

**EMERSON PLANNING BOARD**  
**EMERSON, NEW JERSEY**  
**FEBRUARY 15, 2007**

This meeting of the Emerson Planning Board was held in the Municipal Building on Thursday, February 15, 2007. Chairman Bair opened the meeting at 8:00 PM, and invited Mr. Bischoff 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.

**ROLL CALL:**

Mr. Robert Adams – Present  
Chairman Steven Bair – Present  
Mr. Jeffrey Bischoff – Present  
Mr. Thomas Callagee – Absent  
Ms. Danielle DiPaola – Present – arrived late  
Mr. Gary Goursky – Present  
Councilman Christopher Heyer – Present  
Mr. Barry Howard – Absent  
Mayor Louis Lamatina – Present  
Mr. John Lazar – Present  
Mr. Mark Orecchio – Present

Mrs. Barbara Looney – Board Secretary – Present  
Mr. Christopher Martin – Board Attorney – Present  
Mr. Paul Niehoff – Borough Engineer – Present  
Mr. Mike Sartori – Construction / Zoning Officer – Present

**MINUTES:**

A motion was made to approve the minutes for the meeting held on February 1, 2007, as amended, by Mr. Adams, seconded by Mr. Orecchio, and carried.

**CORRESPONDENCE:**

- Memo from Wells, Jaworski, Liebman & Paton – dated 2/5/07 RE: Oritani Savings Bank
- Memo from Job & Job – dated 2/6/07 – Re: 58 Kinderkamack Road, LLC
- Memo from Morrison Mahoney LLP – dated 2/7/07 – Re: 58 Kinderkamack Road, LLC
- Memo from Maser Consulting – dated 2/15/07 – Re: Oritani Savings Bank

**VOUCHERS:**

The Secretary stated there are no vouchers.

### **BALBONI – 14 EMERSON PLAZA WEST – RESOLUTION**

After Board review of the Resolution prepared by Mr. Martin, a motion was made to memorialize the Resolution by Mr. Adams, seconded by Mr. Orecchio, and carried. Roll call vote as follows:

Councilman Heyer – yes  
 Mayor Lamatina – yes  
 Mr. Bischoff – yes  
 Mr. Goursky – yes  
 Mr. Lazar – yes  
 Mr. Orecchio – yes  
 Mr. Adams – yes  
 Chairman Bair – yes

### **58 KINDERKAMACK ROAD, LLC – AMENDMENTS**

Mr. David Watkins was present and is representing the applicant. Mr. Watkins stated he is here this evening with regard to the placement of the gas meters and the retaining wall on the site. With regard to the gas meters, Mr. Watkins spoke to “Jack” the Regional Director of Installation at PSE&G, who stated they have total control and jurisdiction over the location of the gas meters, not the applicant. Mr. Watkins would like to work with the Borough Engineer as to the screening of the area near the gas meters. Councilman Heyer stated his concerns with safety in the area due to the dealership across the street, and the volume of truck traffic on Kinderkamack Road – Mr. Watkins mentioned that issue to PSE&G and their response was that due to the elevation of the development and the wall in front of it, there is no safety issue. Mayor Lamatina requested Mr. Sartori contact PSE&G and give them the Borough’s position on this matter, and Mr. Watkins agreed to have his landscape architect prepare a full screening plan for submission to the Board, Mr. Sartori, and Mr. Burgis for review.

With regard to the retaining wall, the new owner of the vacant lot above the site, Domenico Aramini started to fill his property, based on a soil movement permit the previous owner, Joseph Gassib obtained from this Board. The developer went to Mr. Aramini and stated he would work with him, and make the retaining wall bigger – the original approval was for a 13 foot wall maximum. Mr. Watkins also stated a revised design plan for the wall was submitted to Ken Job, and he approved the height of 16 foot maximum. However, now due to the changes on the site, the new proposal being submitted is for a 30 foot maximum wall. Mayor Lamatina stated his concerns with the structure and integrity of the wall – will the added fill cause any additional pressure to the wall. Mr. Watkins stated we are trying to be a good neighbor, and we will do whatever the Board wishes. Mr. Lazar questioned the distance between the retaining wall and the property line – Mr. Watkins stated approximately 5 feet.

After a brief discussion, the Board agreed that they did not want to see a wall higher than 16 feet. Mr. Sartori stated he feels the Board is taking a tremendous chance with a 16 foot wall, a “football field of dirt” above, and the potential for a landslide.

The Board requested Mr. Watkins have his engineer contact Mr. Job to come to some kind of an agreement. Mr. Watkins thanked the Board for their time and consideration.

**ORITANI SAVINGS BANK – 2733 KINDERKAMACK ROAD – CONTINUED**

Mr. Jim Jaworski was present and is representing the applicant. Since the last hearing, we met with Sgt. Mottley of the Emerson Police Department to discuss access and circulation, and left turns out of the driveway have been eliminated. Mr. Jaworski stated the formal submission has been made to the County Planning Board, and they have indicated we should be approved shortly. We also met with Mr. Rossi of Dairy Queen, and we have agreed to develop Louis Street right-of-way, and create a driveway curb cut for his site. Due to revisions in the site plan, moving the building forward and more towards Louis Street, we were able to eliminate the need for a rear yard variance.

Mr. Jaworski introduced Mrs. Roseanne Buscemi, Vice President of Retail Operations for Ortiani Savings Bank, who was sworn in by Mr. Martin, and accepted as a witness. Mrs. Buscemi stated we are a typical savings bank – we do not see the same volume of activity as commercial banks, such as PNC, Commerce, and Bank of America; we deal mostly with residents in the area – a community bank. The hours of operation for drive-up would be 8 AM to 6PM Monday thru Friday, and 9 AM to 12 PM on Saturday. With regard to number of employees, there would be 3 full time and 3 part time, with no more than 4 staff on premises at any one time. We currently have 2 branches – one in Woodcliff Lake and one in Park Ridge – both branches have drive up facilities and ATM's and the staffing would be similar to what we are proposing in Emerson. Councilman Heyer questioned if any of the 2 branches have "other uses" on the site – Mrs. Buscemi stated the Park Ridge site has a medical practice with 4 or 5 doctors. Mr. Bischoff questioned if there were any ADA ramps on the site – Mr. Jaworski stated the plans would be revised to be fully compliant with the ADA code.

Chairman Bair questioned whether Mr. Jaworski spoke to Mr. Burgis with regard to pavers and streetscape – Mr. Jaworski stated the design mirrors the criteria for streetscape, pavers, and tree wells.

Mr. Sartori questioned the signage – Mr. Lapatka stated they do not know who the other tenant is at this time, but if necessary, we will come back for an approval. Mr. Sartori also questioned the type of sprinkler system, location of air conditioner condenser, gas meters, and barrier free ATM's. Mr. Lapatka stated the sprinkler system would be fully compliant; the condenser will be recessed in the roof behind the drive-thru canopy – not in public view. With regard to the gas meters, we will make every effort to conceal and screen them from public view. Mr. Sartori requested that the ATM area be compliant with ADA requirements, the area have a canopy, and also a fire hydrant installed near the right of way on Louis Street, which the applicant agreed to do.

A motion was made to open public session by Councilman Heyer, seconded by Mayor Lamatina, and carried.

Rob Rossi – owner of Dairy Queen – the reason for the curb cut of 20 feet is in case I make any renovations to the property, and the County may want me to close off the exit on Kinderkamack Road. I wish to thank the applicant for being a good neighbor – this is good for the Borough and me.

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

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

Councilman Heyer – yes  
 Ms. DiPaola – yes  
 Mr. Bischoff – yes  
 Mr. Adams – yes  
 Mr. Orecchio – yes  
 Mr. Lazar – yes  
 Mayor Lamatina – yes  
 Mr. Goursky – yes  
 Chairman Bair – yes

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

**ANY BOARD MEMBER:**

Mayor Lamatina stated he and several other Emerson residents attended a meeting in Oradell with regard to the corridor study of Kinderkamack Road. Mayor Lamatina also stated he sent a letter to the County Planning Board regarding an accident at Dairy Queen last year along with photos, for a possible barrier at the location.

After Board discussion, the minor subdivision applications for Spinelli and Gikas will be scheduled for March 15, 2007.

Chairman Bair stated he drove around the Borough with Mr. Sartori looking at various homes and their heights – would like the Board's comments / recommendations on building heights and definitions for review at a future date. Mr. Sartori requested input from Mr. Niehoff and Mr. Burgis with regard to this issue.

**GOOD AND WELFARE:**

A motion was made to open public session by Mayor Lamatina, seconded by Mr. Orecchio, and carried.

Ken Hoffman – 61 Emwood Drive – questioned whether the Board received any input from the Shade Tree Commission with regard to the Oritani Saving Bank application. The Secretary stated the original and revised plans were given to Mr. Wagner.

A motion was made to close public session by Councilman Heyer, seconded by Mr. Goursky, and carried.

**ADJOURNMENT:**

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

Respectfully submitted,

Barbara Looney