

Municipal Land Use Board Minutes for April 15, 2019

STATEMENT OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Chairman Harms called a public meeting of the Roselle Park Municipal Land Use Board to order on March 18, 2019 at 7:08 p.m. in Council Chambers at the Municipal Building, 110 E. Westfield Avenue, Roselle Park, New Jersey. Chairman Harms announced this meeting is in compliance with the "Open Public Meetings Act": as adequate notice of this meeting has been provided as required by law.

ROLL CALL

Members Present:

Mr. Harms
Mr. Robaina
Mr. Nitche
Mr. Costello
Mr. Stephens
Mr. Kolbeck
Mr. Ferdinando
Mayor Signorello
Councilman Mathieu

Alternates Present:

Mr. Baiamonte
Mr. Iungerman
Mr. Delano

Alternate Absent:

Mr. Curio

Also present:

Richard Schkolnick, Esquire: Victor Vinegra, Municipal Land Use Planner: Madeline Colandro, Interim Clerk.

MINUTES

Mr. Harms asked for a motion to accept the March 18, 2019 MLUB Meeting Minutes. Mr. Robaina motioned to accept; seconded by Mr. Nitche. Being no additional comments, additions or deletions, all serving and present members voting affirmative, motion passed. Members Serving: Chairman Harms, Mr. Nitche, Mr. Robaina, Mr. Costello, Mr. Kolbeck, Mr. Ferdinando and Mr. Stephens.

PUBLIC PORTION OPEN:

Mr. Harms requested motion to open the Public Portion for any comment. Mr. Nitche motioned; seconded by Mr. Stephens. All serving and present members voting Aye, motion carried. Present Board Members Serving: Chairman Harms, Mr. Robaina, Mr. Nitche, Mr. Costello, Mr. Stephens, Mr. Kolbeck and Mr. Ferdinando. Chairman Harms asked for anyone wishing to speak.

PUBLIC PORTION CLOSE:

There being no one wishing to speak, Mr. Harms asked for motion to close the Public Portion. Mr. Nitche motioned; seconded by Mr. Stephens. All serving and present members voting Aye, motion carried. Present Board Members Serving: Chairman Harms, Mr. Robaina, Mr. Nitche, Mr. Costello, Mr. Stephens, Mr. Robaina, and Mr. Kolbeck.

New Application: Adjourned

Preliminary Site Plan, Use & Bulk Variance

Newlands Asset Holding Trust, 243 Sherman Avenue Block: 1102 Lot 14 & 15.

Variance request to allow a two-family residence within the Single-Family Residence District and Yard and Height Variance.

Mr. Schkolnick Municipal Land Use attorney stated that the Applicant and the Attorney of this Application has requested to adjourn till the next meeting. Mr. Schkolnick noted the application will be carried to May 20, 2019 without further notice.

New Application:

Amended Site Plan for previously heard under the WAWA application, 500 North Ave. Resolution No. 2017-001.

Applicants: The Ferber Company

Application: Proposed Convenience Store with Gas Station

622 & 630 W. Westfield Ave, Blocks 202 & 212, Lots 1 & 1

Appearing for the Applicant: John R. Frieri, Frieri Law Group, LLC

Witness for the Applicant: Matthew Seckler, Engineer

John Frieri, Frieri Law Group, Attorney for the applicant, Ferfeldt Investments (Ferber Company) WaWa. Mr. Frieri provided a summary of the Applicant's request and identification of their expert witness -- Matthew Seckler.

Mr. Frieri introduced Mr. Seckler. Mr. Seckler was sworn in and provided his credentials and was accepted as an expert Engineering Professional.

Mr. Seckler summarized the amended site plan. The proposed WaWa application previously approved with the exception had a parking field located in the east of the rail ride. The applicant decided to forgo the development of the other side of the other rail but instead create a landscape area.

Mr. Seckler would like to review recommendations and comment from the Harbor Consultants the Borough's Planner report March 8, 2019. Mr. Seckler proceeded with exhibit A-1 to explain the proposed parking field east of the rail ride. To forgo the development of the other side of rail but instead create a landscape area which was one of the comments/recommendations.

Mr. Seckler Block 212 Lot 1 would be the landscape area with bushes, trees and grass as seen in the exhibit A-1.

Mr. Seckler stated there will be 3 parking spaces in the Roselle Park side which would be Block 202 Lot 1 with the new amended site plan.

Mr. Seckler noted impervious coverage reduced because the rail lot is not included. The Roselle Park side originally 48.7% impervious coverage. With the new amended site plan has been reduced to 14.5%.

Mr. Seckler the drainage design has been changed to reflect the reduction of impervious coverage.

Mr. Seckler will again testify the green space for the overall project.

Mr. Seckler stated no changes to the circulation of site.

Mr. Seckler for the new signalized inter section it requires Department of Transportation approval. We received the developer's agreement indicating they have accepted the designs. Waiting for the final forms approval.

We do not have a set agreement for the portion of the landscape over the rail line. Still undergoing negotiating but this Block and Lot is not part of the application.

Mr. Schkolnick asked if there are any variances or other deviations. Mr. Seckler confirmed there is not.

Victor Vinegra of Harbor Consultants Municipal Planner was sworn in by Board Attorney, Mr. Schkolnick.

Mr. Vinegra inquired of the future of the green park parcel/lot. Mr. Seckler stated at the moment the applicants have no plans to develop that lot.

Chairman Harms asked who's going to maintain the landscape area? Mr. Seckler stated they will be maintained by WaWa.

Mr. Schkolnick noted a possible condition of an approval. Applicant will submit a landscaping plan for the green space located Block 212 Lot 1 to review and approval by the Board Planner.

Mr. Vinegra inquired would it be possible to have a small outdoor sitting area.

Chairman Harms expressed concerns that the resident from the Grove Street have regarding getting in or out of Grove Street.

Mayor Signorello stated they are redoing Route 28 later this year and it might help the situation.

Mr. Seckler noted that they will be meeting with the Department of Transportation and at that time this matter could be brought up to them.

Mr. Vinegra will go to the Department of Transportation and will make the request.

Chairman Harms, board members, Mr. Vinegra and Mr. Seckler ensued discussion regarding Grove Street.

PUBLIC PORTION OPEN: WaWa Application

Mr. Harms asked for a motion to open the Public Portion for any comment. Mr. Niche motioned; seconded by Mr. Robaina. All serving and present members voting Aye, motion carried.

Dan Petrosky – 317 Sheridan Avenue

Mr. Petrosky was sworn in by Mr. Schkolnick since he gave a testimony about the Grove Street residents not being able to make a left hand turn.

PUBLIC PORTION CLOSE: WaWa Application

Mr. Harms asked for a motion to close the Public Portion for any comment. Mr. Robaina motioned; seconded by Mr. Niche. All serving and present members voting Aye, motioned carried.

Mr. Robaina inquired if any consideration of supercharger stations. Mayor Signorello also agreed that would be a great idea to have to have supercharger stations in the Roselle Park side at the green area.

Mr. Frieri stated the applicant or WaWa are not in control. WaWa has been in negotiations with a 3rd party vendor. We can't make that a promise or a condition approval.

Mayor Signorello asked can we make it a condition if it does get done for it to be on the Roselle Park side.

Mr. Frieri stated yes.

Chairman Harms requested a motion to accept or reject the Ferfeldt Investments (WaWa) amended site plan for 622 & 630 W. Westfield Avenue Blocks 202 & 212, Lots 1 & 1.

Mr. Robaina motioned to accept; seconded by Mr. Nitché. Chairman Harms requested a roll-call for the motion. Vote was seven "yes" and zero "no" to accept. Motion carried.

Board Members	Yes	No	ABS	N.V.	AB	Board Members	Yes	No	ABS	N.V.	AB
Loren Harms	X					Owen Iungerman				X	
Jay Robaina	X					Greg Delano				X	
Al Nitché	X					Mayor Signorello					X
Glen Costello	X					Robert Mathieu					X
Kevin Kolbeck	X										
John Stephen	X										
William Ferdinando	X										
Paul Baiamonte				X							
John Curia					X						
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB - Absent											

Mr. Schkolnick has Resolution and will add the new conditions so it can be updated and processed by the Clerk if approved by the Municipal Land Use Board members.

Chairman Harms requested a motion to accept and Memorialize Resolution 2019-003. Mr. Robaina motioned was made to accept and memorialize Resolution 2019-003 and seconded by Mr. Nitché. Chairman Harms requested roll-call for the motion. Vote was seven "yes" and zero "no" to accept and memorialize Resolution 2019-003. Motion carried.

Board Members	Yes	No	ABS	N.V.	AB	Board Members	Yes	No	ABS	N.V.	AB
Loren Harms	X					Owen Iungerman				X	
Jay Robaina	X					Greg Delano				X	
Al Nitché	X					Mayor Signorello					X
Glen Costello	X					Robert Mathieu					X
Kevin Kolbeck	X										
John Stephen	X										
William Ferdinando	X										
Paul Baiamonte				X							
John Curia					X						
X – Indicate Vote ABS – Abstain N.V. – Not Voting AB - Absent											

NEW BUSINESS - None

Unfinished Business: None

Bulk Variance: None

Payment of Bills: None

For the Benefit of the Board:

Chairman Harms noted that the next meeting date is May 20, 2019 at 7 PM

There being no further business to come before the meeting, Chairman Harms asked for a motion. Mr. Nitche moved at 7:58 PM to adjourn the meeting; seconded by Mr. Costello. All serving and present members voting Aye, motion carried.

Present Board Members Serving: Chairman Harms, Mr. Nitche, Mr. Kolbeck, Mr. Costello, Mr. Curio, Mr. Robaina, Mr. Ferdinando, Mr. Stephen, Mr. Baiamonte, Mr. Delano & Mr. Iungerman.

Respectfully submitted,

Madeline Colandro
Roselle Park Municipal Land Use Board - Interim Clerk