

EMERSON PLANNING BOARD
EMERSON, NEW JERSEY
DECEMBER 3, 2009

This meeting of the Emerson Planning Board was held in the Municipal Building on Thursday, December 3, 2009. Chairman Bischoff opened the meeting at 8:00 PM, and invited Mr. Schwinder to lead the assembly in the Pledge of Allegiance. In compliance with the Open Public Meetings Act, the clerk has notified all officially published newspapers of this meeting, and notice has been posted in the Municipal Office. In case of a fire, follow the Fire Exit signs above the doors to your right and left in the Council Chambers, and please exit calmly.

At this time, Chairman Bischoff requested a moment of silence in memory of Mr. Frank Goursky, father of Board Member Gary Goursky, who passed away this week.

ROLL CALL:

Councilman Steven Bair – Present
Chairman Jeff Bischoff – Present
Mr. Tom Callagee – Present
Ms. Danielle DiPaola – Present
Mr. Gary Goursky – Absent
Mr. Brian Lacey – Present
Mayor Lou Lamatina – Present
Mr. Christopher Leins – Absent
Mr. Mark Orecchio – Absent
Mrs. Germaine Ortiz – Present
Mr. Gary Schwinder – Present
Mr. Christopher Martin – Present
Mrs. Barbara Looney – Present
Mr. Michael Sartori – Construction / Zoning Officer – Present
Mr. Paul Niehoff – Borough Engineer – Present

MINUTES:

A motion was made to table approval of the minutes for the meeting held on September 17, 2009, by Ms. DiPaola, seconded by Mayor Lamatina, and carried.

A motion was to approve the minutes for the meeting held on October 15, 2009, as amended, by Mr. Schwinder, seconded by Ms. DiPaola, and carried.

A motion was made to approve the minutes for the meeting held on November 5, 2009 by Councilman Bair, seconded by Ms. DiPaola, and carried.

CORRESPONDENCE:

- Memo from Maser Consulting – dated 12/2/09 – Re: Onik & Ripsik
- Memo from Maser Consulting – dated 12/2/09 – Re: Grand Investments IV, LLC
- Memo from Maser Consulting – dated 12/2/09 – Re: Aramini
- New Jersey Planner – November 2009 edition

VOUCHERS:

- \$1,667.50 – Maser Consulting – Re: Aramini
- 290.00 – Maser Consulting – Re: 200 KMACK Properties
- 162.50 – Maser Consulting – Re: Inserra / Shoprite Supermarkets
- 145.00 – Maser Consulting – Re: Grand Investments IV, LLC
- 425.00 – Morrison Mahoney – Re: Grand Investments, IV, LLC
- 100.64 – Morrison Mahoney – Re: 31 Emerson Plaza LLC
- 550.00 – Morrison Mahoney – Re: 200 KMACK Properties

A motion was made to approve these vouchers by Councilman Bair, seconded by Mr. Lacey, and carried.

DOMENICO ARAMINI – 57 WORTENDYKE AVENUE – CONTINUED

Mr. Aramini was present and stated this is a continuation of an application which began in October. Mr. Niehoff stated that the applicant has addressed most of his concerns based on the last 2 reports, and feels the only issue now is the variances – the number of stories, building height, front yard setback, and possibly building size envelope. With regard to stormwater management there will be 2 – 1000 gallon seepage pits – Mr. Niehoff would like to see the Resolution on the previous approval given to Mr. Gassib – which was prior to Mr. Aramini purchasing the lot. Mr. Aramini stated the front yard setback is needed for the porch only, which will be 15 feet from the property line. The number of stories in the rear looking from the west, you will see 3 stories due to the walk-out basement, and 2 stories from the front. After Board discussion, it was agreed upon that the height would be considered a variance. Chairman Bischoff questioned the tree plantings / landscaping that were suppose to be done between Mr. Aramini's lot and that of the senior housing (58 Kinderkamack Road), Mr. Aramini stated that on his property he made sure the slope was stabilized, and plans on doing some nice plantings. The Secretary distributed to the Board photos of the site and adjacent properties taken by Mr. Lacey. Chairman Bischoff stated he would like to see some arborvitaes planted along the property line, on top of the concrete wall. Mr. Schwinder expressed his concerns with the amount of water that would accumulate on the property, and the pressure on the retaining walls – Mr. Aramini stated the seepage pits could be moved, if necessary, based on Mr. Niehoff's recommendations &/or comments. Mr. Sartori questioned the amount of soil removal – any amount over 399 cubic yards would require an approval from this Board – Mr. Aramini stated he feels he will be under that amount, and is aware he would have to appear if over.

A motion was made to open public session by Ms. DiPaola, seconded by Mayor Lamatina, and carried, with no comments.

A motion was made to close public session by Mayor Lamatina, seconded by Mr. Schwinder, and carried.

A motion was made to approve the application by Councilman Bair, seconded by Ms. DiPaola, based on the following conditions:

- Installation of 2 – 1000 gallon seepage pits
- Repair existing pavement on Wortendyke Avenue, and curbing
- Sidewalk waiver
- Recommendations &/or comments from the Borough Professionals

Roll call vote as follows:

Mr. Schwinder – yes
 Mayor Lamatina – yes
 Ms. DiPaola – yes
 Councilman Bair – yes
 Chairman Bischoff – yes

Mr. Martin will prepare a resolution for our next meeting. Mr. & Mrs. Aramini thanked the Board for their time and consideration.

GRAND INVESTMENTS IV, LLC – 55 EMERSON PLAZA EAST – NEW APPLICATION

Mr. Marc Macri was present and is representing the applicant. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. Macri stated the applicant is here this evening to amend the prior site plan approval – elimination of 13 on site parking spaces and replace with a one story structure – located to the rear of the property – consisting of 12 separate single car enclosed garage spaces, elimination of one additional on site parking space, to construct an on site management office and mechanical room. Mr. Macri introduced to the Board and the public Mr. Albert Dattoli, of Dattoli Architect, who gave his credentials, was sworn in by Mr. Martin, and accepted as a witness. Mr. Dattoli stated the property is located in the Central Business District East Zone, the applicant is proposing to replace 13 parking spaces with 12 garages – we are still within the parking requirement – the dumpster and the traffic pass thru will remain the same. The building will be using the same materials as previously approved, conforming within all building requirements. These garages will be an amenity to the property to attract owners / tenants. The basement previous approved has been removed due to the high water table in the area. Mr. Schwinder questioned whether or not there would be storage areas above the garages – Mr. Dattoli stated the attic space would be approximately 5 feet with pull down stairs for access. Mr. Lacey expressed his concerns with vehicles backing out of the garages into the traffic pass thru – Chairman Bischoff suggested several speed bumps be installed throughout the traffic pass, between all the properties, to deter speeding. Mr. Niehoff brought to the Board's attention the need for a rear yard variance, due to the construction of the garages near the residential properties.

At this time, Mr. Macri introduced to the Board and the public Mr. Richard Burns of AFR Engineering, who gave his credentials, was sworn in by Mr. Martin, and accepted as a witness. Mr. Burns stated he amended the site plan based on the revisions by Mr. Dattoli – the amended site plan will continue to allow for shared parking, flow of vehicular traffic with the adjacent property owners, and the number of on site parking spaces will remain at 36. Ingress and egress to the site is proposed from Emerson Plaza East, by a two-way driveway – 25 feet in width located to the south, and adjacent to a commercial building. Mr. Burns stated there is no change in the drainage calculations. Mr. Lacey questioned a lighting plan – Mr. Dattoli stated decorative lighting is planned for the site – the street lighting fixtures will be 12 to 15 feet in height – similar to the Oritani Savings Bank site. Councilman Bair suggested no parking along the garages, and Mr. Schwinder commented on the washing of vehicles in the same area.

A motion was made to open public session by Councilman Bair, seconded by Mr. Lacey, and carried, with no comments.

A motion was made to close public session by Mrs. Ortiz, seconded by Councilman Bair, and carried.

A motion was made to approve the amended site plan application by Mayor Lamatina, seconded by Mr. Schwinder, based on the following conditions:

- Installation of speed bumps
- Recommendations &/or comments by Borough Professionals
- Contribution to Borough's Shade Tree Commission (in previous Resolution of approval)

Roll call vote as follows:

Mrs. Ortiz – yes
 Mr. Callagee – yes
 Councilman Bair – yes
 Mr. Lacey – yes
 Mr. Schwinder – yes
 Mayor Lamatina – yes
 Chairman Bischoff – yes

Mr. Martin will prepare a Resolution for our next meeting. Mr. Macri and Mr. Germanario thanked the Board for their time and consideration.

ONIK & RIPSİK – 161 KINDERKAMACK ROAD – NEW APPLICATION

Mr. Nicholas Nasuta was present and is representing the applicant. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. Nasuta stated the applicant is here this evening for a proposal to expand the footprint and renovate the first floor of the building, in addition to maintaining the existing gasoline station use, and use the renovated building as a Mini Mart / Delicatessen. The gasoline service station is an existing non-conforming use in the Central Business District East zone – this project is in compliance with the Zoning Ordinance, consistent with the Master Plan, and ADA compliant. Mr. Martin stated the application is not complete, based on the report by Mr. Niehoff. Chairman Bischoff stated this property has limited property, and space is needed for the road widening of Kinderkamack Road, and the traffic lane that will go through 45 and 55 Emerson Plaza East to Linwood Avenue. Chairman Bischoff agreed that there are aspects of this application missing. Mr. Nasuta introduced to the Board and the public Mr. Bruno Cividini, Professional Architect and Engineer, who gave his credentials, sworn in by Mr. Martin, and accepted as a witness. The following was entered and marked as exhibits:

- A1 – Site plan – dated 10/3/09

Mayor Lamatina stated his concerns with the building being too close to the Kinderkamack Road intersection, and at the last meeting of the Governing Body, we approved a redesigned Kinderkamack Road and Linwood Avenue, and a good portion of that corner is going to be needed by the County. Mayor Lamatina also stated the need for the traffic lane between all the properties align, and the design of the building needs to be consistent with the Redevelopment Plan. Mr. Nasuta stated the costs of a second story and the parking variance would be huge, and the site has some constraints due to the location. Chairman Bischoff stated his concerns with this being an active gas station and more traffic than the adjoining lots – 45 and 55 Emerson Plaza East. Mr. Schwinder stated that this is a building you are going to see from different routes through the Borough, and the other proposals approved have added some nice detail and facades – I would like to see a nice focal point and a piece of property the Borough could be proud of. Mayor Lamatina referred to Mr. Niehoff's report – page 2 – outlining the intent and purpose of the Central Business District zone. Mr. Lacey stated the property has a hardship, and we would like to see a second floor which will be expensive. Mr. Callagee questioned the fuel delivery – will it block the new pass thru lane – Mr. Davtian stated it will block partially. Chairman Bischoff suggested the applicant contact the Joe Burgis, Borough Planner and John Jahr, Traffic Engineer to discuss the site and the amount of space needed for the roadway.

Mr. Nasuta and Mr. Davtian thanked the Board for their time and consideration.

2010 BUDGET REVIEW

The Board reviewed the proposed budget, and a motion was made to submit the budget by Mayor Lamatina, seconded by Councilman Bair, and carried, with all members voting in the affirmative, none opposed.

- Board Secretary - \$5,295.00
- Advertising - \$200.00
- Repair - \$100.00
- Board Attorney - \$4,000.00 retainer – billings \$150.00 per hour
- Publications - \$100.00
- Office supplies - \$200.00
- Continuing education - \$800.00
- Professional dues - \$325.00
- Miscellaneous - \$50.00

ANY BOARD MEMBER:

Chairman Bischoff advised the Board that the Stavrou Family – location of new Celebrity Hair Salon – will be submitting an amended site plan for consideration with regard to the window signs and shades. Chairman Bischoff wished everyone a nice holiday season, and Happy New Year.

GOOD AND WELFARE:

A motion was made to open public session by Mr. Lacey, seconded by Mr. Schwinder, and carried, with no comments.

A motion was made to close public session by Mrs. Ortiz, seconded by Mr. Schwinder, and carried.

ADJOURNMENT:

A motion was made to adjourn the meeting by Mayor Lamatina, seconded by Mr. Callagee, and carried.

Respectfully submitted,


Barbara Looney