



**MUNICIPAL LAND USE BOARD**  
**EMERSON, NEW JERSEY**  
**JUNE 3, 2010**

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, June 3, 2010. Vice Chairwoman DiPaola opened the meeting at 8:00 PM, and invited Mr. Schwinder 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:**

Councilman Steven Bair – Present  
Chairman Jeff Bischoff – Absent  
Mr. Tom Callagee – Absent  
Vice Chairwoman Danielle DiPaola – Present  
Mr. Gary Goursky – Absent  
Mr. Brian Lacey – Absent  
Mayor Lou Lamatina – Present – arrived at 8:20  
Mr. Christopher Leins – Absent  
Mr. Tommy Monahan – Present  
Mr. Mark Orecchio – Present  
Mrs. Germaine Ortiz – Absent  
Mr. Gary Schwinder – Present  
Mr. Christopher Martin – Present  
Mrs. Barbara Looney – Present  
Mr. Michael Sartori – Construction / Zoning Officer – Absent – attendance not requested  
Mr. Paul Niehoff – Borough Engineer – 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 May 6, 2010 by Mr. Schwinder, seconded by Councilman Bair, and carried.

**CORRESPONDENCE:**

- Memo from Blue-Rhino Propane – dated 4/21/10 – Re: Stop & Shop
- Flyer from County Executive Dennis McNerney – Re: Wortendyke Barn's 250<sup>th</sup> Birthday
- Memo from New Jersey State League of Municipalities – dated 6/1/10 – Re: 2010 Convention

**VOUCHERS:**

- \$1,825.00 – Maser Consulting – Re: Grand Investments IV, LLC
- 1,575.00 – Maser Consulting – Re: 31 Emerson Plaza East - Hotel

- 290.00 – Maser Consulting – Re: Aramini – soil movement
- 362.50 – Maser Consulting – Re: Pascack Valley Shopping Center
- 435.00 – Maser Consulting – Re: 58 Kinderkamack Road, LLC
- 72.50 – Maser Consulting – Re: 200 KMACK Properties
- 290.00 – Maser Consulting – Re: Onik & Davitan
- 290.00 – Maser Consulting – Re: Carunchio
- 20.00 – Bergen County Department of Planning - \$20.00 – Re: Chairman Bischoff
- 137.50 – Morrison Mahoney – Re: 200 KMACK Properties
- 251.12 – Morrison Mahoney – Re: Stavrou Family
- 17.96 – North Jersey Media Group – Re: Legal ad – Stavrou Family
- 65.00 – New Jersey Planning Officials – Re: Thomas Monahan

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

#### **GINA DONUTS INC – DUNKIN DONUTS – SHOPRITE PLAZA – SIGN RESOLUTION**

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

Councilman Bair – yes  
 Mr. Monahan – yes  
 Mr. Schwinder – yes  
 Mr. Orecchio – yes  
 Vice Chairwoman DiPaola – yes

#### **200 KMACK PROPERTIES – 200 KINDERKAMACK ROAD – CONTINUED**

A motion was made to carry the application to our actual next meeting by Mr. Monahan, seconded by Councilman Bair, and carried. Roll call vote as follows:

Mr. Schwinder – yes  
 Mr. Orecchio – yes  
 Councilman Bair – yes  
 Mr. Monahan – yes  
 Vice Chairwoman DiPaola – yes

The Board requested Mr. Martin contact Mr. Del Vecchio as to the status of the current application.

**ANY BOARD MEMBER:** No comments at this time.

#### **GOOD AND WELFARE:**

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

Eric Lutz – Manager – Emerson Hotel – 31 Emerson Plaza East – here this evening, by the suggestion of Mike Sartori, for the Board's guidance with regard to an outdoor seasonal grille to support private parties on the deck, next to the air conditioning units, no change in the footprint or loss of parking spaces. Mr. Schwinder expressed his concerns with the grille being enclosed, access, unauthorized use, possible vandalism, and children being in the area. Mr. Lutz stated there will be multiple shut off's for when the grille is not in use and would be secured.

Councilman Bair stated that since a variance is not required for the grille, he feels this is an issue between the Building, Fire, and Health Departments, however, a variance may be required if the grille is enclosed.

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

**ADJOURNMENT:**

A motion was made to adjourn the meeting by Mr. Monahan, seconded by Councilman Bair, and carried.

Respectfully submitted,

  
Barbara Looney