

**MUNICIPAL LAND USE BOARD
MINUTES
EMERSON, NEW JERSEY
JUNE 6, 2013**

This meeting of the Municipal Land Use Board was held in the Municipal Building. Chairman Orecchio opened the meeting at 8:00 p.m. 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 Building. In the case of a fire, please follow the Fire Exit signs above the doors to your right and left in the Council Chambers, and exit calmly.

Pledge of Allegiance

Roll Call:

Robert Adams	Present
Thomas Callagee	Absent
Carlos Colina, Mayor	Absent
John DeThomasis	Present
Gary Goursky	Present
Mark Orecchio, Chairman	Present
Germaine Ortiz	Absent
Matthew Ryan	Present
Gary Schwinder	Present
Brian Todd	Present
Neil Tortora	Present
Richard Worthington, Council	Present
Christopher Martin, Attorney	Present
Berge Tombalakian, Engineer	Not Requested
Brigette Bogart, Planner	Not Requested
Michael Sartori, CCO/Zoning	Not Requested
Joseph Solimando, DPW	Not Requested
Kathy Rizza, Secretary	Present

Minutes:

The minutes of April 18, 2013 were approved on a motion from Mr. Goursky, seconded by Mr. Adams, and carried by all.

The minutes of May 2, 2013 were approved on a motion from Mr. Todd, seconded by Mr. Goursky, and carried by all.

Correspondence:

- 1- A letter dated May 15, 2013 from the County was received regarding the Emerson Convalescent Center granting conditional approval.

**Galang
15 Parker Drive
Deck Application**

Mr. Galang was sworn in by Attorney Martin. The Board Attorney reviewed all notice and stated that all was found to be satisfactory. Mr. Galang is requesting a 16' x 20' desk on the rear of his house, 19' off the property line. The rear yard setback requirement is 35'; Mr. Galang is proposing 19', leaving a variance request of 16'. Councilman Worthington asked how far Mr. Galang's house is from the rear property line. Mr. Galang stated approximately 30-35'. Mr. Adams asked how high the concrete wall showed on the survey is. He was told 11-15". Chairman Orecchio asked if there will be sliding doors. The answer to this question was yes. Mr. Goursky asked if the existing patio is the same size as the proposed deck to which the answer was yes. Mr. Goursky questioned the functionality of the bump out on the proposed deck. Mr. Galang stated that this will be for the grill and for aesthetics. Mr. Galang stated that there will be no roof and no special lighting. Mr. DeThomasis suggested a different scenario but this could not be accomplished due to an existing door to the house. Mr. Tortora confirmed that the rear yard slopes up.

A motion to go into public session on this application was made by Mr. Todd, seconded by Mr. Schwinder and carried. With no one from the audience wishing to be heard, the **public session was closed** on a motion from Mr. Adams, seconded by Mr. Schwinder, and carried.

A motion to approve the deck as presented to the Board with a 16' rear setback variance was made by Mr. Schwinder, seconded by Mr. Goursky, and carried by roll call vote as follows:

Mr. Adams	Yes
Mr. DeThomasis	Yes
Mr. Ryan	Yes
Mr. Todd	Yes
Mr. Tortora	Yes
Councilman Worthington	Yes
Mr. Goursky	Yes
Mr. Schwinder	Yes
Chairman Orecchio	Yes

The resolution will be read at the next meeting of the Land Use Board.

Any Board Member:

Chairman Orecchio asked all members to update the contact information sheet that was distributed at this meeting and also to inform the Secretary of vacation dates for this summer.

Mr. Todd informed all about a tree house on Washington Avenue that is said to be massive. Councilman Worthington stated that the Borough Attorney is aware of this.

Attorney Martin stated that the developer's agreement for the Armenian Home is being drafted. The Secretary informed Mr. Martin that the Shade Tree Commission has not received a tree management plan from the Armenian Home. Mr. Martin will inform them that they have to comply with this requirement.

Good and Welfare:

The meeting was opened to the public on a motion from Mr. Todd, seconded by Mr. Schwinder, and carried. With no one from the audience wishing to be heard, **the meeting was closed to the public** on a motion from Mr. Goursky, seconded by Mr. Todd.

The meeting was adjourned on a motion from Mr. Todd, seconded by Mr. Goursky, and carried.

Respectfully Submitted,

Kathleen S. Rizza, Secretary