

**MINUTES  
ROSELAND PLANNING BOARD  
REORGANIZATION AND REGULAR MEETING MINUTES  
JANUARY 22, 2018 at 7:00 PM**

**CALL TO ORDER:**

Chairman LaSalle called the meeting to order at 7:03 p.m. Those present on roll call were:

Louis LaSalle, Chairman  
Michael Oliveira, Vice Chairman  
Manny Oliveira  
Joe LaMonica  
Donna Schiavone  
William Johnson, Alt.# 2  
Steve Salvanto, Mayor's Alternate  
Vince Loughlin, PB Attorney  
Ralph Tango, PB Engineer

Those absent were:

Richard Reynolds  
Joe Rolli, Alt. #1  
Mayor John Duthie  
Jack A. Gordon  
Councilman Jacobs

**SALUTE TO THE FLAG**

**STATEMENT OF COMPLIANCE:**

In compliance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with The Progress, The Star Ledger, and the office of the Administrator of Roseland on January 26, 2017, as so certified by the Secretary. Notice has also been posted in a public place in Borough Hall, 19 Harrison Avenue, Roseland, NJ.

**REORGANIZATION FOR 2018:**

Appointment of a Temporary Chairman:

Melissa Barnes was appointed as Temporary Chairman.

Election of Officers:

a. Chairman

A motion was made by Mr. LaMonica to appoint Mr. LaSalle as Planning Board Chairman and that motion was seconded by Ms. Schiavone. A motion was made by Mr. Michael

Oliveira to close the nominations and seconded by Ms. Schiavone.

Roll Call: Mr. Michael Oliveira, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; Ms. Schiavone, Yes; Mr. Johnson, Yes; and Mr. Salvanto, Yes. The motion was approved 6-0.

b. Vice Chairman

A motion was made by Mr. LaMonica to appoint Mr. Michael Oliveira as the Planning Board Vice Chairman and was seconded by Ms. Schiavone.

Roll Call: Chairman LaSalle, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; Ms. Schiavone, Yes; Mr. Johnson, Yes; and Mr. Salvanto, Yes. The motion was approved 6-0.

Discussion, Appointment and Resolution No. 1-2018 appointing Board Attorney

A motion was made by Chairman LaSalle to appoint Mr. Loughlin as the Planning Board Attorney and was seconded by Mr. Michael Oliveira.

Roll Call: Chairman LaSalle, Yes; Mr. Michael Oliveira, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; Ms. Schiavone, Yes; Mr. Johnson, Yes; and Mr. Salvanto, Yes. The motion was approved 7-0.

Swearing in of re-appointed and new members:

- a. Steven Salvanto
- b. Manny Oliveira
- c. Donna Schiavone
- d. William Johnson

All of the above referenced Planning Board members were sworn in by Mr. Loughlin.

Those who could not attend and will be sworn in next meeting:

- a. Jack Gordon
- b. Richard Reynolds
- c. Councilman Jacobs

Appointments:

- a. Discussion, and Appointment of Board Secretary
  - Melissa Barnes
- b. Discussion, Appointment and Resolution No. 2-2018 appointing Board Engineer
  - Ralph Tango
- c. Discussion, Appointment and Resolution No. 3-2018 appointing Board Planner
  - Joe Layton
- d. Discussion, Appointment and Resolution No. 4-2018 continue the

- appointment of Board Planner for Re-Examination of Master Plan
  - Joe Layton
- e. Discussion, Appointment and Resolution No. 5-2018 continue the appointment of Board Engineer for Re-Examination of Master Plan
  - Ralph Tango
- f. Discussion, Appointment and Resolution No. 6-2018 continue the appointment of Board Planner for Housing Element, Third Round COAH, vacant land assessment
  - Joe Layton
- g. Discussion, Appointment and Resolution No. 7-2018 appointing Board Hearing Reporter
  - Veritext
- h. Discussion, Appointment and Resolution No. 8-2018 appointing Board Forester
  - John Linson
- i. Discussion and Appointment of Official Newspapers – The Caldwell Progress and The Star Ledger
- j. Adoption of Schedule of Meetings for 2018
- k. Adoption of Rules and Regulations for the Planning Board (no change from 2017)

Chairman LaSalle read through and briefly discussed topics a-k. He then asked if any of the members had any objections to his recommendations. No one objected and a motion was made by Ms. Schiavone to appoint the above referenced professionals and was seconded by Mr. Salvanto.

Roll Call: Chairman LaSalle, Yes; Mr. Michael Oliveira, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; Ms. Schiavone, Yes; Mr. Johnson, Yes; and Mr. Salvanto, Yes. The motion was approved 7-0.

#### Discussion of Administrative Review Coordinator

Chairman LaSalle briefly explained the purpose of the Administrative Review Committee and who it consisted of in the past. The reviews have been done by Dan Bloch, Roseland's Zoning Officer, over the past few months and Chairman LaSalle suggested that that continue. Mr. Tango agreed and Dan Bloch was appointed as the Administrative Review Coordinator.

#### Discussion of Technical Review Committee

Chairman LaSalle briefly explained the purpose of the Technical Review Committee and who it typically consists of. He explained that Mr. Michael Oliveira presides over this committee and Mr. LaMonica has been the TRC Chairman in the past. Chairman LaSalle appointed Mr. LaMonica as the TRC Chairman once again.

## **APPROVAL OF MINUTES:**

The minutes of the Regular Meeting of December 18, 2017 were reviewed for approval.

A motion was made by Mr. Michael Oliveira and seconded by Mr. LaMonica to approve the minutes. Roll Call: Chairman LaSalle, Yes; Mr. Michael Oliveira, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; and Mr. Salvanto, Yes. The motion was approved 5-0.

## **RESOLUTIONS TO BE MEMORIALIZED:**

### **#17-07 – Kyle Kovats – Block 38, Lot 9.**

Application for Minor Subdivision Approval with lot area, lot width, side yard setbacks, and impervious coverage variances at 28 Godfrey Avenue in the R-4 Zone.

A motion was made by Mr. Salvanto and seconded by Mr. Michael Oliveira to approve and memorialize the resolution. Roll Call: Chairman LaSalle, Yes; Mr. Michael Oliveira, Yes; Mr. LaMonica, Yes; Mr. Manny Oliveira, Yes; and Mr. Salvanto, Yes. The motion was approved 5-0.

## **GENERAL BUSINESS:**

### **a. Vouchers – January Bill List**

Chairman LaSalle repeated that this list does not need to be approved by the Board, but would still like it to be included in the meeting packets.

### **b. Other Business**

#### **Public Comment: 56 Livingston Avenue Lighting Concerns**

Ms. Elaine Perna, 68 Freeman Street, began by expressing concerns regarding the lighting at 56 Livingston Avenue; Lowenstein Sandler. She continued to say she was never notified of any construction being done at that location when they were originally renovating. Mr. Michael Oliveira explained to Ms. Perna that existing office buildings only having interior renovations with no variances are not required to send out 200 foot certified notifications. Ms. Perna went on to explain that the parking lot is very close to the fence and that it is overwhelmingly bright with all of the parking lot lights and because the woods are so scarce.

Chairman LaSalle briefly discussed that he visited 56 Livingston Avenue the night of the meeting and that he agrees the woods between the residential area and the parking lot are very scarce. He also said that there are only about eight parking spots that are in close proximity to the fence.

Ms. Perna continued by stating that it looks like an airport at the site and she can clearly see the light through her windows as night. She also said that her and her neighbors all pitched in years ago and planted trees on town property to block the site and they feel as though that time, energy, and money was all wasted. She stated that she is not concerned with any other big businesses or affordable housing coming in to town, but she is upset with the lighting near her residential neighborhood. She also touched upon other construction in town that she is unhappy with.

Chairman LaSalle then began to explain what the role of the Planning Board is. Mr. Loughlin stepped in to state that the Planning Board cannot legally discuss our status with COAH or other properties and construction in Roseland. Chairman LaSalle also said that the Planning Board does not have complete control over what comes into the town; i.e. the number of required affordable housing units.

Mr. Tango stated that he is looking into the Lowenstein Sandler sign and the bright parking lot lights. He explained that the company agreed to shut the sign off at either 9:00 p.m. or 10:00 p.m. and that there are only five lights in the parking lot that do not comply with what was approved. He also said that he has a meeting with the developer and Mr. Gary Schall, Public Works Superintendent, on January 30<sup>th</sup>, 2018. Mr. Tango mentioned that the Borough of Roseland has no maximum light ordinance; they just need to comply with what the Board approved. Chairman LaSalle mentioned that the landscaping plans should also be discussed at the meeting on January 30<sup>th</sup>.

Mr. Tango continued to explain that the parking lot may also look very bright because the building was vacant for years. Chairman LaSalle agreed and brought up that when the tennis court lights were installed on Harrison Avenue it looked very bright because there were never lights there before.

Mr. John Derites, 72 Freeman Street, began by stating he did not receive notification for any of the work being done when the new tenants moved into 56 Livingston Avenue. He said the lack of notification was not severe because he trusts the Planning Board and their decisions. However, he believes the Lowenstein Sandler sign on the side of the building is larger than 10% of the facade, which is what the ordinance permits. He went on to state that he and Mr. Schall did their own research with the new light meter and found that the lights are far beyond 0.9 foot-candles. Mr. Derites stated that 0.9 foot-candles was proposed by the applicant and approved by the Board and he agreed with Ms. Perna that the lighting looks similar to an airport. The Board did not comment on what was proposed or approved on the site plan, but that it would be discussed at the meeting on January 30<sup>th</sup>. He also repeated what Ms. Perna mentioned, that the neighborhood had spent over \$3,000 on landscaping to block the building at 56 Livingston Avenue, but that it all seems like a waste

now. Mr. Derites expressed concern that this situation will get worse because within three years of the memorialization of the resolution, the developer is supposed to upgrade all of the lighting to match which is stated in the resolution. Regarding the parking lot lights, he stated that they should have shields or covers on them and Chairman LaSalle said that this will be discussed during their meeting with the developer on January 30<sup>th</sup>. He then thanked the Board for their time.

Mr. Nicholas Perna, 68 Freeman Street, stated that he was once a member of the Roseland Planning Board and he understands how the Board works. He thanked the Board members for their time.

Chairman LaSalle asked if anyone else would like to speak during the meeting and no one came forward. He then thanked all of the residents that came to the meeting and all of those who spoke.

**ADJOURNMENT:**

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted, Melissa Barnes  
Planning Board Secretary