

MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
July 27, 2017

This meeting of the Emerson Land Use Board was held in the Municipal Building. Acting Chairman DeOrio opened the meeting at 8:02 PM. In compliance with the Open Public Meeting Act, the Clerk has notified The Record and The Ridgewood News of this meeting and notice has been posted in the Municipal Building.

Pledge of Allegiance

Roll Call:

Robert Adams	Absent
Alban Bresa	Present
Thomas Callagee	Absent
Michael DeOrio	Present
Gary Goursky	Absent
Louis Lamatina, Mayor	Present
Evan Kutzin	Absent
Steven Malone	Present
Doug McKendry	Present
Norman Rieger	Present
Thomas Sudano	Absent
Gerry Falotico, Councilman	Absent
Gary Schwinder, Chairman	Absent
Christopher Martin, LUB Attorney	Absent
Ryan Franco representing Morrison Mahoney	Present
Gary Ascolese, LUB Engineer	Present
Bridgette Bogart, Borough Planner	Absent
Michael Sartori, CCO/Zoning	Not Requested
Perry Solimando, DPW Interim Super.	Not Requested
Robert Hoffmann, Borough Admin.	Not Requested
Marie Shust, Interim Secretary	Present

Mr. DeOrio asked if there were any comments on the minutes of June 15th meeting, hearing none he asked for a motion to approve, which was offered by Mayor Lamatina, second by Mr. McKendry. All eligible members, Mr. Bresa, Mayor Lamatina, Mr. Mc Kendry, and Mr. Rieger voted aye to accept the minutes. Mr. De Orio, Mr. Malone were not eligible to vote.

Mr. DeOrio read a notice from PSE&G in which they are requesting a permit from the County for construction/repairs in the wetlands area. The proposed activities are for the instillation of new natural gas distribution mains in public Right-of-Way (ROW) within PSE&G's Natural Gas Service Area.

A flyer from Rutgers was brought to the Board's attention for anyone who might need to take additional classes. The members were told to contact Ms. Shust for information.

Ms. Shust was asked to read the vouchers

6/6/2007	17-00910	Shust	LUB Meeting 6/1/19	\$	150.00
6/16/2017	17-00999	Boswell	246 Kinderkamack Rd	\$	631.00
6/16/2017	17-00997	Bogart	LUB Meeting 1/26/17	\$	225.00
6/27/2017	17-01044	Shust	LUB meeting 6/15	\$	150.00
6/26/2017	17-01049	Morrison Mahoney	Ciuppa Resolution	\$	364.00
6/29/2017	17-01069	Boswell	Adams - 71 Hartland	\$	79.00
6/29/2017	17-01069	Boswell	Urstadt Biddle 495 Old Hook	\$	33.98
6/29/2017	17-01069	Boswell	Rich's Auto 39-41 Chestnut	\$	237.00
6/29/2017	17-01069	Boswell	55 Kinderkamack Rd	\$	142.00
6/29/2017	17-01069	Boswell	322 Kinderkamack Rd, Starbuck's	\$	626.00
6/29/2017	17-01069	Boswell	Emerson Conv., 100 Kinderkamack	\$	291.82
7/12/17	17-01125	Bogart	109 Linwood Ave, Blolck 616, Lot 3	\$	1,762.50
7/12/17	17-01125	Bogart	IM District Study	\$	900.00
5/2/17	17-00682-01	Morrison Mahoney	2nd Quarter Retainer	\$	1,000.00
7/11/2017	17-01119	Boswell	71 Hartland Ave., block 218 Lot 15	\$	395.00
7/11/2017	17-01119	Boswell	322 KK, Starbuck Block 214 lot 1.01	\$	79.00
7/11/2017	17-01119	Boswell	61 KK Block 616, Lot 1	\$	79.00
7/11/2017	17-01119	Boswell	495 & 411 Old Hook, Urstadt Biddle	\$	474.00
7/11/2017	17-01119	Boswell	31 Emersoln Plaza E, Block 616 Lot 19	\$	316.00
7/11/2017	17-01119	Boswell	39-41 Chestnut, blok 405 Lot 1	\$	478.36
7/5/2017	17-01090	Shust	Reimbursement for supplies	\$	79.06
7/10/2017	17-01110	Morrison Mahoney	495 & 411 Old Hook, Urstadt Biddle	\$	532.00
7/10/2017	17-01110	Morrison Mahoney	Della Volpe vs Emerson	\$	1,568.00
7/10/2017	17-01110	Morrison Mahoney	214 KK, LLC	\$	2,030.00
7/10/2017	17-01112	Boswell	90 Jefferson Ave, Block 413, Lot 3	\$	79.00
7/24/2017	17-01184	NJ Planning Office	School - Alban Bresa	\$	80.00
7/19/2017	17-011863	Bogart	Emerson Hotel	\$	637.50
7/25/2017	17-01220	Boswell	26 Palisade Ave., Block 616, Lot 26	\$	79.00
7/25/2017	17-01220	Boswell	109 Linwood Ave, Blolck 616, Lot 3	\$	158.00
				\$	13,656.22

Mr. Rieger motioned that the vouchers be accepted for payment, second by Mr. Mc Kendry, all were in favor.

Resolutions:

Adams Residence, 71 Hartland Ave, Block 218, Lot 15
In-ground pool, impervious coverage variance.

Mr. DeOrio asked Mr. Ascolese if the recommended changes to the plans for the Adams application had been made. Mr. Ascolese replied they had. Mr. DeOrio then asked for any other comments, hearing none, he asked for a motion to accept the Resolution which was made by Mayor Lamatina, second by Mr. McKendry. Aye votes were cast by Mr. Bresa, Mr. McKendry, Mr. Rieger and Mayor Lamatina. Mr. Malone and Mr. De Orio were not eligible to vote.

Cheng Investments, Inc., dba The Emerson Hotel, 31 Emerson Plaza East, Block 616, Lot 19
Sign installation

Mr. DeOrio asked for any comments from the board in regard to the resolution, hearing none, he asked for a motion to accept the Resolution, which was made by Mr. Rieger, second by Mr. McKendry, Aye votes were cast by Mr. Bresa, Mr. McKendry, Mr. Rieger and Mayor Lamatina. Mr. Malone and Mr. De Orio were not eligible to vote.

Applications

Mr. Rieger recused himself from this application as he is bidding on the construction.

Gitto Residence, 208 Lincoln Blvd, Block 115, Lot 8

Continued from meeting of June 15th, 2nd floor addition, front entry and rear porch, rear, front and side yard setback variances.

Mr. DeOrio directed the application to Mr. Ascolese for comment and verification of dimensions. Mr. Ascolese referred to his letter of June 26, in which all of the dimensions, set backs and coverages were addressed:

Removal of front walk, reduces overall impervious coverage by 131 sq.ft

Addition of front entry would affect the front setback, the required setback is 25 ft, proposed is 20.41 ft., the neighborhood average is 23.62 ft. a front variance is required.

Ryan Franco, acting Borough Attorney, asked that the plans be marked as Exhibit E-1.

A brick walkway from the entry to the street would be removed, an entry porch would be added to the house, with a walkway from the driveway only.

A brick rear patio would be removed, and a back porch would be added.

Mr. Ascolese questioned the total impervious coverage and the structural coverage compared to guidelines issued by the building department. Seeing a discrepancy he asked the Board's permission to review and advise.

The matter of the fence on the east side of the property, along the paper street was brought up. Mr. Gitto explained that the fence was erected by a previous owner. Mr. Gitto wants to install a new fence on his property and would like the 10 ft dimension from the property line waived. The removal of the damaged fence needs to be addressed. Mr. Ascolese asked the Board if he could investigate this matter and advise.

The requested height and size of the addition conforms to Borough regulations, therefore no variance is needed there. The lot is a pre-existing non-conforming and the proposed construction, set backs would have no impact on neighboring residences.

Mayor Lamatina wanted confirmation on the impervious coverage of 28%, again, there was a discrepancy on the Borough charts, which actually appeared to be a wrong column heading, but Mr. Ascolese needs to confirm

Mr. DeOrio asked for a motion to open the floor to the public which was made by Mr. McKendry, second by Mr. Bresa, all were in favor – seeing no hands from the public, Mr. DeOrio asked for a motion to close the floor, which was made by Mr. Malone, second by Mr. McKendry.

Mr. Mc Kendry made a motion to accept the application pending the results of Mr. Ascolese's investigations. Motion was second by Mayor Lamatina. Mr. Bresa, Mr. DeOrio, Mr. McKendry, and Mayor Lamatina voted aye. Mr. Malone and Mr. Rieger abstained.

Mr. DeOrio turned the floor over to Mr. Franco, who stated the application for 109 Linwood Ave would be carried over to the meeting of August 10th as their Engineer needed additional time, no further notification is required and the matter will be heard without prejudice.

Mr. Franco also stated that the recommendations for redefining businesses/occupancies in the CB10 and IM Zones would be carried over, as the Planner requires more time for review.

Mr. De Orio asked for a motion to open the floor to the public, which was made by Mr. Malone, second by Mr. Bresa, all were in favor. Hearing no comments from the public, Mr. DeOrio asked for a motion to close the floor which was made by Mr. Mc Kendry, second by Mayor Lamatina, all were in favor.

Mr. De Orio asked for comments from the Board, there was none; any Good & Welfare, there was none. He asked for a motion to adjourn the meeting.

Motion was made by Mayor Lamatina and second by Mr. McKendry, all were in favor.

The meeting was adjourned at 8:28 pm.

Respectfully submitted,
Marie Shust
Interim Board Secretary