



MUNICIPAL LAND USE BOARD
EMERSON, NEW JERSEY
MAY 3, 2012

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, May 3, 2012. Chairman Orecchio opened the meeting at 8:00 PM, and invited Mr. Ryan 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. Robert Adams – Absent
Mr. Tom Callagee – Present
Mayor Carlos Colina – Present
Councilwoman Danielle DiPaola – Present
Mr. Gary Goursky – Absent
Mr. Christopher Leins – Present – arrived at 8:15
Chairman Mark Orecchio – Present
Mrs. Germaine Ortiz – Absent
Mr. Matthew Ryan – Present
Mr. Gary Schwinder – Present
Mr. Brian Todd – Present
Mr. Christopher Martin – Present
Mrs. Barbara Looney – Present
Mr. Berge Tombalakian – Present
Mr. Michael Sartori – Construction / Zoning Officer – 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 March 15, 2012 by Councilwoman DiPaola, seconded by Mr. Goursky, and carried.

A motion was made to approve the minutes for the meeting held on April 19, 2012 by Mr. Goursky, seconded by Mr. Schwinder, and carried.

CORRESPONDENCE:

Memo from Sgt. Stephen Clark – dated 4/26/12 – Re: 62 Clinton Street
Memo from Jacqueline Porzio – dated 5/3/12 – Re: 251 Randolph Avenue

VOUCHERS: The Secretary stated none at this time.

PORTSCHER – 62 CLINTON STREET – CONTINUED

Mrs. Portscher was present and was sworn in by Mr. Martin. Mr. Schwinder stated he visited the site and suggested the applicant take photos, with a piece of string / roping, to show the height of the fence, type of fence, and some proposed landscaping. Mr. Schwinder feels there is a clear line of sight, and has no issues with the fence.

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

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

A motion was made to approve the fence variance application by Mr. Schwinder, seconded by Councilwoman DiPaola, and carried.

Mayor Colina – yes
 Mr. Ryan – yes
 Councilwoman DiPaola – yes
 Mr. Schwinder – yes
 Chairman Orecchio – yes

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

MARCAZO – 11 LAKEVIEW DRIVE – NEW APPLICATION

Mr. Marcazo was present and submitted proof of notice, which was reviewed and deemed sufficient by Mr. Martin. Mr. Marcazo stated the application is for a deck variance in the R 22.5 zone – required side yard set back is 20 feet, and 15 is proposed – the deck is replacing a concrete patio, and is already constructed. Mr. Marcazo stated he didn't know zoning approval would be required, due to the deck replacing a concrete patio.

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

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

A motion was made to approve the deck variance application by Mr. Todd, seconded by Mr. Goursky, and carried, based on any outstanding violations / citations being satisfied. Roll call vote as follows:

Mr. Ryan – yes
 Mr. Leins – yes
 Mr. Callagee – yes
 Councilwoman DiPaola – yes
 Mr. Schwinder – yes
 Mayor Colina – yes
 Mr. Goursky – yes
 Mr. Todd – yes
 Chairman Orecchio – yes

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

PATEL – 136 DYER AVENUE – CONTINUED

The Secretary advised the Board that Mr. Patel came in this past Monday to pay his taxes, and he stated his architectural drawings should be ready within the next few days. The Secretary advised Mr. Patel that the Board needs to review the drawings prior to the meeting, also the Borough Engineer, and should be available for inspection by the public. After Board discussion, the application will be carried to our meeting of May 17th. Mr. Martin requested the Secretary send Mr. Patel a memo stating we will carry the application to that date only.

BOND ORDINANCE - # 1444-12

Chairman Orecchio stated he spoke to the Borough's CFO – Catherine Henderson – and she feels the Board should give an opinion on the ordinance, with regard to the Master Plan – streetscaping and improvements to Kinderkamack Road. Mr. Martin stated Mr. Burgis should review, before we make any recommendations, and Mr. Tombalakian is satisfied. Chairman Orecchio requested the Secretary send Mr. Burgis the ordinance for his comments to the Master Plan only. Mayor Colina requested the Secretary check with Carol Dray as to the requirement, since the ordinance was already adopted.

A motion was made to submit the ordinance to Mr. Burgis for his review and a recommendation to the Governing Body by Mr. Schwinder, seconded by Mr. Ryan, and carried.

ANY BOARD MEMBER:

Chairman Orecchio stated he, Mr. Adams and Mr. Ryan met recently with Mike Sartori, and reviewed the summary of proposed zoning ordinance changes:

1. Extend temporary banners – twice a year to 60 consecutive days – once a year.
2. Eliminate the LBW zone and keep the LBE zone – name change to LB zone.
3. Rezone – the Ramsland Center from R 7.5 to RC and include the Animal Hospital.
4. Change zoning of properties on the west side of Kinderkamack Road from Hudson City to Chestnut Street. R 7.5 and IC zones change to a RC zone, and permit automotive uses in the IC zone.
5. Elimination of Chapter 256 – pools
6. Addition of an ordinance regulating soil and silt in streets.
7. Addition of a maximum impervious surface coverage.
8. R 22.5 zone change to R 7.5 zone – Lakeview Drive area.
9. R 10 zone change from Park to Demarest Avenues to a R 7.5 zone.
10. Section 290-40 of the code – fences and freestanding walls shall not exceed 6 feet in height above the natural grade, except for posts that may be 6 inches taller.
11. Addition of definitions of berm, basement, curb level, and natural grade.

Chairman Orecchio will request a copy of the tax and zoning maps to show the proposed changes, and would like to forward to Mr. Burgis for review as soon as possible, as these changes would affect the Master Plan.

GOOD AND WELFARE:

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

Mrs. Winters – 64 Maepaul Drive – referenced the Resolution and approval given to Academy Electric at Palisade Avenue with regard to storage of generators; my quality life has been affected and cannot use my yard – I have a pool and a dog. Mr. Martin stated summons have been issued, to more than one party, and this may be going to Municipal Court – the Board does not have jurisdiction on this matter, and the Board will not comment.

Stan Woods – 56 Maepaul Drive – here on the same issue – stated what's going on that site is not a permitted in the zone; referenced the storage of generators and trucks. Mr. Martin once again stated summons have been issued, may be going to Municipal Court, and the Board will not comment. .

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

ADJOURNMENT:

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

Respectfully submitted,


Barbara Looney