

**Planning Board
Minutes of the Meeting
April 6, 2010**

The Livingston Planning Board met for a Conference Meeting at 7:30 PM in Craft Room No. 1 in the Livingston-Senior Community Center at 204 N. Hillside Avenue. Notice of the Meeting and of the cancellation of the Regular Meeting for that night was published in the West Essex Tribune and posted in the Livingston Senior-Community Center.

Conference Meeting:

At 7:30 PM Secretary Jackie Coombs-Hollis announced that a proper notice had been given and called the Roll:

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

* Mr. Fernandez joined the Meeting at 8:25 PM

** Mr. Kimmel joined the Meeting at 7:36 PM

1. Minutes. The Minutes of March 16, 2010, and the Supplemental Minutes of that date, were accepted as presented.

2. Old Business.
 - a. Amendments to Fence Ordinance. The Chairman reported that the draft ordinance had been submitted to the Township Council under cover of the memorandum distributed in the Board packet, but that he had subsequently sent the Township Clerk an e-mail providing information about deer fence material with a larger open space and recommending that the draft be revised to reflect that additional space.

 - b. Façades & Signage Concepts. The committee held its first meeting and conducted a basic review of the proposals, focusing on whether some of the proposals are

contrary to state law or the Constitution. The next committee meeting will focus on analysis of what ordinance changes would be necessary to implement concepts.

c. Hospital Zone Study. The committee has a meeting with St. Barnabas Hospital representatives scheduled for April 19.

d. Identification of Potential Additional Code Amendments. None were identified at this time, with the understanding that two would be discussed under New Business.

3. New Business.

a. Minor Site Plan – Rt. 10 Farmers Market, Inc. – Application No. 2101-13-MSP. The Subdivision/Site Plan Committee presented its recommendations in regard to this site plan for the installation of a 12' by 7' concrete pad for a cardboard compactor at the rear of a proposed farmers' market store at 571 W. Mt. Pleasant Avenue on Lots 13 & 14 in Block 6001. The site is in both the B-2 Highway Business District and the R-2 Residence District, but the segment in which the proposed farmers' market and concrete pad would be located is within the B-2 District. Upon motion made by Member Kalishman and seconded by Member O'Neill, the Board unanimously approved the application, subject to conditions and a memorializing resolution. Alternate No.1 Ratner voted in place and stead of absent Member Meade. Alternate No. 2 Anthony voted in place and stead of then absent Member Fernandez.

b. PB-3 Professional Office District and Split-Zone Lots. The Board reviewed the ordinance discussion draft of March 31, 2010, and agreed to the concept with regard to the properties identified in Sections 2 and 3 of the draft. The Board then discussed whether the proposed PB-3 District should be expanded to include those properties of like nature that are on the northerly side of East Northfield Road by variance. The Board agreed in concept. There was then discussion of whether the properties in the area that have business uses permitted in the B-1 District that would be prohibited in the new PB-3 District should be left as a B-1 District or included in the new district. Under the latter approach, they would become grandfathered non-conforming uses. That discussion will continue at the next meeting.

The Board agreed that proposed Section 4 re: Tax Block 4000, Lots 14 & 15 should be deleted from the draft ordinance.

c. Proposed Ordinance re. Subdivision/Site Plan Committee and Front Yard Porches. A discussion draft of this date was distributed. It addressed two changes discussed at the meeting of March 16. Section 1 would amend the definition of the committee so as to change its role from purely advisory to a committee with authority to take final action. Under the Municipal Land Use Law, the Township Council may grant such authority. The amendment would

retain discretion in the committee to just make recommendations to the full Board on any application before it.

The second section of the proposed ordinance would implement a Zoning Board of Adjustment recommendation that porches extending not more than 72 inches into a front yard be permitted in residence zones without need for a variance. The present limit is 60 inches. Recognizing that the Building Code would adequately deal with any need for a railing on a porch, the Board removed a proviso regarding railings from the draft.

With that change the Board unanimously determined that the proposed ordinance is recommended to the Township Council for adoption.

4. Adjournment. There being no further business before the Board, the Meeting was adjourned at 8:45 PM.

Respectfully submitted,



Jackie Coombs-Hollis,
Secretary