

**Stanhope Land Use Board
January 11, 2016
Reorganization Meeting
Minutes**

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**STANHOPE
BOROUGH**

CALL MEETING TO ORDER:

The Board Secretary called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

STATEMENT:

Adequate notice for this meeting has been provided according to the Open Public Meetings Act, Assembly Bill #1030. Notice for this Reorganization Meeting was forwarded to the New Jersey Herald and Daily Record on January 14, 2015 and was placed on the municipal bulletin board.

In the event the Board has not addressed all the items on its agenda by 11:00 p.m., and it is of the opinion that it cannot complete the agenda in a reasonable period, the Board may exercise its option to continue this meeting at an agreed time and place, within ten (10) days of this meeting.

At this time, please turn off all cell phones.

OATH OF OFFICE:

The Board Secretary administered the Oath of Office to James Benson.

ROLL CALL:

Nicholas Bielanowski - absent
James Benson - present
Michael Depew - present
Rosemarie Maio - present

Thomas Pershouse - absent
John Rogalo - absent
Joseph Torelli - present
Paula Zelif-Murphy - present
John Maguire - present

Others present: Board Secretary Ellen Horak

REORGANIZATION

Election of Chairman:

On nomination by Mr. Benson, seconded by Ms. Zelif-Murphy, John Maguire was nominated Chairman. On motion by Mr. Depew, seconded by Mr. Benson, nominations were closed.

By the following roll call vote, John Maguire was elected Chairman for 2016:

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Mr. Maguire
OPPOSED: None
ABSTENSIONS: None

Election of Vice-Chairman:

On nomination by Mayor Maio, seconded by Mr. Depew, Paula Zelif-Murphy was nominated Vice-Chairman. On motion by Mr. Torelli, seconded by Mr. Benson, nominations were closed.

By the following roll call vote, Paula Zeliff-Murphy was elected Vice-Chairman for 2016:

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zeliff-Murphy, Mr. Maguire
 OPOSED: None
 ABSTENSIONS: None

Resolutions

Board Secretary

**RESOLUTION OF THE STANHOPE LAND USE BOARD
APPOINTING BOARD SECRETARY**

WHEREAS, there exists the need within the Land Use Board (the "Board") for the retention of personnel to perform such secretarial services/clerical duties and office work as required by the Board's job description to hold a monthly public meeting, at the monthly compensation of \$752.25, and in addition, other such work as deemed necessary by the Board at a \$20.00 hourly rate or other rate negotiated per task;

WHEREAS, the monthly compensation rate of \$752.25 for the Board Secretary is the salary paid for the year 2015; and

WHEREAS, upon determination of the salary increase for Borough employees, the Board will determine the salary increase for the Board Secretary, which increase shall be retroactive to January 1, 2016; and

WHEREAS, the funds for such duties and services are available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by said Board that it hereby appoints Ellen Horak as the Board's Secretary, to be retained for the calendar year 2016 to perform such duties and office work outlined in the Board's job description, with reimbursement for all expenses, at the monthly compensation of \$752.25;

BE IT FURTHER RESOLVED, by said Board that, after a salary increase has been determined for Borough employees, the Board shall determine a salary increase for the Secretary which salary increase shall be retroactive to January 1, 2016.

On motion by Mr. Torelli, seconded by Ms. Zeliff-Murphy and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zeliff-Murphy, Mr. Maguire
 OPOSED: None
 ABSTENSIONS: None

Board Attorney:

**RESOLUTION OF THE STANHOPE LAND USE BOARD
APPOINTING BOARD ATTORNEY**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Legal services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

NOW, THEREFORE, BE IT RESOLVED that the firm of **Dolan & Dolan** is hereby appointed as Attorney for the Land Use Board of Stanhope for a period of one year, to December 31, 2016, with the understanding that **Roger W. Thomas, Esq.** will be primarily responsible for the work done for the Board.

BE IT FURTHER RESOLVED, that the aforesaid is a member in good standing of his profession.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Dolan & Dolan's professional services.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zeliff-Murphy, seconded by Mr. Torelli and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mr. Torelli, Ms. Zeliff-Murphy, Mr. Maguire
OPPOSED: Mayor Maio
ABSTENSIONS: None

Board Engineer: **RESOLUTION OF THE STANHOPE LAND USE BOARD
APPOINTING BOARD ENGINEER**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Engineering Services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from the provisions of public bidding as provided in the Local Public Contracts Law;

NOW, THEREFORE, BE IT RESOLVED that the firm of Bowman Consulting is hereby appointed as Engineer for the Land Use Board of Stanhope for the period January 1, 2016 through December 31, 2016, with the understanding that **Eric Keller, P.E.** will be primarily responsible for the work done for the Board;

BE IT FURTHER RESOLVED, that the aforesaid is a member in good standing of his profession;

BE IT FURTHER RESOLVED, that this Resolution is contingent upon receipt of a fully executed professional services contract with attached fee schedule established for Bowman Consulting professional services, and

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Mayor Maio, seconded by Mr. Torelli and carried by the following majority roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Mr. Maguire
OPPOSED: None
ABSTENSIONS: None

Board Planner: **RESOLUTION OF THE STANHOPE LAND USE BOARD
APPOINTING BOARD PLANNER**

WHEREAS, the Land Use Board of the Borough of Stanhope is in need of Professional Planning services; and

WHEREAS, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

NOW, THEREFORE, BE IT RESOLVED the firm of **Bowman Consulting** is hereby appointed as Planner for the Land Use Board of Stanhope for a period of one year from January 1, 2016 to December 31, 2016, with the understanding that **William Hamilton, P.P.** will be primarily responsible for the work done for the Board.

BE IT FURTHER RESOLVED, that the aforesaid is a member in good standing of her profession.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Bowman Consulting professional services.

BE IT FURTHER RESOLVED, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zelif-Murphy, seconded by Mayor Maio and carried by the following unanimous roll call vote, the above resolution was adopted.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Mr. Maguire
OPPOSED: None
ABSTENSIONS: None

**Official Newspaper: RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR THE
2016 CALENDAR YEAR**

BE IT RESOLVED, by the Land Use Board of the Borough of Stanhope that they New Jersey Herald is hereby designated the official newspaper of the Land Use Board for the calendar year 2016; and

BE IT FURTHER RESOLVED, that the New Jersey Herald and the Daily Record are hereby designated to receive all notices of Land Use Board meetings in the calendar year 2016 as required under the Open Public Meetings Act.

On motion by Mr. Torelli, seconded by Mr. Benson and carried by unanimous voice vote, the above resolution was adopted.

**Meeting Dates: RESOLUTION ESTABLISHING MEETING DATES FOR THE
CALENDAR YEAR 2016**

BE IT RESOLVED by the Land Use Board of the Borough of Stanhope that the following schedule of dates for Regular Meetings be established for 2016 and that all scheduled meetings shall convene at 7:00 p.m. at the Stanhope Municipal Building, 77 Main Street, Stanhope, NJ:

January 11
February 8
March 14
April 11
May 9
June 13
July 11
August 8
September 12
October 17
November 14
December 12

BE IT FURTHER RESOLVED that the Annual Reorganization Meeting shall be on January 9, 2017, at 7:00 p.m.

On motion by Mayor Maio, seconded by Mr. Depew and carried by unanimous voice vote, the above resolution was adopted.

MINUTES

October 19, 2015 Regular Meeting – On motion by Ms. Zeliff-Murphy, seconded by Mr. Depew, the Minutes of the October 19, 2015 Meeting were approved on majority voice vote. Mr. Benson and Mr. Torelli abstained.

CORRESPONDENCE

11-16-15 William Hamilton – Estimate for Professional Services Re: Master Plan
11-24-15 New Jersey Planning Officials – New Jersey Planner (Sept/Oct)

- 12-04-15 Sussex County Soil Conservation District – copy of letter to Hoer Properties re:
expiration of certification for Blk 11801 Lot 12 (Highland Avenue property)
01-06-16 New Jersey Planning Officials – New Jersey Planner (Nov/Dec)

On motion by Mayor Maio, seconded by Ms. Zelif-Murphy, and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

Chairman Maguire opened the meeting to the public for non-agenda items. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

NEW HEARINGS:

02-15, Building Blocks Management

Block 10608, Lot 5, Concept Review #2
Appl Received: 12/30/15

03-15, Building Blocks Management

Block 10608, Lot 5, Concept Review #3
Appl Received: 12/30/15

Jeff Careaga of Careaga Engineering appeared on behalf of the applicant. Mr. Careaga has a professional engineer license and has appeared before the Board numerous times. Mr. Careaga noted their last appearance before the Board with a conceptual plan. The previous concept proposed an 8-unit apartment building. The comments of the Board were considered and they have now submitted two concept applications for the property in which they propose 4 condominium units. Chairman Maguire stated these are conceptual plans and it is understood that comments made are non-binding. An application fee and escrow fee was submitted for each application.

Mr. Careaga began with Concept #3, noting both concepts propose 4 condominium units. The last plan changed the elevation of the building. The new concept has no change in the present height or outside dimensions. The existing building will be partitioned into 4 units. The parking layout is similar to the last concept; however comments made at the last meeting that there is only a 30 foot right-of-way and they needed to make it at least a 50 foot right-of-way as per RSIS requirements. They now propose an extra 10 feet on their side and, if the property owner on the other side gives 10 feet, it would be a 50 foot right-of-way. There are no parking spaces protruding into the right-of-way. They propose two regular parking spaces and one handicap parking space in the front of the building and there will be ten additional parking spaces in the lower parking lot for a total of 13 parking spaces. The building is approximately 11,000 square feet. It is a large building and they propose the four units being 3-bedroom units. Each unit will be between 2,200 and 2,300 square feet. According to RSIS standards they are required to provide 8.4 parking spaces. Mr. Careaga stated they took into consideration all of the concerns raised by the Board at the last meeting. Mr. Careaga and the applicant prefer concept #3. The layout allows for a turn around so vehicles do not have to back out onto the street. Concept #2 shows a circular area for drop off and parking. It would be a one way in and one way out circular driveway. There would be no permanent parking in the front with the exception of one handicap parking space that would remain in the front. Concept #2 has a total of 12 parking spaces. You are required to have 2.1 parking spaces for a 3-bedroom unit.

Chairman Maguire stated both drawings show the curb going into the right-of-way and he asked if it could be moved back. Mr. Careaga responded in the affirmative. Ms. Zelif-Murphy noted the handicap parking space in the front and asked if it would be a permanent space. Mr. Careaga stated they could put a handicap space on the other level. There are two entrances to the building; one in the front of the building and the other one by the turn around in the back. Chairman Maguire commented additional parking space will be needed in the front because it will end up being permanent parking. Mr. Careaga agreed to add an additional parking spot in the front. Chairman Maguire asked about the Belgian block curb on the lake side. Mr. Careaga stated it is between the parking lot and the building. Mr. Careaga explained that 15 feet is the width of the existing sewer easement. The distance from the rock wall to the building is approximately 25 feet. They are not touching anything within 25 feet of the lake. Mr. Careaga acknowledged DEP regulations will need to be addressed. They are staying within the existing disturbed area and he believes it will be a "permit by rule." Mr. Careaga added there is a retaining wall that will be cut off to widen the access. Drainage should not be affected and will be addressed in the site plan. Chairman Maguire noted there is a drop off going into the lower parking lot. Mr. Careaga agreed the drop off is too steep and they will change the plans to make it a gradual decline. He will address any drainage and run-off issues. The Board reviewed Concept #2 and Concept #3. Chairman Maguire asked the Board their preference. The Board preferred Concept #2, noting it is more aesthetically appealing than Concept #3. Chairman Maguire expressed concern regarding snow removal and asked how high the wall is on the lower level and how high it will go above the parking grade. Mr. Careaga responded it is level. Mayor Maio asked if there will be an association. Mr. Careaga responded in the affirmative, noting they will have a condominium association. Ms. Zelif-Murphy stated the plans indicate four air-conditioned units and she asked if the units will be outside of building. Mr. Careaga responded in the affirmative. Ms. Zelif-Murphy noted there is a house on that side of the building and she expressed concern about the noise. Mr. Careaga said they are proposing shrubs to buffer sound from the house. Mayor Maio said she likes the concept of 4 units, but is concerned with the number of parking spaces. It is her opinion there are not sufficient parking spaces for the number of 3-bedroom units being proposed. Chairman Maguire asked if the neighbor has been approached about selling their property.

Christine Gardner, realtor for the property, said the neighbor on the lake side has been approached and is asking a very large dollar amount. They have not yet approached the property owner across the street.

Mr. Careaga thanked the Board for their time and comments.

OLD BUSINESS:

Master Plan – Ms. Zelif-Murphy reported the committee is waiting for the final draft from the Board Planner, which should be provided shortly. Once received, the committee will review the document and provide a report to the Board at the February meeting. The Board asked that they be provided with a copy of the document prior to the February meeting.

NEW BUSINESS:

Annual Report – Chairman Maguire stated the Board is required to prepare an annual report listing all variance applications received during the year. The Secretary has prepared the annual report which reflects no variance applications were received in 2015. On motion by Mr. Torelli,

seconded by Mr. Depew and carried by the following unanimous roll call vote, the Board approved the Annual Report and directed the Secretary to forward a copy to the Mayor and Council.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Mr. Maguire

OPPOSED: None

ABSTENSIONS: None

BILLS:

Dolan & Dolan		
04/30/15	Re: COAH (revised)	\$ 907.50
Bowman Consulting		
11/06/15	Re: Master Plan	\$1,730.00
12/04/15	Re: Master Plan	\$1,260.00

On motion by Mr. Torelli, seconded by Mr. Benson, the aforesaid bills were approved on the following unanimous roll call vote.

AFFIRMATIVE: Mr. Depew, Mr. Benson, Mayor Maio, Mr. Torelli, Ms. Zelif-Murphy, Mr. Maguire

OPPOSED: None

ABSTENSIONS: None

ADJOURNMENT:

On motion by Ms. Zelif-Murphy, seconded by Mr. Benson, it was the consensus of the Board to adjourn the meeting at 7:50 P.M.

Respectfully submitted,


Ellen Horak, Board Secretary