

EMERSON PLANNING BOARD
EMERSON, NEW JERSEY
OCTOBER 15, 2009

This meeting of the Emerson Planning Board was held in the Municipal Building on Thursday, October 15, 2009. Vice Chairwoman DiPaola 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.

ROLL CALL:

Councilman Steven Bair – Present
 Chairman Jeff Bischoff – Absent
 Mr. Tom Callagee – Absent
 Ms. Danielle DiPaola – Present
 Mr. Gary Goursky – Present
 Mr. Brian Lacey – Present
 Mayor Lou Lamatina – Present – arrived at 8:25
 Mr. Christopher Leins – Present
 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 – Absent – attendance not requested
 Mr. Paul Niehoff – Borough Engineer – Absent – attendance not requested

MINUTES:

A motion was made to table approval of the minutes for the meeting held on September 17, 2009 by Councilman Bair, seconded by Mr. Goursky, and carried.

CORRESPONDENCE:

- Memo from Maser Consulting – dated 10/14/09 – Re: Domenico Aramini
- Memo from Klæe Construction – dated 10/6/09 – Re: Inserra / Shoprite Supermarkets
- Memo from Frank Boccio – dated 9/24/09 – Re: Public Safety Announcement

VOUCHERS:

- \$1,000.00 – Morrison Mahoney – Re: 4th quarter retainer
- 1,522.50 – Maser Consulting – Re: 200 KMACK Properties
- 145.00 – Maser Consulting – Re: Grand Investments IV, LLC
- 506.25 – Maser Consulting – Re: Inserra / Shoprite Supermarkets
- 72.50 – Maser Consulting – Re: MSH Management
- 72.50 – Maser Consulting – Re: 320 Grand Boulevard – soil movement
- 72.50 – Maser Consulting – Re: 31 Emerson Plaza LLC
- 72.50 – Maser Consulting – Re: Northern Valley Developers
- 145.00 – Maser Consulting – Re: Oritani Savings Bank
- 996.25 – Burgis Associates – Re: MSH Management
- 875.00 – Burgis Associates – Re: MSH Management
- 812.50 – Burgis Associates – Re: Grand Investments IV, LLC
- 37.80 – North Jersey Media – legal ads – MSH Management & Grand Investments

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

DOMENICO ARAMINI – 57 WORTENDYKE AVENUE – NEW APPLICATION

Mr. Aramini was present and submitted proof of service, which was reviewed by Mr. Martin and deemed sufficient. Mr. Aramini stated his credentials, as a Civil Engineer, and was sworn in as a witness by Mr. Martin. The application is for the construction of a single-family home, 3 variances are required, and 2 for the front yard – 10 feet each for the steps and open porch – and a 3 story rear building height due to the steep slope. The plans for the home are in compliance with the current zoning. The following were entered and marked as exhibits:

- A1 – Site plan
- A2 – Photos of lots in area
- A3 – Photo of retaining wall

Councilman Bair questioned the need for 3 stories in the rear – Mr. Aramini stated they would like to have a walk out basement to the rear of the property, and it is unclear due to the measuring from the front curb line, and there is no curb. If a curb was installed, the height measurement would be approximately 34 ½ feet. Vice Chairwoman DiPaola questioned whether there is a house on the adjoining lot – Mr. Aramini stated the lot is vacant. Councilman Bair referred to Maser Consulting's report - there are many items that have not been addressed, such as drainage and catch basins. Councilman Bair also questioned, along with Mr. Goursky and Mr. Lacey why this is not before the Zoning Board of Adjustment. Mr. Lacey feels this is a self imposed hardship – if house was smaller, you would not need these setbacks. Mr. Aramini responded the hardship is the slope of the land, not the size of the house – the structure meets the zoning code. Mr. Martin stated there are requirements for the variances that need to be fulfilled with the Borough Engineer. Councilman Bair questioned if there was a front porch on the house to the north – Mr. Aramini stated there was no porch on the house to the north, and there are no buildable lots to the south. Mayor Lamatina questioned whether or not, since the construction of the retaining walls, if there is any runoff to the senior housing property – Mr. Aramini stated there are two 4 ½ foot walls – when the senior housing built there wall, they encroached on my property, and as a result, there was a huge hole. I agreed to give them access to my property to build their wall, with clean stone – this also has caused a hardship to my property.

A motion was made to open public session by Mr. Schwinder, seconded by Councilman Bair, and carried.

Dave Messner – 35 Alma Avenue – the water has been ponding on Wortendyke Avenue for 23 years, when Mr. Aramini installs a storm drain, the ponding will go away. Before Mr. Aramini did any modifications to the land, the water use to come from the Hackensack Golf club, down Grand Boulevard, down Alma Avenue then all the way to Kinderkamack Road – the situation will improve more once the curbing is installed. Mr. Messner also stated the only house to the north is closer to the curb than the front porch of the proposed home. Mr. Schwinder inquired if there were any sidewalks on this side of Wortendyke Avenue – Mr. Aramini stated there are no sidewalks.

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

Vice Chairwoman DiPaola requested Board Members, not familiar with site, take a drive by, and Mr. Lacey agreed to take photos of the area for our next meeting.

Mr. Aramini thanked the Board for their time and consideration, and agreed to waive the time limit for review.

INSERRA / SHOPRITE SUPERMARKETS – 495 OLD HOOK ROAD – SIGNAGE

Mr. Joe Scara of Valley Sign was present and is representing the applicant. Mr. Scara gave his credentials, was sworn in by Mr. Martin, and accepted as a witness. The following was entered and marked as exhibits:

- A1 – Plans of proposed bakery sign
- A2 – Plans of proposed liquor store sign

Mr. Scara stated Inserra Supermarkets received an approval for a liquor store sign of up to 80 square feet, and for a pharmacy sign up to 56 square feet. The new pharmacy sign was only 37.5 square feet, and the liquor store sign was 57.5 square feet – the unused square footage is approximately 41 square feet, and we would like to use that for a bakery sign, which would be installed to match the existing signs in size, design, and balance – the proposed bakery side will be approximately 22 square feet. Mr. Scara further stated that quotes for new signage have been given to the other tenants of the shopping center – they are looking to put up their old signs on the new façade.

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

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

A motion was made to approve the signage change by Mr. Leins, seconded by Councilman Bair, and carried. Roll call vote as follows:

Mrs. Ortiz – yes
 Mr. Schwinder – yes
 Mr. Goursky – yes
 Mayor Lamatina – yes
 Mr. Lacey – yes
 Councilman Bair – yes
 Mr. Leins – yes
 Vice Chairwoman DiPaola – yes

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

ANY BOARD MEMBER: Nothing at this time.

GOOD AND WELFARE:

A motion was made to open public session by Mr. Leins, seconded by Mrs. Ortiz, and carried, with no comments.

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

ADJOURNMENT:

A motion was made to adjourn the meeting by Councilman Bair, seconded by Mr. Lacey, and carried.

Respectfully submitted,

Barbara Looney