

**MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
JULY 16, 2015**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Chairman Schwinder opened the meeting at 8:07 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	Absent
Thomas Callagee	Absent
Louis Lamatina, Mayor	Present
John DeThomasis	Present
Gary Goursky	Present
Germaine Ortiz	Absent
Gary Schwinder, Chairman	Present
Vincent Tripodi, Council	Present
Steven Malone	Present
Norman Rieger	Present
Thomas Sudano	Present
Christopher Martin, Attorney	Present
Gary Ascolese, Engineer	Present
Bridgette Bogart Planner	Present
Michael Sartori, CCO/Zoning	Not Requested
Joseph Solimando, DPW	Not Requested
Kathy Rizza, Secretary	Present
Krista Giambona, Secretary	Present

A motion to go into closed session for a personnel matter was made by Mr. Schwinder, seconded by Mr. Goursky. The public was asked to exit the Chambers for a short time.

After discussion it was decided to vote to approve Kristi Giambona, based on her credentials, as the new Land Use Board Secretary when back in regular session.

A motion to close the closed session and return to the regular meeting was made by Mayor Lamatina, seconded by Councilman Tripodi, and carried by all.

A motion was made to approve Krista Giambona as the new Land Use Board Secretary by Mr. Goursky, seconded by Mayor Lamatina and carried by all present. Salary information is on file in the office of the Clerk.

Correspondence

Letter from the Shade Tree Commission dated 6-19-15 regarding the tree management plan for the Veteran Housing on Main Street.

NJ Planning Official Membership certificate for 2015

Monthly budget status report from the CFO

Copy of an email changing the August meeting date for the Land Use Board – August 6th to August 13th

Minutes

May 7, 2015 approved on a motion by Mr. Goursky, seconded by Mayor Lamatina, and carried by all.

June 4, 2015 approve on a motion from Mr. Goursky, seconded by Mayor Lamatina, and carried by all.

June 18, 2015 approved on a motion from Mayor Lamatina, seconded by Councilman Tripodi, and carried by all.

Vouchers

Pascack Press - secretary ad - \$159.00
Boswell Eng. - Armenian Home - \$3,828.38
Boswell Eng. - Mrkic - 31 Emwood - \$79.00
Boswell Eng. - Town and Country - 70 Patrick - \$79.00
Boswell Eng. - Kuiken Bros - \$908.50
Boswell Eng. - Radici - 98 Linden - \$79.00
Boswell Eng. - Liberty Subaru - 39 Kinderkamack - \$79.00
Boswell Eng. - Mrkic - 31 Emwood - \$197.50
Boswell Eng. - Armenian Home - \$1,368.00
Boswell Eng. - Armenian Home - \$760.00
No. Jersey Media - meeting notice - \$4.72
No. Jersey Media - misc. publications - \$78.21
No. Jersey Media - notices - \$39.99

Vouches and correspondence were approved on a motion from Mr. Goursky, seconded by Mr. Sudano, and carried by all.

Resolution

Richard and Melissa DePerto
225 Ackerman Avenue
Fence Variance - corner property

The resolution was read by all. A motion to approve was made by Mr. Schwinder, seconded by Mr. Goursky, and carried by roll call vote as follows:

Mr. Sudano	Yes
Councilman Tripodi	Yes
Mr. Goursky	Yes
Chairman Schwinder	Yes

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

New Applications

Jennifer Cottone

**42 Emwood Drive
Block 319 Lot 8
Fence Variance**

Mrs. Cottone was sworn in by Attorney Martin. She explained that she is on a corner lot and would like a 6' fence, 5' solid with 1' of lattice. Ms. Cottone submitted the fence brochure – exhibit A-1 and pictures of the existing fence in the rear and neighboring fences – Exhibits A-2 and A-3. All notice and proof of publication was found to be acceptable. Mrs. Cottone had three options for her fence variance request. Mr. Ascolese of Boswell Engineering stated that option one is not good, option two is better and there are no issues with option three. It was decided that the fence would end at the back of the house instead of the front to avoid a sight problem on the corner. Mrs. Cottone agreed with this.

The meeting was opened to the public on this issue on a motion from Mayor Lamatina, seconded by Councilman Tripodi and carried by all. With no one wishing to be heard **the public portion was closed** on a motion from Mr. Sudano, seconded by Mr. Tripodi and carried by all.

A motion to approve the fence variance as agreed upon by all present was made by Mayor Lamatina, seconded by Councilman Tripodi, and carried by roll call vote as follows:

Mr. DeThomasis	Yes
Mr. Goursky	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The resolution will be read at the next meeting.

**Christopher Kaley
33 Dogwood Lane
Block 325 Lot 16**

Second floor addition

Mr. Kaley was sworn in by Attorney Martin. All notice and proof of publication was found to be in good order. A rear yard set back variance is sought by the applicant. The home is in the R75 zone and 35 ' is required where 31.8' is proposed. Addition plans were discussed. The home is a one-story ranch with an attached garage. The applicant would like a second floor addition at 919 sq. ft. Board Engineer, Gary Ascolese stated that this is a pre-existing variance with no extension of footage. Mr. Goursky asked if the siding would match the existing house. He was told yes.

A motion to open this application to the public was made by Mayor Lamatina, seconded by Mr. Goursky, and carried by all. With no one from the public wishing to be heard, **the public portion was closed** on a motion from Mayor Lamatina, seconded by Mr. Goursky, and carried.

A motion to approve the variance was made by Mayor Lamatina, seconded by Councilman Tripodi, and carried by roll call vote as follows:

Mr. DeThomasis	Yes
Mr. Goursky	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mayor Lamatina	Yes
Chairman Schwinder	Yes

The resolution will be read at the next meeting.

Parisi
10 Rudolph Way
Block 1301 Lot 3.23
Addition – side yard setback variance

Mr. Parisi was sworn in by Attorney Martin. Mr. Gary Hipp of GTFM, the builder was also sworn in. Mr. Hipp is from 37 Spring Valley Avenue in Paramus, NJ. All notice and proof of publication is satisfactory. Mr.

Parisi would like to add a one-story addition to his home for his mother-in-law. He is in need of a side yard variance –he is 11.96’ less than the required 20’ . The existing deck will be removed and replaced with the addition. The deck steps will be in 2’ from the side yard and the addition will line up with the house Survey copies were distributed to all and marked as Exhibit A-1. There will be a 2’ cantilever in the front for the window bay. The addition will be 14’ x 15’ , one story with a sleeping area, bathroom and closet. There will not be a kitchen. The plans were shown to all present and marked as exhibit A-2. The house is already non-conforming on side yard footage. Mr. Ascolese noted an error on the plans with dimensions. Exhibit A-3 was an aerial photo of the property that was shown to the Board.

A motion to open this application to the public was made by Mr. Goursky, seconded by Councilman Tripodi, and carried. With no one wishing to be heard, **a motion to close the public portion** was made by Mr. Goursky, seconded by Councilman Tripodi, and carried by all.

A motion to approve the side yard variance needed for an addition as made by Mr. Goursky, seconded by Councilman Tripodi, and carried by roll call vote as follows:

Mr. DeThomasis	Yes
Mayor Lamatina	Yes
Mr. Malone	Yes
Mr. Rieger	Yes
Mr. Sudano	Yes
Councilman Tripodi	Yes
Mr. Goursky	Yes
Chairman Schwinder	Yes

The resolution will be read at the next meeting.

The meeting was opened to the public on a motion from Mayor Lamatina, seconded by Councilman Tripodi and carried. With no one

from the public wishing to be heard, the **public session was closed** on a motion from Mayor Lamatina, seconded by Mr. Sudano, and carried.

Any Board Member –

All Board members thanked retiring secretary Kathy Rizza for work as Secretary.

Sign/Lighting Ordinance Discussion - Discussion with Planner on Master Plan Revisions

Kevin Kain was present on behalf of Brigette Bogart the Board Planner. The Master Plan amendment needs to be done in two years. Affordable Housing and lighting are current issues. Affordable Housing was explained to all by the Mayor. The draft submitted by Ms. Bogart was discussed in detail. Mr. Joe Scara of Valley Signs was present for this discussion. Attorney Martin suggested that the Board set up a design committee to make recommendations to the Land Use Board. Mayor Lamatina stated that we need to give ten days notice before this can be discussed at a meeting, so therefore specifics will not be discussed at this meeting. The adoption of a Master Plan Amendment was discussed. Mr. Ascolese of Boswell Engineering will research the NJ Department of Transportation Bureau that is looked at first for active code. It was stated that Ms. Bogart's firm will do the publication for the hearing. The Board will be polled to see which date is good for a majority of members. The Mayor would like this done in August. Various zones in town, along with Old Hook Road were discussed as areas that need to be looked at. Mayor Lamatina also stated that he will appoint a new member to the Board at the next meeting. The next meeting will start at 7:00 p.m. with a work session and a public hearing at 8:00 p.m.

The meeting was adjourned at 10:30 p.m. on a motion from Mr. Goursky, seconded by Mayor Lamatina, and carried.

Respectfully Submitted,

Kathy Rizza, Secretary

