

**Planning Board
Minutes of the Meeting
March 16, 2010**

The Livingston Planning Board met for a Conference Meeting at 7:30 p.m. in Craft Room No. 1 in the Livingston Senior-Community Center at 204 North Hillside Avenue, with a Workshop scheduled to follow at 8:00 p.m. Notice of both Meetings was published in the West Essex Tribune and posted in the Livingston Senior-Community Center.

Conference & Workshop Meetings:

At 7:31 p.m. Recording Secretary Debra Coonce announced that proper notice had been given and called the Roll:

Present:	Peter Klein, Chairman	Absent:	Richard Dinar
	Louis Venza, Vice Chairman		Bob Leopold
	Alfred Anthony		Michele Meade
	Rudy Fernandez*		Richard Calbi,
	Martin Kalishman		Engineer
	Bill Kimmel		Janice Talley,
	Kenneth O'Neill		Planning Consultant
	Samuel Ratner		Jackie Coombs-Hollis
	Debra Coonce, Recording Secretary		Secretary
	Richard Vallario, Attorney		

* Mr. Fernandez joined the Meeting at 7:35 p.m.

1. Minutes. The Minutes of March 2, 2010 were accepted with correction of the spelling of Member O'Neill's name.
2. Old Business.
 - a. Council Request for Annual Report. The Chairman reported the Town Council has requested an annual report from the Board reporting work done that year. Additionally, attendance records for Board members will be kept by the Planning Department, and reported to the Town Council as requested. Each committee chair should ensure that the Planning Dept is advised of the date of, and members attending, each committee meeting.
 - b. Fence Ordinance Amendment. Updates to the draft ordinance were reviewed. They included rear yard fences of corner lots, deer fences, retaining wall standards and light structures. Any language referring to mail boxes and/or mailbox enclosures will be removed from the draft ordinance. Upon unanimous agreement, the Board authorized the Chairman to advise the Township Council that the Board recommends enactment of the draft ordinance.
3. New Business. *Facades & Signage Concepts* – The Chairman reported that a subcommittee will be completing recommendations to the Board and then to the BID, for a recommendation to the Town Council by June.

Time of Decision Rule The Chairman reported that the Governor has signed an amendment to the MLUL ending the time of decision rule and requiring that all applications be decided on the basis of the law in effect at the time that the application was filed.

Workshop: The Conference then recessed and the Workshop commenced with the same participants as in the Conference.

1. Identification of potential additional Code amendments. The Chairman asked Members of the Board to review the Master Plan prior to the next meeting for recommendations of code provisions to be amended. Possible code amendments identified tonight:
 - Increase the distance by which front porches can extend into the front yard setbacks.
 - Regulation of windmills and solar panels for electrical generation.
 - Residential garage capacities and sizes of detached garages and other accessory structures.
 - Side yard aggregate setback in R-4 Zone
 - Authorization for the Minor Subdivision/Site Plan Committee to make decisions on behalf of the Planning Board.
 - Identification of provisions that should be changed before applications are filed.

Conference: The Conference resumed immediately with the same participants.

4. Executive Session. Upon motion, the Board went into Executive Session at 8:12 p.m. for discussion of litigation and came out of that session at 8:20 p.m.
5. Other Matters.
 - a. Mr. Vallario shared with Members an index of Land Use Code subjects he is putting together for easy reference. It will be distributed when completed and updates will be provided.
 - b. The Chairman reported to the Board that the owners of the Town Center will be requesting changes to the current sign ordinance at a future meeting.
 - c. The Chairman distributed copies of the latest version of State Senate Bill No. 1 regarding the reform of affordable housing procedures and abolishment of COAH.
6. Adjournment. There being no other business, the Meeting adjourned at 8:28 p.m.

Respectfully submitted,



Debra Coonce
Recording Secretary