

**MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
OCTOBER 16, 2014**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Chairman Orecchio opened the meeting at 8:00 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	Present
Thomas Callagee	Absent
Carlos Colina, Mayor	Absent
John DeThomasis	Present
Gary Goursky	Present
Mark Orecchio, Chairman	Present
Germaine Ortiz	Present 8:20 p.m.
Gary Schwinder, Vice Chairman	Present
Michael Wallace	Present
Richard Worthington, Council	Present
N. Tortora/C. Martin, Attorney	Present
Berge Tombalakian, Engineer	Present
Kevin Kain, Planner	Present
Michael Sartori, CCO/Zoning	Not Requested
Joseph Solimando, DPW	Not Requested
Kathy Rizza, Secretary	Present

Minutes: none

Correspondence: none

Vouchers: none

Continued Application:

Emerson Affordable Housing, LLC For Veteran Housing – 324 Main Street Block 304 Lot 3

Holly Schepisi was again present as the Attorney for the applicant. A short presentation is planned for tonight. The site walk took place on October 9th. Topography and spillage of light was looked at. Mr. Biale, the Engineers, and some property owners were in attendance. Trench drains have been added, along with a fence and curb cuts. The trash area will be moved and made ADA friendly. The turning radius was looked at, lighting, and patios with privacy also. The sidewalk to Main Street was deemed not practical. A major soil movement permit is needed and this Board can give that approval.

Carol Hoernlein, a Licensed Professional Engineer from 216 Ackerman Avenue in Emerson was sworn in by Attorney Martin. After giving her background, Ms. Hoernlein was accepted as an expert witness. New plans have been received for this hearing. She was present at the site walk. Screening for the neighbors was a major issue. Fencing and deer resistant landscaping will be utilized. On the north side a screening fence will be moved to the top of the slope with low maintenance ground cover below the fence. On the south side there will be deer resistant hedges and a fence. A few trees will be added. The patios have been sunken with drainage tied to the house drainage. All drainage will be sent to the center of the property. There will be 4 underground storage areas that will all connect. The overflow will go to the inlet in the street. The system is designed for a 100 year storm. A PERC test is needed. There will be a detention system instead of a retention system if the PERC test does not prove to be acceptable. Mr. Tombalakian of Boswell Engineering was asked if he is satisfied. He stated that he has just received the plans but that the applicant has met with him. Driveway size and grading was discussed. The slope on the lower driveway needs to be lowered in order for it to be ADA compliant. Mr. Schwinder stated that a suitable method for someone in a wheelchair to get up and down the driveway. House levels were discussed – 65’ on the north side and 71’ on the south side. There will be a curb cut in front of each home. Patios will be at the same level of the first floor of

the homes. Mr. Schwinder is concerned with winter weather and freezing of the drains since the patios are at the same level as the homes. The patios cannot be made lower or the wheelchairs could not access the home. Ms. Schepisi stated that the Engineers will work this out. The new location for the trash area was shown. The garbage access plan was also shown, along with the truck turning radius. Exhibit A-3 is the new plans, and Exhibit A-4 is the garbage truck route and the turning radius. A new fire hydrant will be added as per the recommendation of the Fire Department. Regarding Boswell Engineering's letter lighting candle spill, this has been moved further from the neighbors and there will be .01-foot candles. Parking calculations were done including the American Legion Hall. RSIS standards regarding parking were discussed. There are 31 proposed spaces and Ms. Hoernlein stated that this is sufficient. Soil movement calculations are presently been done and will be provided to the Board Engineer as soon as possible. Regarding the major soil movement permit, the police will be consulted for truck routes. Attorney Martin stated that the soil movement request was covered in the notice. Chairman Orecchio spoke regarding the picking up of recyclables from the development. These will be picked up privately – it will not be done by the town DPW.

The Architect, Ed Arcari, submitted Exhibits A-4 and A-5, with revision dates of 10-16-14. There will be fire alarms for smoke and CO2 but no sprinklers. Colors of the homes and the facades were discussed, along with the location of air conditioning units.

A motion to open the meeting to the public was made by Mr. Worthington, seconded by Mr. Goursky, and carried.

Kevin Mayer – 236 Eagle Drive – Confirmed that the stockade fence will be 6' . Complimented the Board on their efforts with this application.

Gerald Ratner – 101 Emwood Drive – Asked to have all dead wood removed from the site. Mr. Schwinder stated that a landscape Architect will evaluate the site. Attorney Martin said that the Shade Tree Commission will be involved. Mr. Ratner questioned the dates of the drawings and talked regarding a 100 year storm compared to a 50-year storm. He is also concerned with clogs in the drainage system. Mr.

Ratner would like a DVD for soil removal calculations. It is possible that he could receive a PDF document, not a DVD.

Scott Berkoben – Attorney from 211 Center Avenue in Westwood representing Mr. Dave Kramer of 27 Ridge Road. He is concerned with drainage behind his client’s home. He was told that his questions can be addressed with Ms. Schepisi and with both Engineers.

The public portion of the meeting was closed on a motion from Mr. Worthington, seconded by Mr. Goursky.

Chairman Orecchio stated that a fire hydrant is now on the drawing and that compliance with the Shade Tree Commission will be done. Ms. Schepisi stated that all maintenance to the American Legion building will be handled by the applicant. Signage was again discussed with Mr. Biale. He spoke regarding the signage at the Northvale development. Mr. Biale spoke regarding the NJ React Program that is involved. Ms. Schepisi stated that all agree to the PILOT (payment in lieu of taxes) agreement.

A motion to approve the application as presented was made by Mr. Goursky, seconded by Mr. Adams with the following conditions: Major soil movement approved, tree management plan to the Shade Tree Commission and the letter from Boswell Engineering be adhered to. A roll call vote was taken as follows:

Mr. DeThomasis	Yes
Mr. Schwinder	Yes
Mr. Wallace	Yes
Councilman Worthington	Yes
Mr. Adams	Yes
Mr. Goursky	Yes
Chairman Orecchio	Yes

The resolution will be approved at the next meeting.

Any Board Member/ Good and Welfare

None

A motion to open to the public was made by Mr. Worthington, seconded by Mr. Goursky and carried by all. With no one wishing to be heard, the meeting was closed to the public on a motion from Mr. Adams, seconded by Mr. Goursky, and carried.

A motion to adjourn was made by Mr. Worthington, seconded by Mr. Goursky, and carried.

Respectfully submitted,

Kathy Rizza, Secretary