

**MUNICIPAL LAND USE BOARD MINUTES  
BOROUGH OF EMERSON  
MAY 21, 2015**

This meeting of the Emerson 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 fire you will be instructed to follow the fire exit signs above the doors to the right and left of the Chambers, and exit calmly.

**Pledge of Allegiance**

**Roll Call**

Robert Adams	Present
Thomas Callagee	Present
Louis Lamatina, Mayor	Present
John DeThomasis	Absent
Gary Goursky	Present
Mark Orecchio, Chairman	Present
Germaine Ortiz	Absent
Gary Schwinder, Vice Chairman	Present
Vincent Tripodi, Council	Present
Steven Malone	Present
Norman Rieger	Present
Thomas Sudano	Absent
Neil Tortora, Attorney	Present
Gary Ascolese, Engineer	Present
Bridgette Bogart Planner	Present
Michael Sartori, CCO/Zoning	Present
Joseph Solimando, DPW	Not Requested
Kathy Rizza, Secretary	Present

**Correspondence:**

A certificate was received for Mr. Malone for the Basic Course in Land Use Law and Planning.

**Vouchers:**

The following vouchers were approved on a motion from Mr. Goursky, seconded by Mr. Adams, and carried by all.

- Boswell Engineering – Armenian Home - \$158.00
- Boswell Engineering – Hackensack Golf Club - \$152.00
- Boswell Engineering – Spinella - \$152.00
- Boswell Engineering – American Legion - \$1,106.00

The above vouchers were approved on a motion from Mr. Goursky, seconded by Mr. Adams, and carried by all.

**Resolutions:**

**Kuiken**

**17 Chestnut Street**

**B 405/L 14**

**Reconstruction and alterations of existing building**

The resolution was read by all and approved on a motion from Mr. Schwinder, seconded by Mayor Lamatina, and carried by roll call vote as follows:

Mr. Adams	Yes
Mr. Callagee	Yes
Mr. Goursky	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Mr. Schwinder	Yes
Chairman Orecchio	Yes

The resolution will be published as required, distributed and kept on file at Borough Hall.

**Colin**

**187 Randolph Avenue  
B 733/L 1.02  
Extension of Time**

The resolution was read by all and approved on a motion from Mr. Adams, seconded by Mr. Goursky, and carried by roll call vote as follows:

Mr. Callagee	Yes
Mayor Lamatina	Yes
Mr. Schwinder	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Councilman Tripodi	Yes
Mr. Goursky	Yes
Mr. Adams	Yes
Chairman Orecchio	Yes

The resolution will be published as required, distributed and kept on file at Borough Hall.

**Continuing Application:**

**Emerson Cleaners  
20 Kinderkamack Road  
B606 - L4  
Sign Variance and Exterior Renovations**

All notice and proof of service for this application was found to be satisfactory. Mr. Gary Giannantonio of 167 Main Street in Hackensack was present as the Attorney for the applicant. Richard and Alice Goulian were present as the applicants from 120 Kinderkamack Road. They are here for site plan approval. They are not going up or out with the building but a front yard variance is needed. A sign variance is needed for total signs and total footage – there are two signs. The applicant is giving up 8’ of his property to the county for the redevelopment project as a benefit to the community.

Mr. Thomas M. Cohen, the Architect from 346 Hamilton Place in Hackensack was sworn in by Board Attorney Tortora. Mr. Cohen attended Pratt Institute and received his license in 1977 but has been working in the field since 1968. He has been a Plumbing Inspector and a Building Inspector in the past. This witness was deemed qualified and accepted by the Board. Mr. Cohen showed plans of the site and photos of the existing building to all present. A decorative mansard roof will go from the front to the side. Mr. Cohen presented a sketch, marked as Exhibit A-1 – this is sheet 1 of the site plan. Exhibit A-2 is a photo of the existing building. The plan is to remove the column and replace with two new ones to gain better access to the building. The one column is triggering the variance. They are not intensifying the site and there will be no effect on lighting or drainage. There will be some new down lights and soffits – no other changes. The material of the columns was discussed. The surface will match the existing building. Mayor Lamatina stated that this is in the redevelopment zone and that the applicant needs to comply with certain roof materials, etc. Mr. Adams stated that the pole on the south side needs protection. This will be done with possible a masonry base as per the contractor.

Mr. Kenneth Bovair, the contractor, of 258 First Street in Hackensack was next to speak. Mr. Bovair spoke regarding the roof material. The Mayor advised him to check the redevelopment plan for certain criteria to be followed.

Mr. Joseph Scara of 30 Pavonia Avenue was sworn in next. He has been in the sign business for over 30 years and will be doing the sign at this site. Mr. Scara stated that there is presently a pre-existing nonconforming sign from the 1950's at the site. They plan for two marquee signs and an aluminum sign facing Dunkin Donuts. There will also be lettering on the canopy. Proposed are three new signs, on both sides and the front saying Emerson Cleaners in green individual letters for a totals of 80.4 sq. ft. What is proposed is much more pleasing and more modern. Mr. Schwinder asked to be shown the location of the signs on the plan. The will have LED illumination. A picture was submitted and marked as Exhibit A-3 and the site plans with the signs on it was marked as Exhibit A-4. Mr. Adams counted six signs including the one over the door. The sign in the window is staying - this is not included in the present conversation – only talking exterior signs. The

Mayor asked the applicant if they would consider eliminating the neon sign.

Mr. Craig Goulian, the applicant, of 120 Kinderkamack Road stated that he is the third generation owner of this same day service cleaners. Mr. Goulian stated that the neon sign is needed because it tells people what they do. This sign is a very important part of his business for financial reasons – 60% of his customers do same day service because of this sign. He has one of the leading environmental cleaners in the country. Mr. Schwinder was sympathetic to this. The Mayor questioned whether or not neon was allowed in the redevelopment plan. If it is not they can replace the sign with one of the same number of words and same size.

**This matter was opened to the public** on a motion from Mr. Schwinder, seconded by Mr. Adams and carried by all.

Daniel Kenney of 11 Demarest Ave – a 25 year resident of Emerson and a 25 year customer of the applicant. Mr. Kenney was present in support of the application.

**The public portion was closed** to the public on a motion from the Mayor, seconded by Mr. Goursky, and carried by all.

A motion to approve the front yard setback variance and the requested signage being 15 sq. ft. lit in the window, type and color to match the redevelopment ordinance and three lettered sign on the building totaling 80.4 sq. ft. All materials must be in compliance with the redevelopment ordinance and must abide by Engineer comments was made. This motion was made by Mr. Adams, seconded by Mayor Lamatina, and carried by roll call vote as follows:

Mr. Callagee	Yes
Mr. Goursky	Yes
Mr. Schwinder	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Councilman Tripodi	Abstain
Mayor Lamatina	Yes
Mr. Adams	Yes

Chairman Orecchio                      Yes

The resolution will be read at the next meeting.

### **Any Board Member/ Good and Welfare**

### **Lighting Ordinance Discussion**

The existing ordinance says no to perimeter signs. Temporary holiday signs are excluded. Councilman Tripodi stated that the Board needs to define 'holiday' and what holiday lighting is. Mr. Schwinder asked how business friendly does the Board wish to be and suggested giving each establishment a number of days two times a year. Mr. Tripodi said that this would be hard to police. Mr. Callagee suggesting charging a small fee for recordkeeping. It was decided that this would be turned over to the Planner for a draft of an ordinance. Verbiage and definitions and the redevelopment zone should be looked at – and no neon.

Mike Sartori of the Building Department had asked the Board to talk about change of tenancy. Should this issue come before the Board? – or should the ordinance be more specific? This was discussed in detail by all members present.

**A motion to open the meeting to the public** was made by Mr. Adams, seconded by Mayor Lamatina, and carried.

Joseph Scara – Valley Signs – Mr. Scara offered his services to the borough regarding the sign ordinance. His opinion was given on perimeter lighting. Mr. Schwinder stated that the Board could benefit from his knowledge. The Mayor would like his comments in an email. Mr. Scara feels that with 110' of frontage a business owner can only have a 24 sq. ft. sign – our ordinance is basically a one size fits all – this doesn't really work. Mr. Scara will read the redevelopment ordinance and comment back to the Board.

**The public portion of the meeting was closed** on a motion from Mr. Schwinder, and seconded by Mr. Tripodi.

**A motion to adjourn** was made by Mayor Lamatina, seconded by Ms. Ortiz, and carried.

Respectfully submitted,

Kathy Rizza, Secretary