

**BROUGH OF BUENA
LAND USE BOARD**

**REGULAR MEETING
FEBRUARY 25, 2025**

The meeting of the Buena Borough Land Use Board was called to order by Ron Francis, Chairman at 7:00 p.m., followed by a Flag Salute.

Open Public Meetings Act: Read by Ron Francis, Chairman

Roll Call:

The following members were present:

Joseph Baruffi, Mayor
Douglas Adams, Councilman
Ronald Francis, Chairman
Louis Barsuglia, Vice-Chairman
Ed Castellari, Jr.
Willaim Nimohay

Thomas Dralle
Aldo Palmieri, Alt. 31
Jerry Marinacci, Lat. #2
Pete Elias, Alt. #3
Albert Siciliano, Alt. #4

The following members were absent:

James Heisler
Jenna Talarico

Also present: M. Malinsky, Esq., Joe Mohnack, Engineer and Valerie Santagata-Jones, Board Secretary.

Minutes:

Dispense with the reading and approval of the January 28, 2025 Land Use Board Minutes. A motion to adopt was made by W. Nimohay and seconded by D. Adams.

Completeness Review and Application:

- 1.) Agustin Ramirez – 363 Wheat Rd – Block: 207 Lot: 20 – Zone B-1. Application for use variance for retail space with existing restaurant. Application was deemed complete and will be heard at the March 25, 2025 meeting. A motion to approve completeness was made by W. Nimohay and seconded by L. Barsuglia. Voting in favor were: E. Castellari, Jr., W. Nimohay, R. Francis, T. Dralle, L. Barsuglia, A. Palmieri Alt.#1, & J. Marinacci Alt.#2,

- 2.) Bates Mill Partners – 1400-1404 Central Avenue – Block: 187 Lot: 7 – Zone: R-2. Application for Minor Sub-Division. Attorney Frank Raso was present for the application. Also present was Warren Duke Bates of Bates Mill partners. Mr. Raso stated the application is for a minor sub-division creating 2 new lots. Currently the lot contains two dwelling on one lot, which does not conform with zoning standards. Pre-existing setback variances exist currently for the homes. The sub-division will allow each dwelling to have their own lot and 1 remainder for the construction of a new home. Board Engineer J. Mohnack reviewed his report and the applicant agreed to comply with the review letter. A motion to open the public portion was made by W. Nimohay and seconded by L. Barsuglia. All present voted in favor. No one from the public was present for the application. A motion to close the public portion was made by J. Baruffi and seconded by L. Barsuglia. All present voted in favor. A motion was made by W. Nimohay and seconded by E. Castellari, Jr. to approve the application. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, L. Barsuglia, A. Palmieri, & J. Marinacci.

- 3.) Paul Yacovelli – 580 Forest Grove Road – Block: 113 Lot: 5- Zone: R-4. Application for Minor Sub-Division. Paul Yacovelli was sworn in for testimony. Mr. Yacovelli stated he wishes to sub divide his existing lot into 3 lots. One lot would remain for home and the two lots would be sold to local builder for the construction of two new single-family homes. The board engineer J. Mohnack stated the concern is for the impervious coverage. Mr. Yacovelli stated the concrete pad will be demolish and shown on a revised plan to alleviate the need for any variance. A motion to open the public portion was made by J. Baruffi and seconded by W. Nimohay. All present voted in favor. No one form the public was present for the application. A motion to close the public portion was made by D. Adams and seconded by L. Barsuglia. All present voted in favor. A motion was made by W. Nimohay and seconded by J. Baruffi to approve the application. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, L. Barsuglia, A. Palmieri, & J. Marinacci.

4.) Frank Carpino – 1207 South Central Avenue – Block: 201 Lots: 13& 14. Zone: B-1/R-4. Application for Site Plan, Use & Bulk Variances, & Drainage Review for an age restricted community. Board attorney Michael Malinsky stated that the application will be handled more like a trial. Allowing the applicants attorney make his presentation the objectors attorney a chance to state their comments as well. Mayor Baruffi and Councilman Adams both abstaining from the application. Mr. Robinson stated he also feels member E. Castellari Jr. should abstain. Mr. Robinson stated Mr. Castellari's brother is employed by the objector. Board Attorney Michael Malinsky asked a few questions of Mr. Castellari. It was determined that Mr. Castellari receives no compensation from his brother and no ownership or vested interest in the property owned by the objector. Mr. Castellari stated he would be able to make an unbiased decision on the application. Mr. Malinsky stated there is no conflict. Mr. Robinson stated the application is for a use variance, preliminary & final site plan approval, & waiver of 150-136 farmland buffer. Mr. Robinson presented the members with a 16-page Power point presentation of Liberty II built by Mr. Carpino on the Boulevard in the borough. Frank Carpino was sworn in for testimony. Mr. Carpino explained the daily and routine operations of his development. Mr. Carpino stated there's little to no burden on borough. As the owner he takes care of road, landscaping, snow removal and more. All maintenance is covered by monthly fee. Mr. Carpino explained the building set up and the process for someone to purchase in his development. He further stated they must be 55 years or older, works with a local bank for financing, homes are solar ready & designed with aging in mind with entrance ramps. Additionally, the applicant stated the road way is 30 ft width to accommodate emergency vehicles. His expected build out time would be 2 years. At the entry there would be 2 monument signs same as development on the boulevard. Attorney Jeffery Brennan was present for his client Chris Alimenti who is opposed to the application. Mr. Alimenti was sworn for testimony. Mr. Alimenti gave short history of his ownership of the land and his daily farming that would take place. Mr. Brennan asked Mr. Carpino questions regarding his purchase date and price and if he did his due diligence before purchasing a property that would require a use variance. Discussion took place regarding the site plan and drainage basin. Andy Schaeffer professional engineer and planner was sworn in for the applicant. Mr. Schaeffer stated that there is no sub-division it will remain one lot. Additionally, Mr. Schaeffer gave testimony regarding stormwater swales, utilities, roadway access, front and side yard setback variance request, and an impervious coverage variance. Mr. Schaeffer stated additional waivers are requested for traffic study and RSIS standards. Additional discussion took place on the lighting and mail delivery. Mr. Brennan commented that the additional overflow of the basin will run onto his client's property and with a school less than 100 ft away will have sufficient impact on traffic to the area. Mr. Brennan and his client presented the board with information regarding how the negative impact the development would have on the neighboring properties. Professional planner Creig Rahenkamp was sworn in for the applicant. Mr. Rahenkamp testimony given was support the request for a use variance. Mr. Rahenkamp stated it allow the aging population independent & affordable living. No one under 18 years allowed to live there and cannot register children in schools. He further stated the largest population is baby boomers and there is need for housing. Clearing of this lot would remove blight from the area. Mr. Brennan and his client gave testimony opposing the development and the waiver of farmland buffer. Mr. Alimenti has farmed the neighboring lot for 14 years and plants approximately 2-3 crops per year. Additionally, they feel the variances requested do not follow the master plan of the borough. A motion was made by L. Barsuglia and seconded by W. Nimohay to open the public portion. All present voted in favor. Jeff Marolda 112 Central Ave – Stated this is not the best use if this ground. The development is taking land away from single family home construction. Single family home would bring in more families contributing to our community. Mark Panzera 226 Wheat Road bought this home because it had farmland behind it and does not want to see homes back there. Richard Marolda Sr 3029 Vine Road local resident all his life. Mr. Marolda feels this is not beneficial for the community and does not protect the surrounding farming community and the board should not approve. John Saseen 609 West Summer Avenue most senior stay home and not a traffic issue and he feels the Mr. Carpino builds a nice community. Andrew McAlpin 178 Wheat Road feels drainage is a big issue, weather and climate has changed over he years to be more aggressive. Mr. McAlpin has seen an increase of water flow in the past 7 years to his property. He feels this development will increase the problem. John Formisano 203 Plymouth Road is against the waiver of the farmland buffer. Mr. Formisano stated he was on the board when the farmland buffer was adopted because there was need to protect the farmers from complaints of noise, irrigation and dust. Susan Pagano 18 Liberty Drive stated she has no issues with retention pond behind her, and appreciates the hard work of the farmers. Additionally, she was NJ resident that left because she couldn't afford to live in New Jersey and moved to South Carolina. Due to medical reason she needed to move closer to family in New Jersey. Liberty Village was an affordable option for her. Both Mr. Robinson and Mr. Brennan were a given a chance to make closing statements. A motion to close the public portion was made by W. Nimohay and seconded by L. Barsuglia to close the public portion. A motion was made by W. Nimohay and seconded by L. Barsuglia to approve the use variance application. Voting in favor were: W. Nimohay, R. Francis, T. Dralle, L. Barsuglia, A. Palmieri & J. Marinacci. Opposed were: E. Castellari, Jr. A motion was made by W. Nimohay and seconded by L. Barsuglia to approve preliminary/final site plan with bulk variances. Voting in favor were: W. Nimohay, R. Francis, T. Dralle, L. Barsuglia, A. Palmieri & J. Marinacci. Opposed were: E. Castellari, Jr.

Resolutions:

2025-03: Resolution approving the appointment of Ronald Francis as 2025 Land Use Board Chairman. A motion to adopt was made by J. Baruffi and seconded by W. Nimohay. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, L. Barsuglia, J. Marinacci, P. Elias & A, Siciliano, Jr.

2025-04: Resolution approving the appointment of Louis Barsuglia as 2025 Land Use Board Vice Chairman. A motion to adopt was made by W. Nimohay and seconded by D. Adams. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, J. Marinacci, P. Elias & A, Siciliano, Jr.

2025-05: Resolution approving the appointment of Michael Malinsky as 2025 Land Use Board Solicitor. A motion to adopt was made by W. L. Barsuglia and seconded by W. Nimohay. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, L. Barsuglia, J. Marinacci, P. Elias & A, Siciliano, Jr.

2025-06: Resolution approving the appointment of DeBlasio & Associates as 2025 Land Use Board Engineer. A motion to adopt was made by J. Baruffi and seconded by W. Nimohay. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, L. Barsuglia, J. Marinacci, P. Elias & A, Siciliano, Jr.

2025-07: Resolution approving the appointment of Valerie Santagata-Jones as 2025 Land Use Board Secretary. A motion to adopt was made by W. Nimohay and seconded by L. Barsuglia. Voting in favor were: J. Baruffi, D. Adams, E. Castellari Jr., W. Nimohay, T. Dralle, R. Francis, L. Barsuglia, J. Marinacci, P. Elias & A, Siciliano, Jr.

New Business: None

Old Business: None

Correspondence: None

Adjournment:

A motion was made by T. Dralle and seconded by L. Barsuglia to adjourn the meeting.