



**MUNICIPAL LAND USE BOARD**  
**EMERSON, NEW JERSEY**  
**FEBRUARY 21, 2013**

This meeting of the Municipal Land Use Board was held in the Municipal Building on Thursday, February 21, 2013. Chairman Orecchio opened the meeting at 8:00 PM, and invited Councilman Worthington 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.

At this time, newly appointed member – Mr. Neil Tortora was given the Oath of Office by Board Attorney Mr. Christopher Martin.

**ROLL CALL:**

Mr. Robert Adams – Absent  
Mr. Tom Callagee – Present  
Mayor Carlos Colina – Present  
Mr. John DeThomasis – Present  
Mr. Gary Goursky – Present  
Chairman Mark Orecchio – Present  
Mrs. Germaine Ortiz – Present  
Mr. Matthew Ryan – Absent  
Mr. Gary Schwinder – Present  
Mr. Brian Todd – Present  
Mr. Neil Tortora – Present  
Councilman Richard Worthington – 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 January 17, 2013 by Mr. Callagee, seconded by Mr. Schwinder, and carried.

**CORRESPONDENCE:** The Secretary stated there is no correspondence.

**VOUCHERS:**

\$1,000.00 – Morrison Mahoney – Re: 1<sup>st</sup> quarter retainer  
600.00 – Morrison Mahoney – Re: LC Developers LLC  
820.00 – Boswell Engineering – Re: Hackensack Golf Club  
150.00 – Boswell Engineering – Re: Northern Valley Developers  
150.00 – Boswell Engineering – Re: MSH Management  
300.00 – Boswell Engineering – Re: Home for the Armenian Aged  
315.00 – NJ Planners – Re: 2013 dues  
162.50 – River Vale Florist – Re: Floral arrangement for Martin Family

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

**MACHINSKI – 228 PASCACK AVENUE – RESOLUTION:**

The Board reviewed the Resolution prepared by Mr. Martin, and a motion was made to memorialize the Resolution by Councilman Worthington, seconded by Mr. Todd, and carried. Roll call vote as follows:

Mayor Colina – yes  
 Mr. Schwinder – yes  
 Mr. Todd – yes  
 Councilman Worthington – yes  
 Chairman Orecchio – yes

**MRKIC – 31 EMWOOD DRIVE – NEW APPLICATION**

Mr. Mrkic was present, submitted proof of notice, which was reviewed by Mr. Martin and deemed sufficient. Mr. Martin swore in Mr. Mrkic and he was accepted as a witness. Mr. Mrkic stated the application is for the installation of a circular driveway – the existing ranch home has been demolished, and approved for the construction of a two story colonial home, with a detached garage. Mr. Tombalakian stated a soil movement permit has been submitted, and the grading plan will be worked out with the applicant's engineer – however, Mr. Tombalakian feels it is a lot of asphalt material, and width of the driveway is excessive. The maximum driveway width is 22 feet, within 40 feet of the curb line – with the circular double driveway; the width would be 32.6 feet. Mr. Mrkic further stated he feels the circular driveway will blend in with the property layout, match other neighboring properties, and provide easy access for 2 household members who are disabled and need to drive. Mr. Mrkic submitted 6 photos, which were marked and entered as Exhibits A1 to A6 – and site plan which was marked as A7. Mr. Mrkic stated he proposes to install rain exchange system under the driveway, which is environmentally friendly – instead of seepage a pit. Mr. Goursky, Mr. Todd, and Mr. Schwinder expressed their concerns with the width of the circular driveway, the asphalt overwhelming the property, and not fitting in within the character of the neighborhood.

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

Ken Hoffman – 61 Emwood Drive – stated the proposed driveway is excessively large, doesn't fit the neighborhood, and the property is not large.

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

After a brief discussion by the Board, the application will be carried to our next meeting, and no further notice required. The applicant will provide the Board with a revised plan, the possibility of a single width circular driveway, and the use of the driveway that will lead to the detached garage. Chairman Orecchio encouraged Board members to visit the site, even though the existing home has been demolished.

Mr. Mrkic thanked the Board for their time and consideration.

**ANY BOARD MEMBER:**

Chairman Orecchio requested the Secretary email to all Board members, before our next meeting, the most recent Master Plan adopted in 2007.

**GOOD AND WELFARE:**

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

Sy Rubin – 21 Emwood Drive – tried to address the Board on Mr. Mrcik's application – Chairman Orecchio stated the applicant has left the meeting, and we are not permitted to discuss the application at this time. .

Darrell Rock – 30 Summer Court – questioned the zoning code setbacks on detached garages. Chairman Orecchio stated it is 3 feet from the property line, and we are only here to address the variance for the circular driveway.

Cathy Hornayk – 123 Palisades Avenue – residents have received notices about the upcoming application for the Emerson Golf Club. Chairman Orecchio stated we will receive our application package this evening, and we are not allowed to discuss this evening without the applicant present. The Secretary stated the application and plan is on file in the Borough Clerk's office.

Ken Hoffman – 61 Emwood Drive – with regard to the approval given to LC Developers, 251 Randolph Avenue – one tree he was trying to preserve he wants to remove – we went to do an inspection and were prevented due to snow – permit issuance is based on the Shade Tree Commission's approval. Mr. Hoffman also stated the upcoming application on 43 Lozier Avenue, and it involves a 6 foot fence, and tree plantings along the border of NJ Transit. Mr. Hoffman also questioned the now combined Land Use Board and eligible members who vote.

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

**ADJOURNMENT:**

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

Respectfully submitted,

  
Barbara Looney