

BOROUGH OF ROSELLE PARK
SEPTEMBER 18, 2023 – REGULAR MEETING OF MUNICIPAL LAND USE BOARD

CALL TO ORDER

The meeting was called to order at 7:06 pm on September 18, 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	P	7:06 PM
Susan Grosso – Member	Class II	P	7:06 PM
Jay Robaina – Councilmember	Class III	P	7:06 PM
Loren Harms – Vice Chairperson	Class IV	P	7:06 PM
John Curia – Member	Class IV	P	7:06 PM
Kevin Kolbeck – Member	Class IV	P	7:06 PM
Michael Quiroga – Secretary	Class IV	P	7:06 PM
Nicola Cristofaro – Alternate Member	Alt. Member 1	P	7:06 PM
Christian Camilo – Alternate Member	Alt. Member 3	P	7:06 PM
Jorge Casalins - Chairman	Class IV	P	7:06 PM

SALUTE TO THE FLAG

At 7:07 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 August 18, 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				

MEMORIALIZING RESOLUTIONS

Councilman Robain requested the resolution for the following application be amended to reflect the wording in the minutes regarding the timing of the generator testing. In the revised version of the resolution wording stating that Mrs. Pinho would be willing to change the timing of the generator test from Saturday mornings at 8:30 am, to a different time in the case there are noise complaints from neighboring properties, should be included.

Councilman Robaina moved to adopt the following resolution, pending any corrections: seconded by Kevin Kolbeck:

Resolution for:

- 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*

<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 7:16 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

Chairman Casalins introduced ordinance No. 2737 titled, *"An Ordinance Amending Chapter 40 of the Code of the Borough of Roselle Park so as to Permit Short-Term rentals as a Permitted Use Within the B-2 Central Business and B-3 Arterial Business Zone Districts"*.

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Councilman Robaina gave a brief explanation on the public's opinion on the proposed ordinance. He referenced some of the public in the audience, stating many have voiced their opinions on the negative impact of Airbnb's in the community. Some members of the public have expressed that it's sketchy, a security risk, and creates a bad quality of life for those who live next to the Airbnb's. He explained that one person expressed they were paying approximately \$3,000 in rent in an apartment building, and the landlord is using 3 or 4 of the apartments as an Airbnb, with different people coming in and out, posing a security risk.

Vice Chairman Loren Harms expressed that he would recommend this Ordinance not be taken into consideration by Council and the Governing Body.

Board Attorney, Steven R. Tombalakian, Esq. explained that the purpose of the review was to see if the proposed ordinance is consistent with the Master Plan and if the Board recommends it to be adopted by Council and the Governing Body. Board planner Ronald Reinertsen, PP, AICP, explained that the issue may need further review and that there are certain requirements that must be met, and that they are proposed to only be allowed in 2 zones.

Paul Baiamonte asked about how a rental is defined in this situation, and if that would allow for garage conversions to be classified as a rental, in which it was replied that definitions may need to be clarified in newer studies.

Chairman Casalins explained that there can be ways to regulate where and what can be classified as short term rentals, noting inspections and fees can be implemented so that not just anyone can establish an Airbnb.

Loren Harm moved to recommend to Mayor and Council and the Ordinance not be adopted; seconded by Councilman Jay Robaina:

- Ordinance No. 2737 titled, *"An Ordinance Amending Chapter 40 of the Code of the Borough of Roselle Park so as to Permit Short-Term rentals as a Permitted Use Within the B-2 Central Business and B-3 Arterial Business Zone Districts"*

<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				

Chairman Casalins introduced Ordinance No. 2738 titled, *"An Ordinance Amending Chapter 40 of the Code of the Borough of Roselle Park as to Reinstate and Otherwise Permit Certain Residential Uses Within the ROB, Residence Office Building, Zone District"*.

Chairman Casalins explained this ordinance was adding back the resident part of the residence business office building zone district, which was left out when amending the ordinance.

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Loren Harms moved to recommend Ordinance No. 2738 back to mayor and Council without reservation for adoption; seconded by Kevin Kolbeck:

- Ordinance No. 2738 titled, “*An Ordinance Amending Chapter 40 of the Code of the Borough of Roselle Park as to Reinstate and Otherwise Permit Certain Residential Uses Within the ROB, Residence Office Building, Zone District*”

<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				

FOR THE BENEFIT OF THE BOARD:

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

Next Meeting: Monday, October 16, 2023, at 7:00 p.m.

ADJOURNMENT

At 7:28 p.m., Loren Harms moved to adjourn the meeting; all members present voting Aye, said motion was adopted.

Attest:

Talia Smith
Borough Clerk