

**MINUTES
CLIFTON PLANNING BOARD
MEETING JUNE 26, 2025**

Minutes of the regular meeting of the Planning Board of the City of Clifton, New Jersey, held at the City Hall, Clifton, New Jersey on June 26, 2025. Pursuant to the “Open Public Meeting Act” all notice requirements were satisfied. The time, place, date, and form of notice was announced as well as advising all applicants that formal action may be taken on the matters on the agenda.

Those present: Comrs. Binaso, Korbanics, Lataro, Gurkov, Fragapane, Welsh, Mayor Grabowski, Vice Chair Withers, Chair Susan Kolodziej

Those absent: Comr. Rodgers, Councilman D’Amato

MINUTES: The Board approved and adopted the minutes of the May 22, 2025, meeting

CONTINUED HEARINGS:

ISLAMIC CENTER: At the request of the applicant, this matter has been carried to a special meeting of the Board to be held on July 8, 2025, at 7:00 p.m.

MISCELLANEOUS:

Review of the Housing Element and Fair Share Plan.

Nicholas Graviano appeared before the Board and was sworn, He is a professional planner who prepared the Housing Element and Fair Share Plan. The City has a present need of 884 dwelling units (rehabilitation). The City has no prospective need. Mr. Graviano explained how the plan was prepared and how the units will be rehabilitated through the City’s Affordable Housing Trust Fund. No members of the public appeared. The Board finds that the plan is consistent with the City’s Master Plan and that the plan achieves the goal of the Affordable Housing needs. Motion by Comr. Binaso to adopt the plan seconded by Vice Chair. All present voted in favor, None Opposed, and the resolution was adopted.

NEW HEARINGS:

- A. PB Nutclif Master, LLC
 - Block 80.02, Lots 1.01, 1.06, 1.07, 1.08, and 1.10
 - Preliminary and Final Major Site Plan Approval, Minor Subdivision Approval, (c)
 - variances, and Section 35/36 Variance
- Robert A. Ferraro, Esq. recused himself from participating in any way in this application due to a conflict. Adam Faiella, Esq. represents the applicant. Proper notice and publication have been made. The applicant was previously granted subdivision approval for Lot 1.08 for three lots as part of the Chase Bank approval. The applicant seeks to revise the lot line. Part of this application is for a Chipotle. The change in lot lines will not affect how the lots will function. This application is for Chipotle and the private roadways. The applicant will comply with most all of the comments of the Board’s professionals and comply with all applicable regulations. The applicant will work with the Board’s professional as to any deviation. With

regard to the Environmental Commission's report, the applicant stated that they will comply with the regulations cited therein.

Joseph Mele, the applicant's engineer, was sworn and qualified as a professional engineer. Mr. Mele described the revision to the lot lines being proposed. The three previously lots are now being consolidated into two lots. Mr. Mele then addressed the proposed site plan for the private roadways. The application needs variances for the landscaping buffer, the crossover of the JCMUA parcel, and the minimum lot size for two lots. The roadways were described. The applicant is requesting relief from the landscape buffer because that area will be used as part of a future application. The grading plan was presented. The sanitary sewer line is being expanded. All the utilities proposed are underground. Lots for future use will have utilities extended to a point for future use. The landscape plan was presented. 61 street trees and 11 other trees are being planted at 4" diameter. Comr. Fragapane asked about snow with the narrow road. Mr. Mele stated that they would have a maintenance plan to move the snow as necessary into an open area. Comr. Binaso questioned the London Pine Trees and asked that the applicant meet with Neglia to work out the plantings for the site. Vice Chair stated that there should be an irrigation system for landscaping. The applicant stated that a maintenance plan will be in place for the landscaping elements. The lighting plan for the roadways was reviewed. The meeting was opened to the public. No members of the public appeared.

The applicant then called Steven Napolitano, who was sworn. He was qualified as a licensed engineer. He described the Chipotle that is proposed on Lot 1.12. The Chipotle site is 0.138 acres which requires a variance for lot size. Much of the site is improved with impervious coverage. The applicant proposes to remove some of the coverage to conform with the zone. The majority of the parking is on the west side of the building. He described ingress and egress. Handicap accessibility, refuse, and electric car charging is provided. There is a pull up lane. Ordering is pre ordered on an app. When you arrive, you proceed to a pull up lane, typically 30 seconds and you take your food and leave. Comr. Binaso asked about what happens if a car gets stuck, like a full breakdown? The witness stated that the car would have to be moved/towed. People who wanted their food would park and pick up food inside. Deliveries are via a box truck which will not affect parking or landscape islands. Deliveries happen off hours. Hours of operation are 10:45 a.m. to 11:00 p.m. 7 days per week. Comr. Binaso asked how the truck gets unloaded. The witness stated that the truck would come in when the restaurant is closed. The drivers have a master key and can go in building to load and unload. The applicant will comply with noise regulations. There will be catch basins on the site. There is a sanitary sewer connection. All utilities are provided to the restaurant. The applicant does not stipulate that it causes any offsite drainage problems. The landscape plan was reviewed. There are some proposed trees with 2 ½ to 3-inch caliper. The applicant will propose 4-inch caliper. There are 15 proposed trees, two on the lot and the rest on the perimeter. There are 12 trees that will remain. There are also conifer trees that are being added. Shade trees are provided at intervals of 35 feet which meets the redevelopment plan requirement. The applicant will try to add a couple more trees. The applicant will work with Neglia. Sight lighting was reviewed. Fixtures will

match fixtures throughout the site. The soil erosion and sediment control plan is being reviewed by the appropriate authority. Vice Chair stated that proper drainage must be in effect at the beginning of the project as well as at the completion of construction. The meeting was opened to the public and no members of the public appeared.

The applicant then called Robert Nocella, the architect for the Chipotle was sworn and qualified. Mr. Nocella described the building and the floor plan. It is a standard Chipotle. Signs on the building were described. There are 22 seats outside. The Vice Chair asked if the parking accounting for them. Counsel stated that the outside seating is not required to be part of the parking calculations. The meeting was opened to the public and no members of the public appeared.

Matthew Seckler was sworn and qualified as a traffic operations engineer. He had prepared a traffic impact study. He added counts for the various development on the campus. He says that there is a lot of pass by traffic which is the vast majority of the customer base. There is also internal traffic from Nutley to the South and from the remainder of the campus. For the Chapter 35/36 variance, there are easements along the entire area and emergency services can access the site even though they are not on a public roadway. There is a Chipotle on the west bound side of Route 3 so this use is intended to traffic going eastbound. There will be a very minimal change of traffic. There are 37 parking spaces where 30 are required. Outdoor seats are not counted which is consistent with the zone. He stated that when people are outside, people generally are not inside. He says 50 % of the people use digital ordering which takes about 30 seconds. He says there are usually never more than three or four cars waiting and generally there are one or two. He discussed connections to the rest of the campus. He says that the site is being developed properly from a traffic standpoint. Vice Chair and Comr. Fragapane discussed the acceleration and deceleration lanes. Mr. Seckler described them and stated that they were approved by the DOT. The meeting was opened to the public and no members of the public appeared.

Thomas Behrens of Burgis Associates was sworn and qualified as a professional planner. He described the project from a planning perspective and discussed the variances. There is a minor subdivision, a site plan component, and a site plan approval for the Chipotle. The uses are permitted uses. Variances are required for minimum lot size for the Chipotle lot. The applicant believes the lot size is sufficient. A lot area variance is also requested for a future quick service restaurant use. He says that all the variances can be granted under the C1 or C2 criteria. He further stated that the relief can be granted without detriment to the public good or the zone plan. He stated that the development proposed is consistent with the master plan and the goals of the MLUL. He stated that the plan improves the site circulation, and the site will function well. Vice chair asked what impact there would be if Route 3 was widened. The witness stated that there should be enough room to add another lane. The meeting was opened to the public and no one appeared. The applicant agreed to comply with the comments of the Board's professionals and to obtain any other governmental approvals.

Motion by Comr. Binaso to approve the application with the requested variances based on the testimony presented. The motion is for preliminary site plan approval and the applicant shall meet with Neglia to resolve all outstanding issues as set forth in the Neglia report. He moved to approve the variances based on the evidence presented. At no point can food be ordered at the pickup window without coming back to the board. The planning board retains jurisdiction. The applicant will discuss Neglia the issue of the London Pines and the addition of more trees. The applicant must communicate with the police and fire department to resolve any issues. The environmental commission stated that if a tree is removed, that a tree will be replaced with a similar species. Comr. Binaso stated that in the future the applicant must comply with the City's EIS ordinance. Neglia will confirm the appropriate storm water management plan. The applicant stated that the square footage of the lots in Ms. Hartmann's report appears to be correct. Seconded by Mayor Grabowski. Mr. Failla stated that they are applying for final site plan approval as well. He stated that they will make the revisions as part of resolution compliance. Counsel for the Board stated that the applicant is seeking preliminary and final approval. Mr. Failla stated that he cannot promise when he will have resolution compliance but that it has to be done before any building permits can be issued. The applicant stipulated that no permits will be issued until there is resolution compliance. Comr. Binaso amended his motion to grant final site plan approval. Vice Chair stated that this is not unusual and that building permits are not issued until there is resolution compliance. Seconded by Mayor Grabowski. All members present voted in favor. None opposed.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Robert A. Ferraro, Esq. Secretary/Counsel