

MUNICIPAL LAND USE BOARD
EMERSON, NEW JERSEY
NOVEMBER 3, 2011

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, November 3, 2011. Chairman Orecchio 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:

Mr. Tom Callagee – Absent
Mayor Carlos Colina – Present
Councilwoman Danielle DiPaola – Absent
Mr. Patrick Gagliardi – Absent
Mr. Gary Goursky – Present
Mr. Christopher Leins – Present
Chairman Mark Orecchio – Present
Mrs. Germaine Ortiz – Present – arrived at 8:05 pm
Vice Chairman Gary Schwinder – Present
Mr. Brian Todd – Present
Mr. Richard Worthington – Present
Mr. Christopher Martin – Present
Mrs. Barbara Looney – Present
Mr. Berge Tombalakian – Land Use Engineer – Absent – attendance not requested
Mr. Michael Sartori – Construction / Zoning Officer – Absent – attendance not requested
Mr. Joe Solimando – Absent – attendance not requested

MINUTES:

A motion was made to table approval of the minutes for the meeting held on October 20, 2011 by Mr. Todd, seconded by Mr. Goursky, and carried.

CORRESPONDENCE:

- Memo from Jacobs & Bell – dated 10/27/11 – Re: Home for the Armenian Aged – requesting an adjournment to our meeting of 12/1/11
- Memo from Joseph Solimando – Department of Public Works – dated 10/27/11 – Re: Emerson Health Care Center
- Email from Mr. Louis Lamatina – dated 11/1/11 – Re: resignation

VOUCHERS:

- \$145.00 – Boswell McClave Engineering – Re: Northern Valley Developers
- 300.00 – Boswell McClave Engineering – Re: Home for the Armenian Aged
- 150.00 – Boswell McClave Engineering – Re: MSH Management, LLC

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

HOME FOR THE ARMENIAN AGED – MAIN STREET – CONTINUED

Mr. Martin advised the Board and the public that the applicant's attorney has requested the application be adjourned to our meeting of Thursday, December 1, 2011, with no further notice required.

EMERSON CONVALESCENT CENTER – 100 KINDERKAMACK ROAD

Mr. Martin stated the application will not be carried, due to the renoticing for the major soil movement permit and retaining walls.

BRIAN & KERI KOCH – 304 MAIN STREET – FENCE APPLICATION

Mr. Koch was present and submitted proof of notice, which was reviewed by Mr. Martin, and deemed sufficient. Applicant installed a fence without receiving zoning approval, and has attended court proceedings along with Anchor Fence. The fence exceeds the height ordinance in 2 sections – left rear of property on Eagle Drive, and front portion on Main Street – the applicant is a corner lot. Mr. Koch apologized for not going through the process, however, privacy was an issue – concerned with safety for his young son and deer in the area. Mr. Schwinder stated he would like to see the front portion of the fence be in line with the side yard and rear portion. Mr. Worthington stated his concerns with sight line issues on the corner, and the Secretary agreed to send Chief Rossi a memo along with a copy of the survey. Mr. Koch distributed and reviewed 6 photos of the property.

A motion was made to open public session by Mr. Todd, seconded by Mrs. Worthington, and carried, with no comments.

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

A motion was made to approve the fence application by Mr. Goursky, seconded by Mr. Leins, and carried, based on the following:

- Review by Emerson Police Department
- Fines and citations paid
- Construction approval

Roll call vote as follows:

Mrs. Ortiz – yes
 Mr. Schwinder – no
 Mr. Worthington – yes
 Mayor Colina – yes
 Mr. Todd – yes
 Mr. Leins – yes
 Mr. Goursky – yes
 Chairman Orecchio – yes

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

ANY BOARD MEMBER:

Chairman Orecchio and Mr. Todd requested the Secretary contact Mr. Gagliardi as to his status as a Board member, since he has missed meetings. Mr. Leins commented on the sink hole on Kinderkamack Road near the train station.

GOOD AND WELFARE:

A motion was made to open public session by Mr. Todd, seconded by Mrs. Ortiz, and carried.

Ken Hoffman – 61 Emwood Drive – expressed his concerns with the resignation of Mr. Lamatina, who was present during the last 2 hearings on the Armenian Home, and would new members be able to vote on the application if not present at meetings. Mr. Martin stated he would research the Land Use Law.

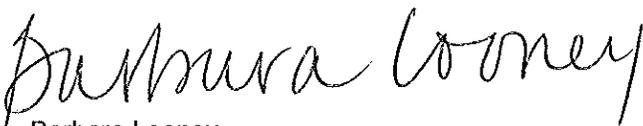
Theresa Cannatta – 132 Clinton Street – referenced an original article that was written by Matt Russo of the Armenian Home. Mr. Martin stated the application is not being heard his evening, and suggested Ms. Cannatta bring the article to the meeting of December 1, 2011.

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

ADJOURNMENT:

A motion was made to adjourn the meeting by Mr. Schwinder, seconded by Mr. Todd, and carried.

Respectfully submitted,


Barbara Looney