



MUNICIPAL LAND USE BOARD
EMERSON, NEW JERSEY
FEBRUARY 16, 2012

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, February 16, 2012. Chairman Orecchio opened the meeting at 8:00 PM, and invited Councilwoman DiPaola 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:

Mr. Robert Adams – Present
Mr. Tom Callagee – Absent
Mayor Carlos Colina – Present
Councilwoman Danielle DiPaola – Present
Mr. Gary Goursky – Present
Mr. Christopher Leins – Present
Chairman Mark Orecchio – Present
Mrs. Germaine Ortiz – Present
Mr. Matthew Ryan – Absent
Mr. Gary Schwinder – Present
Mr. Brian Todd – Present
Mr. Christopher Martin – Present
Mrs. Barbara Looney – Present
Mr. Berge Tombalakian – Present
Mr. Michael Sartori – Construction / Zoning Officer – Absent – attendance not requested
Mr. Joe Solimando – Absent – attendance not requested

MINUTES:

A motion was made to approve the minutes for the meeting held on February 2, 2012, as amended, by Mr. Schwinder, seconded by Councilwoman DiPaola, and carried.

CORRESPONDENCE

- Memo from Boswell Engineering – dated 2/14/12 – Re: Brenner
- Site Plan Committee Report from Mr. Adams – dated 2/14/12 – Re: Goldian Realty LLC

VOUCHERS:

\$237.50 – Morrison Mahoney – Re: Koch

A motion was made to approve this voucher by Mr. Goursky, seconded by Mr. Todd, and carried.

GOLDIAN REALTY, LLC – 205 ACKERMAN AVENUE – CONTINUED

Mr. Russell Huntington was present and is representing the applicant. Since the last meeting, Mr. Goldian met with members of the Site Plan Committee, and the applicant has made changes to the plan. The following were entered and marked as exhibits:

- A6 – Revised illustration of proposed home
- A7 – Comparison of new revision versus old
- A8 – Sketch of driveway with pavers

Chairman Orecchio requested the report of the Site Plan Committee – Mr. Schwinder stated the property is an empty corner lot, relatively flat with a few trees that will not have to be removed due to the construction. The relief requested for the western side yard from 15 feet to 8 feet will put the proposed home close to the neighboring driveway. Eastern side yard relief from 25 feet to 12 feet will put the proposed home close to the side yard property line – Linden Avenue is a very narrow dead end street, and there is 13 feet of unimproved property which will make the proposed home appear much further back. We pointed out to the applicant that the footprint of the home is to be measured from the extremities of the house – including overhangs and chimneys. The applicant agreed to have his architect revise the plan to reduce the overall width of the home from 30 feet to 28 feet. There are no relief issues for the front or rear yards – we suggested that a planting barrier be installed along the rear property line to separate the adjoining properties. The front steps are not considered in the front yard setback – we suggested maintaining the front steps and overhanging to be kept in line with the neighboring homes.

At this time, Mr. Huntington introduced to the Board and the public, Mr. Avo Goldian, owner of the property, who was previously sworn in, and accepted as a witness. Mr. Goldian stated revisions to the width of home have been reduced from 30 feet to 28 feet – one foot from each side; rear steps for the deck will be built into the deck area; Linden Avenue is a narrow street, and we have added 2 parking spots along each side of the driveway with paver and decorative stone; additional landscaping has been added along the perimeter of the property to address privacy of the neighbors. Mr. Adams questioned whether any variances would be needed for the additional parking, and if so, we should include that in the approval. Mr. Huntington stated 10 feet is required in the ordinance for a parking space if someone is parked next to you – we may only need 8 feet.

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

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

A motion was made to approve the variance application by Mr. Todd, seconded by Mr. Adams, and carried, based on the following:

- Board Engineers recommendations / comments
- Test pit
- Driveway variance
- Landscaping

Roll call vote as follows:

- Mr. Leins – yes
- Councilwoman DiPaola – yes
- Mr. Schwinder – yes
- Mayor Colina – yes
- Mr. Adams – yes
- Mr. Todd – yes
- Chairman Orecchio – yes

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

BRENNER – 75 PASCACK AVENUE – NEW APPLICATION

Mr. and Mrs. Brenner were present. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. and Mrs. Brenner were sworn in by Mr. Martin and accepted as witnesses. Mr. Brenner stated they are here this evening for variances to construct a 20 x 30 family room due to the growing family, and the need for more living space. The variances required are for minimum lot area, lot width, side yard interior setback, side street setback, total sides, rear yard setback, and maximum coverage. The following exhibits were entered and marked:

- A1 – Photos of the home and property
- A2 – Site plan
- A3 – Proposed floor plan

Chairman Orecchio and Mr. Schwinder expressed their concerns with the proposed 29 foot rear yard variance request – leaving only 6 feet. Mr. Brenner stated that we thought about going length ways across the rear of the home, but we would like to have an open floor plan. At this time, Mr. Brenner introduced to the Board and the public Mr. Tim Bainbridge, of Dream Builders was sworn in by Mr. Martin, and accepted as a witness. Mr. Bainbridge stated they did look into doing the addition length ways across the rear, however, due to the home being a split level, the existing windows in the rear of the home will be blocked.

A motion was made to open public session by Councilwoman DiPaola, seconded by Mr. Adams, and carried.

Irene Georgatos – 218 Hasbrouck Avenue – in favor of the application, nice neighbors and family. Mr. Schwinder questioned Mr. Georgatos on the distance from her home to the Brenner's fence – Mrs. Georgatos stated approximately 15 feet.

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

Chairman Orecchio advised the applicants that the Site Plan Committee will do an inspection of the property and report back to the Board at our next meeting. Mr. Goursky, Mr. Todd, Mr. Schwinder, and Board Engineer, Mr. Tombalakian agreed to meet at the property next Tuesday, February 21st at 12 pm.

Mr. & Mrs. Brenner thanked the Board for their time and consideration.

CPP – SERVICE MASTER RESTORATION – 17 B PALISADE AVENUE – NEW APPLICATION

Mr. Russell Huntington was present and representing the applicant. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. Huntington stated the applicant is here this evening for a Use Variance – for an administrative / office space, storage of drying equipment, hand tools in connection with an emergency fire and water cleaning company. Mr. Huntington introduced to the Board and the public Mr. Christopher Plunkett, franchise owner, who was sworn in by Mr. Martin, and accepted as a witness. Mr. Plunkett stated the space will consist of work stations and desk, and intends to have a staff of 3 – approximately 4 vehicles will be parked on the site daily – hours of operation will be from 8 am to 6 pm.

At this time, Mr. Huntington introduced to the Board and the public Mr. Daniel O'Brien, owner of the property. Mr. O'Brien was sworn in by Mr. Martin, and accepted as a witness. Mr. O'Brien stated this space was previously occupied by a book binding business, which employed 4 people, and feels this proposed use will be more in line of a business.

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

A motion was made to close public session by Mr. Adams, seconded by Mr. Leins, and carried.

A motion was made to approve the Use Variance by Mr. Goursky, seconded by Mr. Schwinder, and carried. Roll call vote as follows:

Mrs. Ortiz – yes
Mr. Leins – yes
Mr. Adams – yes
Mr. Todd – yes
Mr. Schwinder – yes
Mr. Goursky – yes
Chairman Orecchio – yes

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

ANY BOARD MEMBER:

The Secretary reminded Board members of the NJ Planning Officials training scheduled for March 17, 2012 – Mr. Adams, Mayor Colina, and Mr. Ryan will attend.

Mr. Schwinder submitted a copy of an Ordinance to Mr. Martin that he received from Old Tappan with regard to fences, walls, arbors, and trellis. Mr. Martin will prepare a draft for review at our next meeting.

GOOD AND WELFARE:

A motion was made to open public session by Mr. Todd, seconded by Councilwoman DiPaola, and carried, with no comments.

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

ADJOURNMENT:

A motion was made to adjourn the meeting by Councilwoman DiPaola, seconded by Mr. Todd, and carried.

Respectfully submitted,


Barbara Looney