

**MINUTES
ROSELAND PLANNING BOARD
REGULAR MEETING
April 18, 2016**

CALLED TO ORDER:

Chairman LaSalle called the meeting to order at 7:00 p.m. Those present on roll call were:

Louis LaSalle, Chairman
Councilman David Jacobs
Dick Reynolds
Joe LaMonica
Jack A. Gordon
Manny Oliveira, Alt. #2
Steve Salvanto, Mayor's Alternate
Vincent Loughlin, PB Attorney
Ralph Tango, PB Engineer

Those absent were:

Michael Oliveira
Nancy Sayer, Alt. #1
Mayor John Duthie

SALUTE TO FLAG

STATEMENT OF COMPLIANCE:

In compliance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of annual notice filed with The Progress, The Star Ledger, and the office of the Administrator of Roseland on February 4, 2016 as so certified by the Secretary. Notice has also been posted in a public place in Borough Hall, 19 Harrison Avenue, Roseland, NJ.

APPROVAL OF MINUTES:

The minutes of the Reorganization and Regular Meeting of February 22, 2016

A motion was made by Mr. Gordon and seconded by Councilman Jacobs to approve the minutes as presented. Roll Call: LaSalle, Yes, Jacobs, Yes, Gordon, Yes, LaMonica, Yes, Manny Oliveira, Yes, and Steve Salvanto, Yes. The motion was approved 6-0.

RESOLUTION OF APPROVAL:

#15-08 – Roseland Commerce Park - Block 21, Lot 1.1. Resolution of Approval for amended preliminary and final site plan approval for minor site changes located at 9 Woodland Road in the RM zone.

Mr. Loughlin went through the minor changes which were agreed to by the applicant's attorney, Phil Neuer.

Minutes
Regular Meeting
April 18, 2016
Page Two

A motion was made by Mr. Gordon and seconded by Mr. Salvanto to approve the resolution as amended. Roll Call: LaSalle, Yes, Jacobs, Yes, Gordon, Yes, LaMonica, Yes, Manny Oliveira, and Salvanto, Yes. The motion was approved 6-0.

GENERAL BUSINESS:

- a. **15-07 – Roseland Plaza, LLC – Block 44, Lot 12.** Discussion regarding letter from Charles Rosen, applicant's attorney, addressed to Gail Tynan, Planning Board Secretary, dated and received April 5, 2016.

Mr. Rosen, attorney for the applicant, went over a number of issues with the Board that were addressed in his April 5, 2016 letter to Gail Tynan, Board Secretary. Mr. Rosen stated that a 200-foot list was requested and took in excess of 52 days to receive, and he attended two TRC meetings and was told he could not come before the Board until he had an agreement with the adjacent property owner. He also stated that it was determined that the application should be a minor site plan because the ordinance is unclear and it is a simple application of adding 349 square feet of pavement.

Mr. Loughlin stated the application is not as simple as Mr. Rosen states. There are 3 properties involved in cross parking and access easements.

Mr. Tango stated that the TRC requested a site plan depicting all 3 properties involved in the cross easements and that the aerial view that was submitted is difficult to see.

Mr. LaMonica stated that he did not appreciate the misleading comments in Mr. Rosen's letter regarding the TRC meeting. He stated that the TRC did not tell him that he needed an agreement with the adjacent property owner prior to attending a meeting. He also said that Mr. Rosen received the minutes from the February 5, 2016 TRC meeting on February 8, 2016 and he did not indicate any problem until two months later.

Mrs. Tynan was asked by Chairman LaSalle to address the other items in Mr. Rosen's letter. Mrs. Tynan stated that her office prepared and forwarded the 200-foot list to the finance office the day they received it and that is the end of their responsibility. She explained to Mr. Rosen's secretary that she needed to contact the tax assessor with any problems. On April 8, 2016 Mrs. Tynan went to the tax Assessor's office and waited for a certified copy of the 200-foot list and called Mr. Rosen and informed him that she was emailing the list to him. Mrs. Tynan referred to her March 21, 2016 letter to Mr. Rosen regarding two items that needed to be submitted prior to being heard before the Board and an agreement with the adjacent neighbor was not one of those items.

Chairman LaSalle told Mr. Rosen that he should have contacted the Board Secretary if he wanted to substitute an aerial photograph instead of the requested site plan prior to submitting it to see if

**Minutes
Regular Meeting
April 18, 2016
Page Three**

it would be acceptable. It was the consensus of the Board and the Board's experts that a revised site plan must be submitted depicting the three properties involved in the cross parking and access agreements.

Mr. Loughlin asked Mr. Rosen if he would agree that the application was processed timely and there would be no claim.

Mr. Rosen, after conferring with his client, stated that they would be prepared to be placed on the May 2016 agenda and he would waive any claim.

b. Vouchers – March Bill List

A motion was made by Mr. Reynolds and seconded by Councilman Jacobs to approve the bill list as presented. Roll Call: LaSalle, Yes, Reynolds, Yes, Jacobs, Yes, Gordon, Yes, LaMonica, Yes, Manny Oliveira, Yes, and Salvanto, Yes. The motion was approved 7-0.

c. Status of COAH

Mr. Loughlin stated that the Borough is complying with the schedule issued by the Court and that the Planning Board will become involved once the plan is refined. Chairman LaSalle complimented Mr. Loughlin for the work he is doing on COAH.

ADJOURNMENT:

The meeting was adjourned at 7:48 p.m.

Respectfully Submitted, Gail Tynan, Planning Board Secretary