

**MUNICIPAL LAND USE BOARD MINUTES
BOROUGH OF EMERSON
February 20, 2020**

This meeting of the Emerson Land Use Board was held in the Municipal Building. Land Use Chairman Bischoff opened the meeting at 7:35 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 was taken:

Mayor DiPaola	Present
Stephanie Clark	Leave of Absence
Councilwoman Jill McGuire	Present
Chairman Jeff Bischoff	Present
Vice-Chairman Gary Schwinder	Present
Don Pierro	Present
Mike Myers	Present
Bill Loschiavo	Present
Paul Hulburt	Present
Michael Timmerman	Absent
Mike Cimino	Present
Andy Sarkisian	Absent
Carl Carbo	Absent
Christopher Martin, LUB Attorney	Present
Caroline Reiter, Planner	Not Requested
David Atkinson, LUB Engineer	Not Requested
Richard, Silvia, CCO/Zoning	Not Requested
Perry Solimando, DPW Interim Super.	Not Requested
Borough Administrator, Richard Hermansen	Not Requested
Marie Shust, Secretary	Present

Chairman Bischoff asked if there were any comments or changes in the minutes of the meeting Feb 6, 2020. Vice-Chairman Schwinder stated there were several items that needed to be corrected:

Page 1, the word "Reorganization" should be removed from the opening paragraph

Page 2, the values of the vouchers did not appear

Page 4, in the next to last paragraph the "s" is missing from "she" in reference to Ms. Reiter.

A motion to approve and publish the amended minutes, which was made by Mr. Myers, second by Vice Chairman Schwinder, by roll call vote all were in favor. Mayor DiPaola, Mr. Hulburt and Mr. Pierro abstained as they had not been present at the meeting.

Correspondence, Vouchers:

Ms. Shust was asked to read the vouchers which do not pertain to the redevelopment project:

Vouchers for Approval – Redevelopment

2/18/20	20-00270	Christopher Statile	Emerson Station	\$ 1,050.00
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Vice Chairman Schwinder made a motion to approve the vouchers for payment, second was offered by Mr. Myers. By roll call vote, the vouchers were approved. Mayor DiPaola and Councilwoman McGuire abstained as the voucher was related to the redevelopment.

Vouchers for Approval – General

2/18/20	20-00277	Rutgers	Continuing Education for Marie	\$ 450.00
2/12/20	20-00251	Morrison Mahoney	9 Dogwood, Zindel	\$ 42.00
			5 Munsey Rd., Maietti	\$ 63.00
			221 Palisade, Ling/Su	\$ 54.00
			93 Seneca, Chavez	\$ 42.00
			TOTAL	\$ 681.00

Mayor DiPaola made a motion to approve the vouchers for payment, second was offered by Vice-Chairman Schwinder. By roll call vote, all were in favor.

Correspondence:

Chairman Bischoff advised the Board a copy of correspondence regarding the redevelopment of Emerson Station had been received. Mr. Martin added that the developer was acting in accordance with the requirements of the Planner and Engineer. Mayor DiPaola advised the Board that the Administrator had responded to the correspondence. The copy was a formality and no action was required.

APPLICATIONS:

Fuhrman Residence, 52 Granger, Block 124, Lot 16
Deck addition causing variance request for non-conforming rear yard setback

Mr. Martin confirmed the notices and asked Mr. Fuhrman to state his name and address.

Chairman Bischoff briefly described the application, stating the Fuhrman's would be adding a deck for the enjoyment of the family.

Mayor DiPaola noted there were no neighbors in attendance to complain, so apparently they do not have any problem with the deck addition.

Mr. Loschiavo asked the distance of the shortfall in the rear yard. Mr. Fuhrman replied the deck extended 7 feet into the setback, creating 28 feet instead of 35. Mr. Martin reminded Mr. Fuhrman not to let his contractor go beyond the distance otherwise, they would be in violation of the variance.

Mayor DiPaola asked if the Engineer's recommendation regarding lighting would be followed that any lighting be directed downward so as not to intrude on the neighbors. Mr. Fuhrman replied that due to the plantings around the perimeter of the property, any lighting would not affect the neighbors, but all lighting would be directed downward.

Mayor DiPaola asked about impervious coverage. Would the area under the deck be covered with cement, or blocks, or gravel. Mr. Fuhrman replied there would be nothing under the deck but dirt and grass. Vice-Chairman Schwinder suggested some kind of plastic liner to eliminate weeds. Mr. Loschiavo thought this would probably cause impervious coverage problems and suggested using small stones to help reduce growth, while leaving drainage unaffected.

Mr. Pierro said the Engineer had made note of the ground cover under the deck. Chairman Bischoff stated that due to the large size of the lot, the deck and land cover under it would not affect the drainage.

Mr. Martin asked if other homes in the area had decks. Mr. Fuhrman replied there were several in the area. Mr. Martin asked if the proposed deck was consistent with the neighborhood and other decks that had been built. Mr. Martin wanted to know if the deck would have a positive effect on the neighborhood. Mr. Fuhrman replied yes to both of those questions.

Mr. Martin asked if Mr. Fuhrman was in agreement with the lighting suggestions of the Engineer, again, Mr. Fuhrman replied yes, and all lighting would be focused downward.

Open to the Public on this Application only:

Vice Chairman Schwinder made a motion to open the floor to the public on this application, second was offered by Councilwoman McGuire, all were in favor. Seeing no hands, Vice Chairman Schwinder made a motion to close the floor, second was offered by Councilwoman McGuire, all were in favor.

Chairman Bischoff asked the Board if there were any other questions. Hearing none he asked for a motion on the application. Vice-Chairman Schwinder made a motion that the application be approved, second was offered by Mr. Loschiavo, all were in favor.

Chairman Bischoff explained that the application had been approved. A Resolution would be presented at the next meeting. Once that was approved, Mr. Fuhrman could apply for his permit. Mr. Fuhrman was told he did not have to be in attendance at the next meeting, but could if so desired.

OPEN TO THE PUBLIC:

Chairman Bischoff asked for a motion to open the floor to the public which was made by Vice Chairman Schwinder, second by Councilwoman McGuire, all were in favor. Seeing no hands from those in attendance, the Chairman asked for a motion to close the floor. Councilwoman McGuire made the motion, which was seconded by Mr. Hulburt, all were in favor.

BOARD MEMBERS:

Chairman Bischoff asked if there were any updates from members of the Board. Mayor DiPaola said she had no additional comments to those she made at the Council meeting on Tuesday.

Mr. Cimino had no updates from the Fire Dept.

Councilwoman McGuire informed the Land Use Board that the Mayor has formed a master plan historic preservation element subcommittee. The members are Councilwoman McGuire, Councilwoman Dinallo and Councilman Hoffman.

Mr. Martin told the Board that all new plans received must be submitted to the Master Plan Committee, Don Pierro, Mike Myers and Jeff Bischoff, before a hearing date can be set.

Ms. Shust told the members to pick up a copy of new plans that had been received that week. No date had been assigned as the Master Plan Committee had not been able to review. Hopefully, a date would be set at the next meeting.

There were no comments in regard to Good and Welfare.

Since there was no other business to discuss, Chairman Bischoff asked for a motion to adjourn the meeting, which was made by Mayor DiPaola, second by Councilwoman McGuire, all were in favor.

The meeting was adjourned at 7:54 pm.

Respectfully submitted,
M. Marie Shust

Board Secretary