

EMERSON PLANNING BOARD
EMERSON, NEW JERSEY
JANUARY 18, 2007

This meeting of the Emerson Planning Board was held in the Municipal Building on Thursday, January 18, 2007. Dr. Bair opened the meeting at 8:00 PM, and invited Mr. Burgis 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
Dr. Steven Bair – Present
Mr. Jeffrey Bischoff – Present
Mr. Thomas Callagee – Present
Ms. Danielle DiPaola – Present
Mr. Gary Goursky – Present
Councilman Christopher Heyer – Present
Mr. Barry Howard – Present
Mayor Louis Lamatina – Present
Mr. John Lazar – Present
Mr. Mark Orecchio – Present

Mrs. Barbara Looney – Present
Mr. Mike Sartori – Construction / Zoning Officer – Present

2007 REORGANIZATION:

BOARD ATTORNEY: A motion was made to appoint Mr. Christopher Martin as Board Attorney by Mr. Lazar, seconded by Councilman Heyer, and carried, with all members voting in the affirmative, none opposed.

CHAIRMAN OF THE BOARD: Mr. Martin requested a nomination for Chairman of the Board. Mr. Adams nominated Dr. Bair, seconded by Mr. Orecchio. A motion was made to close the nominations by Mr. Lazar, seconded by Mr. Bischoff, and carried, with all members voting in the affirmative, none opposed.

BYLAWS: A motion was made to adopt the Bylaws of the Emerson Planning Board by Mr. Goursky, seconded by Mr. Adams, with all members voting in the affirmative, none opposed.

VICE CHAIRMAN OF THE BOARD: Chairman Bair requested a nomination for Vice Chairman of the Board. Mr. Adams nominated Mr. Orecchio, seconded by Mr. Goursky. Mr. Lazar nominated Mr. Bischoff, seconded by Ms. DiPaola. Mr. Orecchio stated he is a licensed engineer, and has served as Vice Chairman, been a Planning Board member for 6 years over 2 terms, and feels he has the experience in construction and engineering. A motion was made to close the nominations by Mayor Lamatina, seconded by Mr. Goursky, and carried.

Roll call vote – Vice Chairman – Mark Orecchio

Ms. DiPaola – no
 Mr. Bischoff – no
 Mayor Lamatina – no
 Councilman Heyer – no
 Mr. Adams – yes
 Chairman Bair – yes
 Mr. Orecchio – yes
 Mr. Goursky – yes
 Mr. Lazar – no

Roll call vote – Vice Chairman – Jeff Bischoff

Ms. DiPaola – yes
 Mr. Bischoff – yes
 Mayor Lamatina – yes
 Councilman Heyer – yes
 Mr. Adams – no
 Chairman Bair – no
 Mr. Orecchio – no
 Mr. Goursky – no
 Mr. Lazar – yes

BOARD SECRETARY: A motion was made to appoint Barbara Looney as Board Secretary by Mr. Adams, seconded by Mr. Goursky, and carried, with all members voting in the affirmative, none opposed.

BOARD ENGINEER: Mr. Orecchio referenced an article, which appeared in the Record with regard to a “PAC” donation made by Maser Consulting to a political party.

A motion was made to appoint Maser Consulting as Borough Engineer by Mayor Lamatina, seconded by Mr. Bischoff, and carried. Roll call vote as follows:

Ms. DiPaola – yes
 Mr. Bischoff – yes
 Mayor Lamatina – yes
 Councilman Heyer – yes
 Mr. Adams – yes
 Chairman Bair – yes
 Mr. Orecchio – no
 Mr. Goursky – yes
 Mr. Lazar - yes

MINUTES:

A motion was made to table approval of the minutes for the meeting held on December 21, 2006 by Mr. Goursky, seconded by Mr. Orecchio, and carried.

A motion was made to approve the minutes for the meeting held on December 28, 2006 by Mr. Goursky, seconded by Mr. Orecchio, and carried.

CORRESPONDENCE:

- Memo from residents of Seneca Avenue – received 1/9/07 – Re: Pascack Valley Shopping Center
- Memo from Job & Job – dated 12/29/06 – Re: McGuinness / Cullen
- Memo from former Mayor Setteducati – dated 12/29/06 – Re: appointments
- Memo from Job & Job – dated 1/2/07 – Re: 15 Wakelee Drive Corporation
- Memo from Mike Sartori – dated 1/2/07 – Re: 12 Emerson Plaza West
- Memo from Job & Job – dated 1/3/07 – Re: Hackensack Golf Club
- Resolution – Re: 2007 Council Liaisons Appointments
- Resolution – Re: 2007 Council Appointment of Planning Board Class III Member

VOUCHERS:

- \$1,690.50 – Mark Madaio – Re: Armenian Home
- 46.00 – Mark Madaio – Re: Armenian Home
- 241.50 – Mark Madaio – Re: Armenian Home
- 402.50 – Mark Madaio – Re: Armenian Home
- 598.00 – Job & Job – Re: Oritani Savings Bank

A motion was made to approve these vouchers by Mr. Goursky, seconded by Mr. Adams, and carried, with all members voting in the affirmative, none opposed.

MASTER PLAN – BURGIS ASSOCIATES:

Mr. Joseph Burgis was present from Burgis Associates. The Secretary distributed copies of the periodic Reexamination Report of the Master Plan to all Board members. Mr. Burgis stated the municipality is required to do a reexamination of their Master Plan every 6 years. The last report done in 1999 addressed the following areas:

- Housing plan
- Central business district plan
- Recreation / Open space plan
- Zoning ordinance review

The Borough was involved in Mount Laurel litigation in the year 2000. The court concluded that the Borough lacked sufficient vacant &/or underutilized land to satisfy its obligation. Mr. Burgis suggested the Borough address its second and third round housing obligation under the new affordable housing rules, which includes a Housing Element Plan. The Zoning Ordinance should be reviewed to reflect established development patterns.

Chairman Bair stated the Board did review zoning setbacks and amendments were made. Mr. Burgis suggested they be reviewed again to address the “McMansions”. Mr. Lazar stated the Zoning Code does address these issues – Mr. Burgis stated there are more definitive ways to go about this.

Mr. Burgis stated an Open Space and Recreation Plan be prepared to analyze the status of open space and recreational resources in the Borough, and determine future needs of the community.

Mr. Burgis requested all Board members review this report. A public hearing will need to be scheduled in order for adoption.

ORITANI SAVINGS BANK – 27-33 KINDERKAMACK ROAD – NEW APPLICATION:

Mr. James Jaworski was present and is representing the applicant. Proof of service was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. Jaworski stated the applicant would like to construct a new banking facility, by consolidating the 2 lots into one. The property is located in the Central Business West district, consisting of 18,600 square feet. We have reviewed your redevelopment ordinances, and met with Mr. Burgis to come up with a plan, which we feel complies with the ordinances, except for a rear yard variance – 5 feet is required – 3 feet is proposed, plenty of green space and parking on the premises. The building will also consist of 1300 square feet of retail space, with 4 residential one-bedroom apartments – varying in size – 621 to 992 square feet, on the second floor. The applicant proposes to utilize Louis Street and improve to Municipal standards.

Mr. Jaworski introduced to the Board and the public Mr. Raymond DeGheri, architect for the project. Mr. DeGheri gave his credentials, was sworn in by Mr. Martin, and accepted as a witness. The following were entered and marked as exhibits:

- A1 – right side elevations
- A2 – rear and left side elevations
- A3 – ground floor plan
- A4 – second floor and front rendering
- A5 – site plan

Mr. DeGheri stated this is a very attractive mixed-use building, including retail space and residential units, designed in a traditional colonial sense – school-house brick, stucco, double-hung windows, colonial columns, with asphalt shingle roofing. The banking area will consist of a lobby, customer service area, offices, lavatory, vault, and teller areas. The south side will be a retail area, incorporating an elevator and staircase area for the residential units. The second floor will be 4 one-bedroom units – all with kitchen, bath, utility area, closets, and combination living / dining room area – residential entry would be from the rear and south side of the building. Mr. Lazar questioned if the building would be fully sprinkled and the egress from the second floor – Mr. DeGheri stated the building is fully sprinkled and there is only one form of egress from the second floor.

At this time, Mr. Jaworski introduced Mr. Alexander Lapatka of Lapatka Associates. Mr. Lapatka gave his credentials, was sworn in by Mr. Martin, and accepted as a witness. Mr. Lapatka stated the existing condition of the lots is 150 x 125 feet - .43 acres – Central Business District West zone; we are proposing to demolish the existing building and remove the existing parking lot, and improve the paper street – Louis Street. The applicant proposes the construction of a 2 story building with 2 drive-thru lanes – the north side of the building would be for the bank, the south side would be a retail store or restaurant. We are proposing 2 driveways – one 2-way driveway at the rear by Louis Street, and one at the north end of the site onto Kinderkamack Road. The only variance required is for the rear yard setback – 3 feet proposed – 5 feet required. We are trying to get a viable first floor tenant space. Mr. Lapatka stated they are proposing decorative light fixtures in the front and rear of the site, and pavers to promote a continuous walk along Kinderkamack Road. The dumpster will be enclosed with a solid board-on-board in the left rear of the site. The number of parking spaces required is 12, the applicant is proposing 24, and the use is not high with regard to “stacking of vehicles”.

Mr. Jaworski questioned Mr. Lapatka on drainage – Mr. Lapatka stated they are proposing an increase in impervious coverage by 520 square feet – the existing site is mostly paved. With regard to drainage, we are putting a couple of pipes from Louis Street into the existing catch basins, including a 36 inch pipe under the parking lot to act as an underground detention basin. A 15 foot easement would be granted to the Borough of Emerson.

Chairman Bair questioned the status of Louis Street – does the applicant need to appear before the Governing Body to have this street vacated. Mr. Jaworski stated that could be a condition of this Board's approval. Chairman Bair suggested the applicant contact Sgt. Mottley of the Emerson Police Department to discuss onsite traffic and Kinderkamack Road. Mayor Lamatina questioned whether the application has been filed with the County – Mr. Jaworski stated they would file a plan with the County before the next meeting. Mr. Adams questioned the improvement of Louis Street – Mr. Lapatka stated it will remain a Borough street, and Dairy Queen would have access – a curb cut could be installed. Mr. Orecchio questioned whether there would be lighting under the drive-thru canopy – Mr. Lapatka stated there would be, and the plan will be revised to reflect that. Mr. Lazar stated his concerns with the stacking of vehicles, designation of fire lanes and access. The Secretary stated a copy of the plan was sent to Fire Chief Tom Carlos, and she will follow-up for a response. Mayor Lamatina requested Mr. Lapatka check the Central Business District Plan to see if the streetscape plan is in compliance, with regard to pavers and plantings.

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

Kathleen Mabin – 55 Allison Way – feels the proposal is beautiful and her concern is traffic – exiting the site, the parking of trailers in front of Allison Village by Lincoln Mercury, and the use of Louis Street. Chairman Bair stated we will request Sgt. Mottley's attendance at our next meeting, and part of our Redevelopment Plan is to have "shared" parking areas between property owners.

Rob Rossi – owner of Dairy Queen – has a concern with overflow parking and questioned the number of employees – Mr. Lapatka stated we haven't given testimony on the number of employees, but we expect 4. Mr. Rossi also stated he has dealt with the County due to renovations he made on his property, and feels they make recommendations to this plan.

Toni Plantamura-Rossi – owner of Dairy Queen – stated she saw a preliminary plan at Mr. Burgis' office with regard to Louis Street – a communal plan – this plan does not show the same layout.

Ken Hoffman – 61 Emwood Drive – questioned the wetlands – Mr. Lapatka stated he believes they are intermediate.

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

After Board discussion, the application will be continued at our next meeting of February 1, 2007. Mr. Jaworski thanked the Board for their time and consideration.

MCGUINNESS / CULLEN – MAJOR SOIL MOVEMENT PERMIT:

Mr. James Cedarstrand was present and is representing the applicant. Proof of service was submitted, reviewed, and deemed sufficient by Mr. Martin. Mr. Cedarstrand stated they are here this evening for a major soil moving permit. Mr. Cedarstrand introduced Mr. Richard Burns of AFR Engineering, who was sworn in by Mr. Martin, and accepted as a witness. Mr. Burns stated the total number of soil being moved is 1100 cubic yards, between the lot on Summer Court, and Main Street; the proposed route would be off Main Street. The Secretary stated she spoke to Chief Saudino today, and they would like the route to be left turn onto Main Street to Old Hook Road. Chairman Bair questioned the 4 foot retaining wall – Mr. Cedarstrand stated one foot was removed, and an inspection made by Mr. Job's office.

A motion was made to open public session by Councilman Heyer, seconded by Mr. Goursky, and carried, with no comments.

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

A motion was made to approve the major soil movement permit by Mr. Adams, seconded by Mr. Goursky, and carried. Roll call vote as follows:

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

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

LCJC, LLC – 348 KINDERKAMACK ROAD - INFORMAL

Ms. Lisa Canavan was present and is requesting some feedback from the Board with regard to a proposed tenant – Rita's Ice. The property has been vacant for about 15 years, and is an eyesore. We would like to renovate the entire building, including a buffer along Kinderkamack Road, parking in the rear of the building with the egress onto Kinderkamack Road eliminated. The current overhand will be redone, along with landscaping and pavers. Rita's Ice is aware the site has certain limitations, and I feel this tenant would be a nice addition to the community. Councilman Heyer stated if there were indoor seating, you would require additional parking. Ms. Canavan stated Rita's Ice is not open from Thanksgiving to mid March, and feels most patrons, due to the residential area will walk. Mayor Lamatina stated he spoke to Mr. Sartori about the proposed use. Chairman Bair stated an application from Ralph's Italian Ice came before this Board, and was denied. Mr. Sartori stated he did review the previous file, spoke to Joe Burgis and Borough Attorney Mr. Boggia, and they agreed this is a Planning Board issue – a permitted use – no variances required – just site plan approval. Chairman Bair stated we would all like to see something happen there – however parking is an issue. Ms. Canavan stated she has spoken to Hudson City Savings – she has agreed to allow them to park on her site, when Rita's Ice is closed during the winter months.

Board members welcomed the submission of a formal application.

12 EMERSON PLAZA WEST – RESOLUTION

The Secretary stated she did not receive the Resolution from Mr. Madaio, and this will be carried forward to our next meeting.

177 KINDERKAMACK ROAD – RESOLUTION

The Secretary stated she did not receive the Resolution from Mr. Madaio, and this will be carried forward to our next meeting.

ANY BOARD MEMBER:

Chairman Bair requested the Secretary get together a list of all Board members with their telephone numbers and email addresses.

Chairman Bair stated he would like Board members to review the zoning code with regard setbacks, and questioned the status of the port-a-potty ordinance.

GOOD AND WELFARE:

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

Brian Todd – 207 Palisade Avenue – stated his concerns with the possibility of children crossing between Hudson City Savings Bank and the proposed Rita's Ice, and the seating situation – tables, chairs, or benches.

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

ADJOURNMENT:

A motion was made to adjourn the meeting by Mr. Howard, seconded by Mr. Lazar, and carried.

Respectfully submitted,

Barbara Looney