

**MINUTES
ROSELAND PLANNING BOARD
REGULAR MEETING
APRIL 19, 2021 at 7:00 PM**

CALL TO ORDER:

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

Chairman LaSalle
Michael Oliveira, Vice Chairman
Kevin Codey, Mayor's Alternate 7:08 pm
Manny Oliveira
Jack A. Gordon
Joe LaMonica
Councilwoman Fishman
William Johnson, Alt. #1
David Jacobs Alt # 2
Vincent Loughlin, Board Attorney
Ralph Tango, Board Engineer
Dan Bloch, Board Planner

Those absent were:

Richard Reynolds
Mayor James Spango
Joe Rolli

SALUTE TO FLAG

STATEMENT OF COMPLIANCE:

The meeting was conducted by electronic means in accordance with the Senator Byron M. Baer Open Public Meetings Act of 2020 which explicitly permits a public body to conduct meetings electronically during a state of emergency. Governor Murphy issued Executive Orders 103 & 107 declaring a "Public Health Emergency and State of Emergency" and has directed residents to quarantine and practice social distancing.

Also in compliance with Chapter 231 of the Public Laws of 1975, annual 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, as so certified by the Secretary. Notice has also been posted in Borough Hall, Roseland, NJ.

APPROVAL OF MINUTES:

No minutes were voted on at this meeting.

RESOLUTIONS:

No resolutions were listed on the agenda for consideration.

PUBLIC HEARINGS

a.) Appeal 20-09 of 75 Livingston Venture LLC, owner of property situate block 30.2, lot 1, , known as 75 Livingston Avenue, Roseland, NJ, requesting Minor Site Plan amendment to confirm signage previously approved by The Planning Board

John Cromie, attorney for the applicant, gave a brief summary as to the approval needed for Minor Site Plan in conjunction with the previous approval for façade and ground signs. No changes were made to the size or location of the signs. Instead, receiving Minor Site Plan approval would formalize the approval of the signs.

One condition was requested by Board Planner Dan Bloch that an updated survey with new title block be produced.

Board Engineer Ralph Tango had no issues with the approval for Minor Site Plan.

There were no questions from the board members or public.

A motion was made by Jack Gordon and seconded by Joseph LaMonica to approve the Minor Site Plan. Roll Call – Jack Gordon, Yes; Joseph LaMonica, Yes; Chairman LaSalle, Yes; Michael Oliveira, Yes; Kevin Codey, Yes; Councilwoman Fishman, Yes; Manny Oliveira, Yes; David Jacobs, Yes. The motion was approved 8-0.

b.) Carried from the March 15, 2021 meeting, Appeal # 20-07 of Eduardo DeLima, owner of property situate block 7, lot 3, known as 74 Glen Ave, Roseland, NJ, requesting Minor Subdivision with C Variances to create three residential lots in the R-4 Zone, each lot to contain a single family residential dwelling

Michael Bonner, attorney for the applicant, summarized the revisions and changes made to the application. Instead of three new houses, only two new houses are now proposed and the one existing residential house to be remodeled. The total number of variances decreased from 23 to 10 with the new proposal.

Witness # 1 – Anan Kahn – PE – Applicant's Engineer reviewed the revised submission with only two new lots to be created instead of three. Each new lot to contain one single family house with approximately 7,500 sq feet for each of the three lots. Mr. Kahn then reviewed the proposed subdivision map showing the proposed lot lines each with the proposed house shown.

He then reviewed the board professional's reports from Dan Bloch and Ralph Tango.

Chairman LaSalle then opened the meeting for board questions of Mr. Kahn.

Mr. Gordon requested that Mr. Kahn compare the size of the lots in the neighborhood to the proposed lots as to which the applicant's attorney, Michael Bonner, responded that the planner and architect would provide that information.

Chairman LaSalle then asked the public if there were any questions of Mr. Kahn of which there were none.

Witness # 2 – Daniel Roma – AIA – Mr. Roma was sworn in and reviewed his qualifications and was accepted as an expert in Architecture.

Mr. Roma reviewed the current site conditions of the existing oversized lot into three lots with two new single- family houses to be built and reviewed the setbacks for the proposed houses. Each lot to be 83.33 feet wide and 90 feet deep.

He then reviewed the proposed renovations and additions to the existing house as well as a brief overview of the interior floor plans and exterior elevations. Each new house would contain a two- car garage and driveway that would be two cars wide. The existing house would remain with a one car garage.

The ceiling height of the basements in the new houses is to be 6'10" and will be used only for storage and not accessible directly from the exterior. The first floor of each home will have an open floor plan with four bedrooms on the second floor. The attic will only be accessible by a pull-down ladder.

Mr. Roma shared a photo board of adjacent houses within the neighborhood to show the architectural styles of the neighborhood and the proposed houses would be compatible.

He then reviewed the exterior materials of cedar shakes for the existing house and the new houses would be clad in fiber cement siding. All three houses would receive a stone veneer treatment on the lower foundation areas.

Chairman LaSalle then asked the board professionals for their input as to the new proposal.

Board Planner Dan Bloch indicated that the new design was more comparable to the houses in the neighborhood with the revised design.

Board Engineer Ralph Tango asked Mr. Roma for a comparison of the sizes of the houses from the old versus new proposal. Mr. Roma then reviewed the former proposal against the revised plan and summarized the differences. The overall size changed to approximately 900 square feet of habitable space.

Chairman LaSalle then asked Mr. Roma to clarify the total habitable area as well as areas that are not considered habitable spaces.

Chairman LaSalle then opened the meeting to the board members for questions of Mr. Roma.

Mr. Gordon inquired about the height of the new houses as compared to neighboring houses. Mr. Roma did not have exact measurements available but offered his opinion based on the photos of the houses in the neighborhood photo board that the new houses would be similar to the existing houses.

Chairman LaSalle then offered the public the opportunity to ask questions and/or make comments.

Jean Perrotti – 12 Second Ave – Commented that this plan is much improved over the previous plan.

Sal Polidoro – 50 Cooper Ave – New plan more conducive to the neighborhood. He then asked about the grading of the new lots as there is a substantial difference and expressed concern about water run-off. He then requested a fence to separate the property lines as to which the applicant agreed to as a condition of approval.

Board Engineer Ralph Tango then added that the applicant will need to conform with water run off standards as well as the applicant's engineer will need to submit revised grading plans, soils tests and water table information to be reviewed by and approved by Mr. Tango.

Witness # 3 – Lisa Phillips – PP. Ms. Phillips was sworn in and reviewed her professional credentials for the board.

Ex A-1 – Copy of Tax Map with Red Line of 36 lots within the Cooper and Glen Ave neighborhood.

Ex A-2 – 2-page chart showing width and depth of all three proposed lots.

Ms. Phillips reviewed her exhibits and indicated that 75% of the lots in the area are smaller than the proposed subdivision.

She then reviewed the variances requested:

3 Variances for undersized lots at 7,500 ft² where 11,250 ft² is required in the R-4 Zone.

3 Variances for lot depth of 90 ft where 105 ft is required.

1 Variance for front yard setback for the existing house of 29.55 ft where 30 ft is required.

3 Variances for rear yard setback of 28.28 ft where 50 ft is required.

She then testified that the proposed development is not a detriment to the public and reviewed sections of the master plan in regard to density for this neighborhood. The purpose and goals of the MLUL are advanced by providing a variety of housing stock as well as preserving the existing house.

Ms. Phillips indicated that there were no negative criteria associated nor was there a public detriment with this development.

Chairman LaSalle then asked Board Planner, Dan Bloch, for his feedback.

Mr. Bloch agreed that the revised proposal is consistent even though there are variances being sought.

Mr. Tango when asked, had no issues.

Chairman LaSalle then asked the board for questions of Ms. Phillips as to which there were none. He then opened the meeting up to the public.

Sal Polidoro – 50 Cooper Ave – commented that houses could be built with smaller setbacks to comply.

As there was no one else from the public wishing to speak, Chairman LaSalle then closed the public portion of the meeting and asked Mr. Bonner for a closing statement.

Mr. Bonner had nothing to add and requested the board deliberate and vote on the application.

Board Attorney Vincent Laughlin reviewed the conditions of approval with the board:

1. Soils Investigation, Water Table and Permeability Study to be submitted to be reviewed by the Board Engineer and to approve the drywell design.
2. Grading Plan to be submitted with spot elevations.
3. Privacy fence at rear of property to be reviewed by Board Engineer.
4. Affordable Housing Contribution to be made for two new residential units.
5. Minor Site Plan Documents be updated and recorded by plat

Motion to approve by Michael Oliveira, second by Joseph LaMonica. Roll Call Michael Oliveira, Yes; Joseph LaMonica, Yes; Chairman LaSalle, Yes; Kevin Codey, Yes; Councilwoman Fishman, Yes; Jack Gordon, Yes; Manny Oliveira, Yes; William Johnson, Yes; David Jacobs, Yes. The motion was approved 8-0

GENERAL BUSINESS

Chairman LaSalle mentioned the letter from Roseland Green and their concerns.

Board Member Michael Oliveira will be recusing himself from The Gardens at Roseland application as his law firm will be representing the applicant.

Mr. Gordon urged the Council to reconsider some of the provisions of the outdoor dining ordinance to allow more flexibility.

Chairman Lasalle also commented on the hours for more consideration for the business community.

Councilwoman Fishman indicated that the outdoor dining ordinance is for post Covid, not during the pandemic to outline rules for the businesses that would have outdoor dining. She asked the board for suggestions and would bring any information back to the council.

Mr. Gordon wanted the existing hours and limits on seating to be reviewed to allow extended hours and additional seating.

Councilwoman Perrotti inquired as to the hours of most businesses in town.

Mr. Codey questioned why the ordinance is being reviewed at this time.

Mr. Johnson supports outdoor dining and encouraging business in Roseland.

Mr. Lamonica commented that restaurants need support from the town to compete with other towns and allow them to do more business.

A motion was made by Mr. LaMonica and seconded by Mr. Jacobs to adjourn the meeting. The meeting was adjourned at 8:55 pm.

Respectfully Submitted,
James Campbell
Planning Board Secretary

