

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

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, August 16, 2012. Chairman Orecchio opened the meeting at 8:00 PM, and invited Mr. Callagee 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 – Absent
Mr. Tom Callagee – Present
Mayor Carlos Colina – Present
Councilwoman Danielle DiPaola – Absent
Mr. Gary Goursky – Absent
Mr. Christopher Leins – Absent
Chairman Mark Orecchio – Present
Mrs. Germaine Ortiz – Absent
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 July 19, 2012 by Mr. Todd, seconded by Mayor Colina, and carried.

CORRESPONDENCE:

Memo from Boswell Engineering – dated 8/14/12 – Re: Patel

VOUCHERS:

\$1,000.00 – DiTrani – escrow refund
150.00 – Boswell Engineering – Re: Armenian Home
290.00 – Boswell Engineering – Re: MSH Management LLC
300.00 – Boswell Engineering – Re: Northern Valley Developers
300.00 – Boswell Engineering – Re: Patel
854.99 – Portscher – escrow refund
19.85 – North Jersey Media Group – Re: Timmerman & Gilroy

A motion was made to approve these vouchers by Mr. Schwinder, seconded by Mr. Todd, and carried.

STOP & SHOP SUPERMARKET – 600 KINDERKAMACK ROAD – NEW APPLICATION

Ms. Kathryn Razin, attorney from Price Meese, was present and is representing the applicant. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. Ms. Razin stated the application is for certain outdoor storage, display of seasonal goods, and merchandise, with no alterations to the final site plan approval – not permanent. The following were entered and marked as exhibits:

- A1 – Application package
- A2 – As built survey
- A3 – Site plan
- A4 – Photographs of store

At this time, Ms. Razin introduced to the Board and the public Mr. Michael Blazoski, of Keystone Developers, who was sworn in by Mr. Martin, and accepted as a witness. Mr. Blazoski stated the outdoor storage and display area is needed for seasonal displays, on the front exterior sidewalk – including areas underneath the buildings canopies – we intend to maintain at least 4 feet of clearance on the sidewalk for pedestrian use, and any area utilized for storage / display will be regularly maintained throughout the day by employees of the store. Mr. Schwinder would like to see some type of defined marker so employees will be aware where to end the display area, and not to get too close to Marshalls.

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

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

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

- Mr. Callagee – yes
- Mayor Colina – yes
- Mr. Todd – yes
- Mr. Schwinder – yes
- Chairman Orecchio – yes

Mr. Martin will prepare a Resolution for our next meeting. Ms. Razin and Mr. Blazoski thanked the Board for their time and consideration.

BUONO – 161 RANDOLPH AVENUE – NEW APPLICATION

Mr. & Mrs. Buono were present, submitted proof of notice, reviewed by Mr. Martin, and deemed sufficient. Mr. Buono was sworn in by Mr. Martin and he stated the application before the Board is to construct a rear yard deck with roof – 18 x 24 – leaving a rear yard setback of 16.5 feet for an outdoor living space, with fireplace and grill. Mr. Schwinder expressed his concerns the increased impervious coverage – Mr. Buono stated he will connect a conduit to an existing 1000 gallon seepage pit in the rear yard, and agreed to provide Mr. Tombalakian with calculations after the improvements.

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

- Mr. Callagee – yes
- Mayor Colina – yes
- Mr. Schwinder – yes
- Mr. Todd – yes
- Chairman Orecchio – yes

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

LC DEVELOPERS – 251 RANDOLPH AVENUE – NEW APPLICATION

Mr. Bruce Dexter was present and is representing the applicant. Proof of notice was submitted, reviewed, and deemed sufficient by Mr. Martin. The application is for the demolition of an existing cottage and garage in need of too many repairs – approximately 1,226 in building coverage and fronting on Randolph Avenue – the proposed home would be approximately 1,852 in building coverage and would front on Auricchio Avenue. The only variance required is for minimum lot width – 75 feet required, 43 feet proposed, which is an existing non-conformity. Mr. Dexter introduced to the Board and the public Mr. David Gleassey, of R L Engineering, who gave his credentials, sworn in by Mr. Martin, and accepted as a witness. Mr. Gleassey stated he prepared the site plan, which was entered and marked as Exhibit A1 – the existing lot has 2 frontages and 2 size yards totaling 8600 square feet, lot is 43 x 200 feet deep, slopes towards Randolph Avenue. The proposed development will demolish the existing structures, construct a new single family two story home with a larger detached garage – driveway will enter / exit from Randolph Avenue. Roof run-off will go into a ground water recharge system consisting of two 500 gallon seepage pits. There will be a rear patio, small front porch, and no basement. Mr. Gleassey reviewed the zoning chart on the site plan – the only variance we are requesting at this time, is in lot width. Mr. Gleassey stated he has reviewed Boswell Engineering's report with regard to cross sections of the proposed swale, spot elevations, and pavement of Randolph Avenue to be consistent with adjacent properties, tree removal, which we agree to provide.

At this time, Mr. Dexter introduced to the Board and the public Mr. Louis Chiellini, principal of LC Developers, who was sworn in by Mr. Martin, and accepted. Mr. Chiellini stated he been the owner / developer of LC Developers for 26 years, and is the contract purchaser of this lot – the proposed new home, takes in consideration of the neighboring homes – such as minimized windows. If this application is approved, this would be the narrowest house h has ever built – a 2 story farmhouse colonial – sliders to patio. With regard to the eaves – 1 foot on each side would be a detriment to the house, and another variance. Chairman Orecchio commented on one 2 foot or 2 one foot eaves – proposal shows 8/12 on the sides – the additional variance would be one variance for 8/10 on the east side of the property. The existing wall is holding up the existing home – wall will be removed for a natural grade, and a total of 272 cut and fill for soil movement.

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

Donna Mills – 48 Auricchio Avenue – expressed her concerns with the number of variances – lot is only 43 feet in width; read from a prepared statement – this would be devastating to us; feels this is a non-conforming use, and read from the Borough Zoning Code, Section 290-33.

Marilyn Bensen – 255 Randolph Avenue – concerned with the location of the proposed garage, and the fence – Mr. Chiellini stated the existing garage is on the property line; the fence will be constructed as to the code, and willing to work with the adjoining property owners.

Warren Mills – 48 Auricchio Avenue – would like to see the position of the proposed home changed to front onto Randolph Avenue; concerned with the additional variances needed for the eaves, and the size of the proposed home. Mr. Chiellini agreed to provide google earth images and stake out the property for the Site Plan Committee visit.

Liz Petriano – 92 Orchard Avenue – would like to see proposed home built where the existing home is – a big change for the adjacent property owners.

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

After Board discussion, Site Plan Committee members – Mr. Todd, Mr. Schwinder, and Mr. Callagee will contact the applicant for a site visit, prior to our next meeting. The application will be carried to our next meeting of September 6th with no additional notice. Mr. Dexter and Mr. Chinelli thanked the Board for their time and consideration.

MERIDA – ONE POWELL ROAD – RESOLUTION

The Board reviewed the Resolution prepared by Mr. Martin, and a motion was made to memorialize the Resolution by Mayor Colina, seconded by Mr. Schwinder, and carried. Roll call vote as follows:

Mr. Todd – yes
Mr. Schwinder – yes
Mayor Colina – yes
Chairman Orecchio – yes

ANY BOARD MEMBER: No comments at this time.

GOOD AND WELFARE:

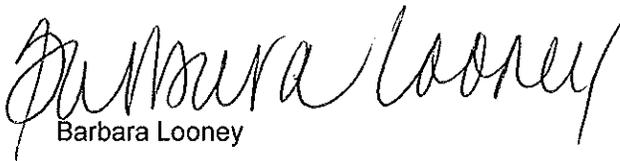
A motion was made to open public session by Mr. Schwinder, seconded by Mr. Todd, and carried, with no comments.

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

ADJOURNMENT:

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

Respectfully submitted,


Barbara Looney