

BOROUGH OF ROSELLE PARK
AUGUST 21, 2023 – REGULAR MEETING OF MUNICIPAL LAND USE BOARD

CALL TO ORDER

The meeting was called to order at 7:03 pm on August 21, 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	A	N/A
Paul Baiamonte – Member	Class II	A	N/A
Susan Grosso – Member	Class IV	P	7:03 PM
Jay Robaina – Councilmember	Class III	P	7:03 PM
Loren Harms – Vice Chairperson	Class IV	A	N/A
John Curia – Member	Class IV	P	7:03 PM
Kevin Kolbeck – Member	Class IV	P	7:03 PM
Michael Quiroga – Secretary	Class IV	P	7:03 PM
Nicola Cristofaro – Alternate Member	Alt. Member 1	A	N/A
Christian Camilo – Alternate Member	Alt. Member 3	A	N/A
Jorge Casalins - Chairman	Class IV	P	7:03 PM

SALUTE TO THE FLAG

At 7:06 pm Chairman Casalins led those in attendance in reciting the Pledge of Allegiance.

NEW BUSINESS

Councilman Robaina moved to approve the following minutes, pending any corrections; seconded by Michael Quiroga:

1. Meeting minutes of June 26, 2023

<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 – Member				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				

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Nicola Cristofaro – Alternate Member				X	
Christian Camilo – Alternate Member				X	
Jorge Casalins- Chairman	X				

Councilman Robaina moved to approve the following minutes, pending any corrections; seconded by Michael Quiroga:

2. Meeting minutes of July 17, 2023

<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 – Member				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	
Christian Camilo – Alternate Member				X	
Jorge Casalins- Chairman	X				

MEMORIALIZING RESOLUTIONS

Michael Quiroga moved to adopt the following resolution, pending any corrections: seconded by Susan Grosso:

Resolution for:

- Redevelopment Plan of Designating Block 606 Lots 25, 26, 27, 28, 29, 30, 31, 32, 36.01 and 38 as an Area In Need of Redevelopment

<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 – Member				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	
Christian Camilo – Alternate Member				X	
Jorge Casalins- Chairman	X				

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Kevin Kolbeck moved to adopt the following resolution, pending any corrections: seconded by Susan Grosso:

Resolution for:

- Applicant: Meridia at Park Square, Urban Renewal, LLC
 - Application # 2023-004
 - 10 West Westfield Avenue, Block 610, Lot 1 & 3
 - *Amended Preliminary and Final Major Site Plan for proposed mixed use development at Meridia at Park Square. The applicant wishes to amend the previously approved mixed-use development proposing 650 spaces within the surface parking lot and garages compared to the previously allotted 505 parking spaces.*

<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 – Member				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	
Christian Camilo – Alternate Member				X	
Jorge Casalins- Chairman	X				

PUBLIC PORTION

Chairman Casalins opened the public comment portion of the meeting by unanimous consent of the Board at 7:08 p.m.

With no comments from the public, Chairman Casalins closed the public comment portion of the meeting by unanimous consent of the Board.

NEW BUSINESS

- Applicant: County Educators Federal Credit Union
 - Application # 2023-005
 - 16 Lincoln Avenue E, Block 801 Lot 5.01
 - *An amended site plan for the placement of a generator requiring a ‘C’ Variance*

At 7:09 pm, Chairman Casalins invited the applicant’s attorney Michael DuPont, Esq., to come to the stand. Mr. DuPont invited the applicant’s engineer Alfred Stewart to the stand, where the board accepted his credentials. Mr. Stewart began his testimony by explaining the current description of the structure. He explained the proposed amendment would seek to move the generator to the southeast portion of the property and create a larger canopy for the generator.

The generator will be a natural gas generator which will only be used during emergencies. The requirement is 9ft, but they are requesting 8 ft, explaining the need for a variance. He explained the

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generator will be located 60 ft from residents. He also explained they will be losing one parking space, making the total number of parking spots 16 instead of 17 parking spaces. He explained that regarding noise the sound rating is currently at 73 decibels, where 65 decibels is required. Mr. Stewart explained that the existing generator is noisier, and they are going with a larger generator for security reasons. The generator will be tested periodically once per week for 30 minutes turning it on and off as required. He explained both the positive and negative criteria regarding the generator explaining it would be for the public good as they are moving it away from the residents on the east of the property, and will be shielded.

Mr. DuPont explained that the applicant will comply with all requirements mentioned in the engineer and planner report upon approval. Board attorney, Steven R. Tombalakian, Esq., asked about how the applicant can better meet the noise standard, as he explained there can't be much deviation from the standard, and if there were to be noise complaints, they would have to move the generator. Judy Pinho, CEO of the County Educators Federal Credit Union, explains that there have been no noise complaints when they run their performance test on the current generator, usually on Saturday mornings. Judy Pinho explained that they can change the time in which they perform the test if necessary. Board planner, Ronald Reinertsen, discussed the lot layout and the different places in which the applicant could've put the new generator. Mr. Stewart explained the reasoning why they chose to move the generator to the southeast corner of the property in response to Mr. Reinertsen's questions. He further explained that there will be landscaping down around the generator and that it will be properly screened with clearance for maintenance, which will help lower any noise mitigation. He also answered that the closest properties are lot 28 and 29.

Councilman Robaina asked the Board clerk, Talia Smith, if there have been any neighbors who reached out to enquire about the meeting, which she answered no.

At 7:29 pm Chairman Casalins opened the public comment portion of the meeting by unanimous consent of the Board.

With no comments from the public, Chairman Casalins closed the public comment portion of the meeting by unanimous consent of the Board.

Chairman Casalins opened the floor for a vote.

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

<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 – Member				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	
Christian Camilo – 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, September 18, 2023, at 7:00 p.m.

ADJOURNMENT

At 7:31 p.m., John Curia moved to adjourn the meeting; all members present voting Aye, said motion was adopted.

Attest:

Talia Smith
Borough Clerk

Chairman Casalins discussed the expectations of the commissioners regarding attendance by having Board Attorney Steven Tombalakian read the bylaws regarding attendance. He explained the board has a policy enacted that if a board member misses 8 consecutive meetings without reasoning, the board members in question would vacate their seat.

Chairman Casalins recommended that the two seats of, Roxannae Briano and Maurice Negron, be vacated due to a lack of attendance, and a request to appoint two additional board members be made to the Mayor.

Vice Chairman Harms moved to approve the recommendation; seconded by Councilman Robaina.

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<u>Member</u>	<u>Aye</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor				X	
Paul Baiamonte – Member	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					
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member				X	
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

At 7:09 pm, Chairman Casalins invited CME representative Maryann Bucci Cater to present the redevelopment study entitled, Non- Condemnation Area in Need of Redevelopment Study Block 606 Lots 25, 26, 27, 28, 29, 31, 32, 36.01, and 38.

Maryann began by giving a general summary on what redevelopment studies are, and why they happen, saying they're done to encourage improvement and change. She explained this was initiated by City Council, which had a public hearing to decide if the requested area met the criteria set by the state. Maryann explains the contents of the redevelopment study and what was done. She explains that some of the properties within the redevelopment study are aging and no longer meet the DOT standards or have any drainage system. She explains that the Board is to look at the report, see if it meets the criteria for a need to redevelop the arena and then give a recommendation to the governing body. She explained that in the back of the report are photographs that show what needs to be addressed, and what criterias are being met. Chairman Casalins asked if there were any future plans on what would be done in the area, in which Councilman Robaina answered there were no plans as of now.

At 7:24 pm, Chairman Casalins opens the matter to the public, seeing none he closes the public portion of the matter.

Vice Chairman Harms motioned to recommend the redevelopment study to the governing body; seconded by Kevin Kolbeck

<u>Member</u>	<u>Aye</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor				X	
Paul Baiamonte – Member	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					
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member				X	

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Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

CONTINUING BUSINESS

- Applicant: Meridia at Park Square, Urban Renewal, LLC
 - Application # 2023-004
 - 10 West Westfield Avenue, Block 610, Lot 1 & 3
 - *Amended Preliminary and Final Major Site Plan for proposed mixed use development at Meridia at Park Square. The applicant wishes to amend the previously approved mixed-use development proposing 650 spaces within the surface parking lot and garages compared to the previously allotted 505 parking spaces.*

At 7:26 pm, Chairman Casalins invited the applicant's attorney, Jason Tuval, Esq. to the stand. He explained that at the previous meeting, the Board requested 3 renderings from different vantage points, which he has with him today. The 3 renderings provided were entered as Exhibit A-3. Architect Thomas Basile explained the 3 vantage points offered in the renderings, with the last one showing the emergency egress.

Councilman Robaina asked if the brick of the garage will match the brick of the building, in which Mr. Basile answered that the bricks will match. Vice Chairman Harms asked about photo number 3, in which Mr. Basile explained it is for emergency access only. Vice Chairman Harms explained the photos could have gone further, to show an accurate perspective of the garage to its surrounding area.

Mr. Tuval brought up the applicant's planner, Kathryn Gregory, who was sworn in and had her credentials accepted at 7:36 pm. Mrs. Gregory explained how the proposed development was in accordance with the redevelopment plan. She explains how relief for a parking variance could be granted within the redevelopment plan as it would cause no substantial negative effect and the applicant meets the criteria, especially with the submission of their parking analysis. She goes on to explain the relief of requested variances would improve the initial application and promotes mixed use buildings which is a main goal in the redevelopment plan.

Paul Baimonte asks if a restaurant is not put in the commercial but another type of store, would that require different parking, in which he was answered that any other type of commercial space would require less demand and requirement for parking. Mr. Tuval assured the Board that a restaurant is still the applicant's goal.

Board Planner, Ronald Reinertsen, asked about the facade on the slope of the rail and on the other side of the garage on Locust Ave. Mr. Basile explained there was precast and brick, but not on the Locust Ave side. Mr. Tuval did a walk through of the where brick would be on the parking garage, which the commissioned would like to be duplicated on the Locust Avenue side.

Vice Chairman Harms asked about fencing in a section of the garage, in which Mr. Tuval explained they can put a screen on the first floor to deter pedestrian traffic in the parking garage but still offer ventilation.

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Councilman Robaina asked how many elevators there will be, in which he was answered that there is only one. [Paul Baiamonte](#) asked if there was anyway to lighten up the garage and make it more aesthetically pleasing as this is a massive 8 story building that will be seen from afar. He also expressed concern over the effect large thunderstorms can have over the surrounding area, in which Mr. Tuval explained they will work with the Board’s engineer and building department to make sure everything is up to code and can handle powerful storms.

The commissioners and board professionals discussed options to make the tower of the garage more aesthetically attractive. Chairman Casalins recommended making a condition of approval in which a committee with two board representatives, and the applicant’s professionals work into creating a new design for the parking garage including some of the suggestions given by the Board. Councilman Robaina expressed he believes there should be two elevators, in which the applicant’s professional explained that the first floor is for municipal and business parking. Those using the elevators will mainly be those who reside at the building and still it won’t be used as much, as those who live on the third floor would park on the third floor. Before Chairman Casalins opened the floor to the public he explained that he would like for the applicant to rethink the facade as a whole, not just the tower.

Chairman Casalins opened the floor to the public. Paula Mago of 433 Maple Street came up to ask if there’s only one elevator for the whole apartment, in which she was answered that no, there are multiple elevators throughout the entire apartment building. With no other public coming forward, Chairman Casalins closed the public portion of this matter.

Vice Chairman Harms moved to approve the application with the additional conditions; seconded by Nicola Cristofaro.

<u>Member</u>	<u>Aye</u>	<u>Nav</u>	<u>Abstain</u>	<u>Absent</u>	<u>Not Voting</u>
Joseph Signorello III - Mayor				X	
Paul Baiamonte – Member	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					
Maurice Negron – Alternate Member				X	
Christian Camilo – Alternate Member				X	
Roxanne Briano – Alternate Member				X	
Jorge Casalins - Chairman	X				

FOR THE BENEFIT OF THE BOARD:

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

Next Meeting: Monday, August 21, 2023 at 7:00 p.m.

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ADJOURNMENT

At 8:16 p.m. Vice Chairman Harms moved to adjourn the meeting; all members present voting Aye, said motion was adopted.

Attest:

Talia Smith
Borough Clerk