

**ROSELAND PLANNING BOARD
REORGANIZATION & PUBLIC MEETING MINUTES**

JANUARY 25, 2021

A Public Meeting of the Planning Board of the Borough of Roseland was held on January 25, 2021 at 7:00 p.m. REMOTELY due to the fact that both the federal and state governments have declared a state of emergency in response to the outbreak of the COVID-19 virus, that limits gatherings and requires social distancing. The platform ZOOM was used to allow for video and/or audio access to the meeting. Chairman LaSalle opened the meeting at 7:00 and read the opening statement.

ROLL CALL

Members Present: Chairman LaSalle, Michael Oliveira, Jack A. Gordon, Esq., Joe LaMonica, William Johnson, Mayor James Spango (left early), Manny Oliveira (arrived late), Councilwoman Eileen Fishman (arrived late)

Members Absent: Richard Reynolds, Joseph Rolli, Kevin Codey

Advisors Present: Vince Loughlin, Esq., Board Attorney; Ralph Tango, P.E., Board Engineer; Daniel Bloch, P.P., AICP, Board Planner

REORGANIZATION FOR 2021

1. Statement from Mayor Spango. The changes to the Board Membership has not been approved by Council yet. Board Member Joe Rolli will be appointed as Class IV Member and Bill Johnson will be appointed as Alternate #1. Mayor Spango left the meeting.
2. RFP Committee Recommendations. Chairman LaSalle stated that the RFP Committee met last week and opened the RFP submissions for Board Attorney, Board Engineer, and Board Planner. In lieu of review and discussion of the submissions by the Planning Board in executive session, the RFP Committee has reviewed and discussed the submissions and make the following recommendations:
 - Board Attorney – Vince Loughlin, Esq. of Loughlin Associates
 - Board Engineer – Ralph Tango of Colliers Engineering & Design (DBA Maser Consulting, Inc.)
 - Board Planner – Daniel Bloch of Colliers Engineering & Design (DBA Maser Consulting, Inc.)
3. Appointment of a Temporary Chairman. Chairman LaSalle requested Mr. Bloch to serve as Temporary Chairman for the election of the Board Chairman for 2021.
4. Election of Officers:
 - a. Chairman. Bill Johnson nominated Lou LaSalle for Board Chairman for 2021. Second by

- Michael Oliveira. Roll call vote: 4 in favor, 0 opposed, 1 abstention.
- b. Vice Chairman. Jo LaMonica nominated Michael Oliveira for Vice Chairman for 2021. Second by Bill Johnson. Roll call vote: 4 in favor, 0 opposed, 1 abstention.
5. Swearing in of re-appointed members:
- Hold until February meeting after the Council reappoints the current members with expiring terms.
6. Discussion, Appointment and Resolution No. 1-2021 appointing Board Attorney. Bill Johnson moved that the Board appoint Vince Loughlin, Esq. as Board Attorney for 2021. Second by Michael Oliveira. Voice vote, unanimous.
7. Appointments:
- a. Discussion, Appointment and Resolution No. 2-2021 appointing Board Engineer
- b. Discussion, Appointment and Resolution No. 3-2021 appointing Board Planner
- Bill Johnson moved that the Board appoint Angelo Traina as Board Secretary, Ralph Tango as Board Engineer, and Daniel Bloch as Board Planner for 2021. Second by Jack Gordon. Voice vote, unanimous.
- c. Discussion, Appointment and Resolution No. 4-2021 appointing Board Hearing Reporter
- d. Discussion, Appointment and Resolution No. 5-2021 appointing Board Forester
- Hold until February meeting.
- e. Discussion and Appointment of Official Newspapers –The Caldwell Progress and The Star Ledger
- f. Adoption of Schedule of Meetings for 2021. Third Monday of the Month, except for January 2022 will be the 4th Monday due to Martin Luther King Day.
- g. Adoption of Rules and Regulations for the Planning Board. (no change from 2016)
- h. Discussion of Administrative Review Committee. Chairman and Board Professionals.
- i. Discussion of Technical Review Committee. Joe LaMonica, three rotating members, and Board Professionals.
- j. Discussion and Appointment of Board Secretary. Angelo Traina.
- Joe LaMonica moved that the Board adopt the Official Newspapers, Schedule of Meeting, Rules And Regulations of The Planning Board, Administrative Review Committee, and Technical Review Committee. Second by Jack Gordon. Voice vote, unanimous.

APPROVAL OF MINUTES

None

RESOLUTIONS TO BE MEMORIALIZED

PB20-01: 4th Avenue Roseland, LLC - 10 Fourth Ave (Block 6, Lot 6)

Application for minor subdivision approval and variances pursuant to N.J.S.A. 40:55D-70(c), to permit the creation of two single-family dwelling lots from one tax lot at property located at 10 Fourth Avenue in the Borough of Roseland, and designated as Block 6, Lot 6 on the Roseland Tax Maps.

Motion for approval of resolution by Joe LaMonica: second by Bill Johnson: Roll call vote: 5 in favor, 0 opposed, 1 abstained.

PUBLIC HEARINGS

Application PB20-07: Eduardo A. Lima (Continuation)
74 Glen Avenue (Block 7, Lot 3)

Attorney Michael Bonner, Esq. of Javerbaum Wurgaft entered appearance on behalf of the Applicant, 4th Avenue Roseland, LLC. Mr. Bonner stated that new notices were sent out via certified mail at least 10 days in advance of the meeting. Mr. Gordon asked if anyone received notice this time that did not receive notice in December. Mr. Bonner stated that he did not know who received or did not, only that it was sent.

Adnan Khan, P.E., was recalled and reminded that he remains under oath. Mr. Khan reviewed the comments from Mr. Tango within his February 10, 2021 review letter.

Mr. Tango stated that he did not object to requiring soil borings as a condition of approval.

Chairman LaSalle opened the hearing to the public for questions of the witness.

Jean Perrotti, 12 2nd Avenue, asked if the soil borings would determine the depth of the water table. Mr. Khan affirmed. Mr. Perrotti asked who conducts the soil borings. Mr. Khan stated that the applicant is responsible with review of the results by the Board Engineer. Ms. Perrotti asked what happens if the dry well fills with water. Mr. Khan stated that the soil borings will determine soil permeability so that the dry wells are designed adequately.

Mr. Tango confirmed that any approval would be subject to the condition that the stormwater system be designed adequately based on the results of the soil borings. Mr. Tango also stated that the overflows of the drywells should be connected to the municipal stormwater system within Glen Avenue.

Sal Polidoro, 50 Cooper Ave, was sworn to provide a statement. Mr. Polidoro stated that water accumulates in his rear yard from the subject property.

Joane DePalma, 40 Glen Avenue, asked if stormwater will overflow into the street. Mr. Tango stated that the overflow from the drywell will connect to the Borough stormwater system.

Lucy Tedesco, 54 Cooper Avenue, asked whether stormwater runoff will end up on her property.

Mr. Khan stated that the runoff from impervious surfaces will be collected into the drywell and the overflow from the drywell will connect to the Borough stormwater system.

Mr. Bonner stated that the applicant's planner was unavailable to attend the meeting and would testify at the next meeting.

Mr. Bonner introduced his next witness, Daniel Roma, the architect for the project. Mr. Bonner and Mr. Loughlin debated the appropriateness of requesting a Technical Review Committee (TRC) review of the plans and whether the Board should engage in a dialogue about revising the design of the projects.

Daniel Roma of Artek Studio, LLC, was sworn and accepted as an expert witness in the field of architecture. Mr. Roma reviewed the architectural plans dated November 2, 2020. Mr. Roma described the existing dwelling on the subject property and the three proposed dwellings.

Mr. Bloch stated that the existing home would require an additional variance for the rear yard setback to the proposed deck which was not previously noted.

Chairman LaSalle asked whether the office/guest room should be considered a bedroom. Mr. Roma confirmed that each of the proposed dwellings would contain five bedrooms including the office/guest room.

Mr. Michael Oliveira asked whether the large homes on a small lot was consistent with the character of the neighborhood. Mr. Oliveira expressed concern that the large mudroom and guest room with full bathroom on the first floor would have a potential to become a mother-daughter or two-family home. Mr. Roma stated that the applicant's planner would address the consistency with the neighborhood.

Mr. LaMonica asked how many steps are there to the front door of the new homes. Mr. Roma stated about 13 or 14 steps.

Councilwoman Fishman also expressed concern for the size of the homes in comparison to the neighborhood.

Mr. Manny Oliveira asked about the rear deck and the possibility to reorient the steps. Mr. Rom stated that the applicant is considering removing the rear deck and providing a ground level patio instead.

Mr. Johnson expressed concern regarding the number of trees being removed and the rear yard privacy associated with the decks.

Mr. Gordon expressed concern regarding the minimum lot width and lot area variances. Mr. Gordon stated that the lots on Glen are larger than the surrounding streets, including 3rd Avenue and Cooper Avenue. Has the applicant considered removing one lot to increase the lot width and

area? Mr. Roma stated that the applicant wants four lots and the planner will provide the justification.

Chairman LaSalle asked if three lots instead of four would reduce the number of variances. Mr. Roma agreed some variances would be reduced if one lot were removed.

Mr. Tango agreed with the Board's concerns regarding the character of the neighborhood.

Mr. Bloch agreed with Mr. Oliveira's concerns regarding the design of the home being easily converted to a two unit home with a separate apartment on the first floor with separate entrance and separate living space, where the zoning only permits single family. Mr. Bloch also agreed with Mr. LaMonica's concern about the front steps. The front steps extend into the front yard, which would trigger an additional variance not previously discussed. Mr. Bloch asked why the front door is on the second floor. Mr. Roma stated that the idea was to have the main living space on the second floor. Mr. Bloch asked if any other homes have a front entrance on the second floor. Mr. Roma was not aware of any.

Chairman LaSalle opened the hearing to the public for questions of the witness.

Joanne DePalma expressed concern with the front steps and the "cookie-cutter" design of the homes would not be consistent with the neighborhood. Ms. DePalma asked about the recreation area in the basement. Mr. Roma stated that it connects to the rear yard. Mr. DePalma asked why the balcony is proposed in the front. Mr. Roma stated it is a design feature. Mr. DePalma asked about the height of the proposed deck. Mr. Roma stated 8 feet above ground, but the applicant will revise the plans to remove the decks.

Sal Polidoro asked about the rear deck and steps.

Jean Perrotti asked if the intention was for the homes to be consistent with the surrounding homes. Mr. Roma clarified that the intention was for the lot sizes to be consistent, not the homes. Mr. Perrotti stated that the size of the homes was much larger and on a smaller lot than the surrounding neighborhood.

Kathy Gizzo asked about the rear setback to the proposed decks. Mr. Roma stated that the rear deck would be removed. The proposed rear setback to the house is 20 feet and 12 feet to the deck.

Sal Polidoro asked about the height of the buildings, where the plans seem to show one building being greater than 35 feet. Mr. Roma clarified that the homes would be less than 35 feet as defined by the ordinance.

Joanne DePalma asked if there are other three-story homes on Glen Avenue. Mr. Roma said no.

Mr. Michael Oliveira asked if the impervious coverage calculations would need to be revised if a

patio is proposed instead of a deck.

Jean Perrotti asked why there are no basements proposed. Mr. Roma stated that it was an attempt to not disturb the soil.

Lucy Tudesco expressed concern with the stormwater issues potentially being exacerbated by the number of homes being proposed.

Mr. Bonner asked that the application be carried to the next meeting for testimony by the planner. Mr. Bonner granted an extension of time for the Board to act on the application.

Joanne DePalma advised the Board that she did receive both notices for the December and January meetings. Ms. DePalma also raised an issue regarding a large pothole in the driveway of the existing home.

The application was carried to February 15, 2021 without the need to re-notice.

GENERAL BUSINESS

Mr. Gordon offered condolences for the recent death of Mr. Angelo Sena of the Roseland Historical Society.

Mr. LaMonica gave the Board an update regarding the Gardens at Roseland application currently being reviewed by the TRC. Another TRC meeting is being scheduled and then the application should be ready for public hearing.

ADJOURNMENT

Motion was made by Joe LaMonica, seconded by Bill Johnson, and approved unanimously to end the meeting.

The meeting adjourned at 9:14 p.m.

Respectfully submitted,

Daniel Bloch, PP, AICP, EADA
Board Planner & Acting Secretary