sanitary, which will be accessed off of Washington Avenue. Regarding grading, they want to maintain the existing patterns that are there. The site generally slopes from the front to the back, so they want to maintain that so as not to adversely impact their neighbors. Regarding stormwater, he stated that they will be disturbing more than an acre of land and they have submitted a Stormwater Management Plan that is in compliance with the Township's applicable codes. They will also be providing a "green roof" which is a green infrastructure technique that is required under the Major Stormwater Management Criteria,

Sheet 4 is their Lighting Plan. They are planning to use both pole and wall-mounted lights. He stated that this plan reflects the photometrics through the property, showing compliance with the ordinance and the Township Planner's letter.

Sheet 5 is their Landscaping Plan. Along the front of the property, they are planning a row of bushes for screening the parking area. Along the side of the property, they plan to keep what is already there. In the back corner of the property, they are going to plant six-foot Arborvitaes, and with the remaining back buffer will stay as is. He stated that they will replace any plantings that are dying or are already dead.

Sheet 6 is their Soil Erosion Plan. He stated that since they are disturbing more than 5,000 sq. feet an applicant is required to go to the governing conservation district and this map represents those required details.

Sheets 7, 8, 9 and 10 are site details associated with the project – signs, sidewalks, curbs, etc.

Numerous and various questions/comments were made by the following Board Members: Mr. Malfitano, Mr. Del Tufo, Commissioner Scarelli, Ms. Rempusheski, Mayor Kelly, and Mr. Koribanik. Mr. Kozyra also had questions and comments.

The following residents had questions/comments: Mena Gabalal, Anthony Lapommo, Anthony Pigionelli, and Tom Rossi.

Elizabeth Hysick, Architect, The Board accepted her as an expert in her field. Ex. A4 was entered into the record. She advised that there were two additional pages added to their originally submitted rendering. Basically, because there is no tenant for the building at this time, she stated that the final interior layout cannot be designed. She stated that the building is approximately 24,000 sq. feet and just under 50 ft. high (front of the building) and 25 ft. high at the rear of the building. The front portion of the building (two stories) will be office space on the second floor, and the rear of the building (one story) will be used for warehousing. The building's appearance will be predominantly light colored, probably white, with a brick first floor in the front and a metal panel for the second floor and the majority of the rear of the building. They plan to have several windows so it will not look like a warehouse, but something that will fit in with the residential

area. The curves on the building are to allow for the truck turn radiuses, and they will add a few features similar to the aesthetics of the building.

Numerous and various questions/comments were made by the following Board Members: Mr. Malfitano, Mr. Del Tufo, Commissioner Scarelli, Ms. Rempusheski, and Mayor Kelly.

The following residents had questions/comments: Anthony Pigonelli.

Due to the time and the fact that the Applicant was requested to bring updated plans/renderings, the hearing has been carried at the request of the Applicant to the July 1, 2026 meeting.

Old Business

None

Workshop Issues

None

Committee/Sub-Committee Reports

None

Counsel's Report

None

Online Attendees: 5

The meeting concluded at 9:50 p.m.

The next meeting is scheduled for Wednesday, July 1, 2026 at 7:00 p.m. at the Parks & Rec Building, Room 200 (second floor above the gym).