

PLANNING BOARD MINUTES JANUARY 24TH, 2024

The meeting of the Planning Board of the Borough of Somerville was called to order by Chairman Bernard Navatto at 7:00 PM and stated that adequate notice of this meeting had been provided in accordance with the “Open Public Meetings Act”.

Board Members Present: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Arthur Akins, Jason Kraska, Al Kerestes, Larry Cleveland, Lisa Werner, and Christopher Adickes

Board Members Absent:

Professional Present: Kara Kaczynski, Esq. Board Attorney and Michael Cole, Board Planner and Engineer

Oath of Office

Attorney for the planning board Kara Kaczynski, Esq lead board members Mayor Brian Gallagher, Councilman Roger Vroom, Lisa Werner, and Art Akins in the swearing in of their oath of office for their respective terms on the board.

Reorganization Nominations & Election of Officers/Staff Appointments

Chairperson

Upon a motion by Mayor Brian Gallagher, seconded by Andrea Adair, a Nomination for Bernie Navatto to serve as the planning board Chairperson, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Vice-Chairperson

Upon a motion by Mayor Brian Gallagher, seconded by Andrea Adair, a Nomination for Deidre Rosinski to serve as the planning board Vice- Chairperson, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Board Secretary

Upon a motion by Mayor Brian Gallagher, seconded by Andrea Adair, a Nomination for Jenna La Russo to serve as the planning board Secretary, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

At this time Chairman Bernie Navatto placed the reorganization portion of the meeting on hold for the executive session and moved the public comment portion of the meeting ahead of the executive session.

Meeting Open to the Public

Rob Ambrose, 204 E Cliff Street addressed the planning board stating that his wife had appeared at the last council meeting concerning the proposed gun store opening and that he was appearing before the board this evening to see what can be done so citizen with concerns over the gun shop opening so close to schools and homes to take steps so that something similar doesn't happen in the future.

Planning Board Attorney Kara Kaczynski, Esq. stated that the process for making changes in zoning starts with the governing body, who will introduce an ordinance proposing the change. That ordinance would then come to the planning board for review and that the planning board would analyze it for consistency with the master plan requirements. Thereafter the planning board's recommendations would go back to the governing body. They would have a public hearing that does have notice requirements for the publics where they would then adopt or not adopt those recommendations. Mrs. Kaczynski stated that if there were a recommendation that he would like to make that he would make that request to the governing body and that at the public hearing he would be able to have his concerns heard as well.

Mayor Brian Gallagher added that the council shares a lot of the concerns that he has as well and that they have already placed a resolution at the next council meeting formally asking the planning board to take up the zoning being firearm stores and that what he is asking for is already in motion.

See transcript.

Executive Session

Upon a motion by Jason Kraska, seconded by Lisa Werner, the Planning Board will be entering into executive session.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher, Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Kara Kaczynski, Esq. Board Attorney stated that we will now go into executive session to discuss sub section 8 concerning personnel matters, the board will not be taking any votes or making any decisions. When the board closes the executive session, they will be returning to the open session.

Upon a motion by Jason Kraska, seconded by Lisa Werner, the Planning Board closed executive session.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher, Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

The Executive Session portion of the meeting was adjourned at 7:42 p.m.

Upon a motion by Al Kerestes, seconded by Lisa Werner, the Planning Board re-opened regular session.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher, Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Reorganization Nominations & Election of Officers/Staff Appointments (continued)

Board Counsel

Resolution PB 24-0111-003

Authorizing the Award of a Non-Fair and Open Contract to McNally, Yaros, Kaczynski, Lime to Serve as 2024 Planning Board Attorney

Upon a motion by Mayor Brian Gallagher, seconded by Jason Kraska, a Nomination for Kara Kaczynski, Esq. to serve as the Planning Board Attorney, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman
Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and
Lisa Werner

Nay: None

Abstain: None

Board Planner & Engineer

Resolution PB 2401-11-004

Authorizing the Award of a Non-Fair and Open Contract to Cole & Associates to Serve a 6 Month Term from Jan 1 – June 30 2024 as the Planning Board Engineer & Planner

Upon a motion by Mayor Brian Gallagher, seconded by Deidre Rosinski, a Nomination for Michael Cole to serve as the Planning Board Engineer & Planner, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman
Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and
Lisa Werner

Nay: None

Abstain: None

Resolution PB 24-0111-001

Scheduling meeting dates for 2024 and January 2025 in Accordance with “Open Public Meeting Act”

Upon a motion by Mayor Brian Gallagher, seconded by Lisa Werner, the resolution scheduling meeting dates for 2024 – Jan 2025, was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Resolution PB 24-0111-002

Approval of Official Newspaper 2024 Courier News & if needed Star Ledger 2nd Official Newspaper

Upon a motion by Lisa Werner, seconded by Al Kerestes, the resolution approving the official newspaper was approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

Approval Minutes

Upon a motion by Jason Kraska, seconded by Councilman Roger Vroom, the minutes of December 13th, 2023, were approved upon a roll call vote.

Roll Call Aye: Bernard Navatto, Deidre Rosinski, Councilman Roger Vroom, Andrea Adair, Jason Kraska, Larry Cleveland, Lisa Werner, and Christopher Adickes

Nay: None

Abstain: Al Kerestes

See transcript.

Resolutions

2023-010P

Dewing

382 East Main Street

B6 L2

Upon a motion by Jason Kraska, seconded by Lisa Werner, resolution 23-010P Dewing was approved upon a roll call vote.

Roll Call Aye: Bernie Navatto, Councilman Roger Vroom, Lisa Werner, Larry Cleveland, and Christopher Adickes

Nay: None

Abstain: None

See transcript.

2023-002WC

Second Space Work Suites

Avalon Somerville Station/Brough of Somerville Landfill Redevelopment Area

B123.05 L22.03

Upon a motion by Lisa Werner, seconded by Councilman Roger Vroom, resolution 2023-002WC, Second Space Work Suites was approved upon a roll call vote.

Roll Call Aye: Bernie Navatto, Deirdre Rosinski, Councilman Roger Vroom, Andrea Adair, Lisa Werner, Jason Kraska, Al Kerestes, Larry Cleveland, and Christopher Adickes

Nay: None

Abstain: None

See transcript.

Hearing

23-012P

134 East Main LLC

134-136 East Main Street

B64 L11.01

Attorney for the applicant John DeLuca, Esq addressed the board expressing that he was presenting the application 134 East Main Street LLC located at 130-136 East Main Street Block 64, Lot 11.01 in the central business district and redevelopment zone EB-2.

John DeLuca, Esq explained that the application before the board this evening is for an amended site plan and variance application. Seeking a number of variances in connection with the application; one for the projecting sign size, projecting sign height, wall sign dimension and projecting awning over the sidewalk. It was also stated that there are a number of conditions from prior application before the board dating back to 2021, due to the fact that the property is under contract to be sold the applicants request would be to post a bond in lieu of those improvement in the event that contract does close, and the building is demolished making those improvements a wasted effort.

John DeLuca, Esq stated that he had two individuals who would serve as witness for the evening first would be their architectural expert, Marcus Rosenau and the second, Craig Stires engineering expert.

At this time Planning Board Attorney, Kara Kaczynski, Esq. marked in the following exhibits.

Exhibit A-1 - application submitted and the supporting documentation

Exhibit A-2 - Notice and publication of tonight's hearing

Exhibit PB-1 – letter from board's engineer and planner, Michael Cole dated January 3rd,

2024

Planning Board Attorney, Kara Kaczynski, Esq. then swore in Mr. Rosenau and Mr. Stires.

Under direct examination by John DeLuca Esq, Mr. Rosenau testified to his knowledge of the sign and awning that were installed. No further questions were asked of Mr. Rosenau by the applicant's attorney, planning board or public.

Under direct examination by John DeLuca Esq, Craig Stires testified to his familiarity with the site and prior approvals along with the site improvements that have been identified and addressed as well as those that are still outstanding and plan to move forward in addressing to obtain CO. Mr. Stires then went through Mr. Coles Report item by item with the suggestion that a bond would be done for the outstanding and that if the building is not sold, demoed and resolved by the end of the year.

At this time Chairman Navatto opened to questions from the board.

Board Member Larry Cleveland asked if the interior conditions were addressed from the previous application, which was confirmed by Mr. Rosenau.

At this time Chairman Navatto opened to questions from the public. Hearing no public comment Chairman Navatto closed the public session.

Mayor Brian Gallagher provided a quick comment that the area has struggled greatly for many years to find a tenant and that he thinks it is wonderful that the owner has found space that is usable and that it looks like she has made it look really nice from what it was. He stated that he felt that the signage fits the area and thanked the owner for investing in that part of town.

Vice-Chairman Deirdre Rosinski spoke to clarify the conditions of approval for temporary CO and final CO.

Attorney Kara Kaczynski, Esq. then provided a recap of the conditions of approval.

Upon a motion by Deirdre Rosinski, seconded by Mayor Brian Gallagher, the application 23-012P - 134 East Main LLC, was approved upon a roll call vote.

Roll Call Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

See transcript.

Chairman's Comments

Chairman Navatto addressed the public to state that the planning board has some ambitious goals for the year and that they are embarking on a path to achieve those goals. Boiling down to making people safe and make the process to make improvements to homeowners' properties easier, and taking a look at housing.

Adjourn

Upon a motion by Lisa Werner, seconded by Mayor Brian Gallagher, the adjournment of the planning board meeting of January 24th, 2024, was unanimously approved upon a roll call vote.

Roll Call Bernard Navatto, Deidre Rosinski, Mayor Brian Gallagher Councilman Roger Vroom, Andrea Adair, Jason Kraska, Al Kerestes, Larry Cleveland, and Lisa Werner

Nay: None

Abstain: None

The planning board meeting of January 24th, 2024 was adjourned at 8:16 p.m.