

BOROUGH OF ROSELLE PARK
JANUARY 16, 2023 - REGULAR MEETING OF MUNICIPAL LAND USE BOARD

CALL TO ORDER

The meeting was called to order at 7:03 pm on January 16, 2023, in Borough’s Councils Chambers.

OPEN PUBLIC MEETING ACT NOTICE

Chairman Casalins recited the Open Public Meetings Act compliance notice and indicated that adequate notice of the meeting has been provided as required by law. As required by the Fire Prevention Code, and indicated the fire exits and the procedure to be followed in case of fire.

ROLL CALL

<u>Member</u>	<u>Classification</u>	<u>Status</u>	<u>Arrived</u>
Joseph Signorello III - Mayor	Class I	P	7:03 PM
Paul Baiamonte – Secretary	Class II	P	7:03 PM
Jay Robaina – Councilmember	Class III	P	7:03 PM
Susan Grosso – Member	Class IV	P	7:03 PM
Loren Harms – Vice Chairperson	Class IV	P	7:03 PM
John Curia – Member	Class IV	A	N/A
Kevin Kolbeck – Member	Class IV	P	7:03 PM
Michael Quiroga – Member	Class IV	P	7:03 PM
Nicola Cristofaro – Alternate Member	Alt. Member 1	P	7:03 PM
Maurice Negrón- Alternate Member	Alt. Member 2	A	N/A
Christian Camilo – Alternate Member	Alt. Member 3	P	7:03 PM
Roxanne Briano – Alternate Member	Alt. Member 4	A	N/A
Jorge Casalins - Chairman	Class IV	P	7:03 PM

SALUTE TO THE FLAG

Chairman Casalins led those in attendance in reciting the Pledge of Allegiance.

NEW BUSINESS

1. At 7:08 PM Paul Baiamonte, Kevin Kolbeck and Nicola Cristofaro were sworn into office by Mayor Signorello III.
2. Mayor Signorello III opened the floor for nominations for Chairperson. Loren Harms nominated Jorge Casalins for the Chairperson position; seconded by Susan Grosso.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				

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John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

3. Chairman Casalins opened the floor for nominations for Vice Chairperson. Mayor Signorello III nominated Loren Harms; seconded by Kevin Kolbeck.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

4. Chairman Casalins opened the floor for nominations for Board Secretary. Mayor Signorello III nominated Paul Baiamonte; seconded by Kevin Kolbeck.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

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5. Chairman Casalins opened the floor for nominations for the designation of the Board’s primary and alternative Newspapers of records. Loren Harm nominated the use of the Local Source and the Star Ledger as primary and alternative newspapers for the Board; seconded by Jay Robaina.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

6. Chairman Casalins opened the floor for the approval of the Municipal Land Use Board Regular Meeting Dates for Calendar Year 2023/2024. With the approved corrections, Loren Harms moved to approve the Calendar dates; seconded by Jay Robaina.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Secretary	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

7. Meeting minutes of October 17, 2022
- a. Chairman Casalins moved to table to the November 21, 2022, meeting minutes to the February 27, 2023 meeting.

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MEMORIALIZING RESOLUTIONS

1. Vice Chairman Harms moved to adopt the following resolution, pending any corrections:
 seconded by Jay Robaina:
 - a. Resolution for:
 - Appointment of Weiner Law Group, LLP as 2023 Municipal Land Use Board Attorney

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

2. Vice Chairman Harms moved to adopt the following resolution, pending any corrections:
 seconded by Jay Robaina:
 - a. Resolution for:
 - Appointment of Consulting & Municipal Engineers, LLP AS 2023 Municipal Planner

<u>Member</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

PUBLIC PORTION

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Chairman Casalins opened the public comment portion of the meeting by unanimous consent of the Board at 7:20 p.m.

With no comments from the public, Chairman Casalins moved to close the public comment portion of the meeting which was moved by Loren Harms; seconded by Jay Robaina: all voting in favor.

CONTINUING BUSINESS

- Applicant: James Mooney
 - Application #2022-004
 - 222 Sherman Avenue, Block 1101, Lot 20
 - *Minor subdivision and preliminary and final site plan to create 2(two) lots with a new 1 (one)- family structure to be built on the proposed subdivide lot.*

At 7:22 pm Chairman Casalins invited the applicant's attorney, Steven Merman, Esq. to the stand. Mr. Merman began by introducing the applicants' land surveyor, Edward Dec, who was sworn in by conflict attorney Sarah Fitzpatrick, Eq. Mr. Dec began his testimony by describing the amended site plan which was introduced as Exhibit A-1 entitled "Site Plan". He briefly described the proposed improvements and the existing structure on the property. He explained the lot will be subdivided into two equal lots, with a single-family house on each lot. The existing structure will remain the same, while for the second lot they are proposing a two-story house with three- bedrooms and two and a half bathrooms.

Mr. Dec explained the proposed subdivision will improve on-street parking, as each structure will have a joint driveway and have a garage in the back. He explained the lot is a non-confirming existing structure, and the lot is larger than most around the neighborhood. Mr. Dec referred to the planner and engineer report stating that will comply with the issued reports. Mr. Dec explained that they will also update files and plans when submitting for the resolution compliance if approved.

Board planner, Ron Reinertsen, went through the planner's report and directed the board to page 10 where he explained the applicant was missing coverage calculations for the proposed garage, which can turn into a variance if it exceeds thirty percent. He also explained the waiver for shade trees, and explained they can do 1 or 2 shade trees per lot.

Loren Harms asked for clarification on the numbers of bedrooms, as the plans state that the existing structure has 4 bedrooms yet it was previously mentioned that the existing structure has 3 bedrooms. Merman corrected his previous statement, confirming the existing structure has four bedrooms. Mayor Signorello III asked if there is parking on the existing structure? Mr. Merman explained they are creating a joint driveway and adding a garage in the proposed structure to match the garage in the preexisting structure, Chairman Casalins asked if the garage is a two-car garage, in which Ron explained it was not a two-car garage, because they would need a variance to make it into a two-car garage.

Mr. Merman introduced planner Nicholas Graviano to the stand who was sworn in as a professional planner. Mr. Graviano began his testimony by explaining the proposed structure and its neighboring lots. He explained that only 6 of the 27 lots would have met the lot requirement. He explained that if approved and the lots were successfully subdivided that would still make the two lots the seventh and eighth largest lots in the block. He explained that if approved they would be keeping with the land use pattern of the street.

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Mr. Graviano explained the justifications for granting the proposed ‘C’ variance by citing the C1 and C2 criteria in which a justified hardship would be created, and it would advance the purpose of the Municipal Land Use Law Purpose (A), (G) and (I).

He explained that Purpose A would be satisfied as the building of new houses would help in promoting publicly safety and health. He explained that Purpose G will be satisfied as there is sufficient space for land development, and Purpose I would be satisfied as the purpose for a visual environment will match the aesthetics of the neighborhood.

Mr. Graviano explained there will be 3 off street parking and a garage and there will be no substantial detriment to the neighborhood.

Chairman Casalins referred to page A3 of the Site Plan pointing out that he liked the siding of the proposed structure.

Councilman Robaina asked how many doors the garage has for the car, in which Mr. Merman answered their was one door for the garage.

Mr. Reinertsen agreed that the proposed structure would be a positive impact to the community as it would fill in the gap of the streetscape that is created with the large lot.

Borough engineer, Robert Beringer, had no comment.

Mayor Signorello III explained that when the residential blocks were originally being made, they created the four corner blocks to have the largest lot sizes, while the middle lots all had smaller lot sizes.

At 8:00 pm, Chairman Casalins opened the floor to public comment.

Ralphel Delima, the neighbor of the applicant at 228 Sherman Ave, expressed his views against the project. He explained that adding a multiple family house will bring in more families, which will bring in a lot more parking which will create an even worse parking situation, as the parking situation on the street is already stressed. Chairman Casalins clarified to the member of the public that only a single family house will be built on the land, and the plans were recently amended to reflect the change from the original 3 family house that was previously proposed. With this Mr. Delima concluded his comment.

With no other members of the public coming forward, Chairman Casalins closed the public comment portion, motioned by Loren Harms; seconded by Jay Robaina.

Chairman Casalins opened the floor for a vote.

Jay Robaina motioned to approve the following application: seconded by Michael Quiroga.

Member	Aye	Nay	Abstain	Absent	Not Voting
Joseph Signorello III - Mayor	X				
Paul Baiamonte – Secretary	X				
Susan Grosso – Member	X				
Jay Robaina – Councilmember	X				
Loren Harms – Vice Chairperson	X				
John Curia – Member				X	
Kevin Kolbeck – Member	X				
Michael Quiroga – Member	X				
Nicola Cristofaro – Alternate Member	X				
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member	X				
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

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FOR THE BENEFIT OF THE BOARD:

Chairman Casalins noted the following for the benefit of the Board:

Next Meeting: Monday, March 20, 2023 at 7:00 p.m.

ADJOURNMENT

At 8:07 p.m. Vice Chairman Harms moved to adjourn the meeting; all members present voting Aye, said motion was adopted.

Attest:

Talia Smith
Borough Clerk