

Stanhope Land Use Board
March 12, 2012
Regular Meeting
Minutes

CALL MEETING TO ORDER:

Chairman Maguire called the meeting to order at 7:30 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 Regular Meeting was forwarded to the New Jersey Herald and Daily Record on January 10, 2012 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:

Attorney Thomas administered the Oath of Office to John Mohrle.

ROLL CALL:

Michael Depew - present	Andrew Orinick, Alt #1 - present
Margaret Findley - present	Thomas Pershouse - present
Janice Hunts - present	William Thornton - present
Rosemarie Maio - present	Joseph Torelli - present
John Mohrle, Alt #2 - present	Paula Zelif-Murphy - present
	John Maguire - present

Others present: Roger Thomas, Esq. and Board Secretary Ellen Horak

MINUTES

February 13, 2012 Regular Meeting— Ms. Zelif-Murphy said the language on the sixth line of approval of Minutes stating as follows “Attorney Thomas explained that a procedural motion is the Board does not take final action” does not make sense. The Board Secretary noted the word “that” should be added and the language should read “a procedural motion is that the Board does not take final action.” On motion by Ms. Zelif-Murphy, seconded by Mr. Depew, the Minutes of the February 13, 2012 Regular Meeting were approved, as amended, on majority voice vote. Ms. Hunts and Mr. Mohrle abstained.

CORRESPONDENCE

02-21-11 Roger Thomas, Esq. – Resolution of Memorialization re: James Sweizer, Block 11601, Lot 21 Variance Application
03-08-12 Roger Thomas, Esq. – Revised Resolution of Memorialization re: Hoer Properties, Blk 11801 Lot 12 (37 Highland – B&B Homes)

On motion by Ms. Zelif-Murphy, seconded by Mayor Maio, 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.

RESOLUTION OF MEMORIALIZATION:

11-05, Hoer Properties, LLC

Block 11801, Lot 12, Final Major Subdivision

Approval Granted: 12/12/11

Attorney Thomas stated the Board Secretary advised him that the applicant's escrow has been brought current and he recommends the Board act on the resolution. Mr. Torelli asked if the revised resolution contains the language discussed at the last meeting regarding the one year timeframe within which to act after receiving approval. Attorney Thomas responded the one year timeframe relates to variance applications and does not apply to this application.

On motion by Ms. Zeliff-Murphy, seconded by Mr. Pershouse and carried by the following majority roll call vote, the Resolution of Memorialization memorializing the Board's action granting the final major subdivision application of Hoer Properties, LLC for Block 11801, Lot 12 was adopted.

AFFIRMATIVE: Ms. Findley, Ms. Hunts, Mr. Pershouse, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire

OPPOSED: None

ABSTENSIONS: Mr. Depew, Mayor Maio, Mr. Mohrle, Mr. Orinick, Mr. Thornton

11-08, James Sweizer

Block 11601, Lot 21, Variance

Approval Granted: 02/13/12

Attorney Thomas advised that this resolution contains the language indicating that the variance will expire if action is not commenced within one year from the date of approval.

On motion by Mayor Maio, seconded by Ms. Zeliff-Murphy and carried by the following majority roll call vote, the Resolution of Memorialization memorializing the Board's action granting the variance application of James Sweizer for Block 16601, Lot 21 was adopted.

AFFIRMATIVE: Mr. Depew, Ms. Findley, Mayor Maio, Mr. Orinick, Mr. Thornton, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire

OPPOSED: None

ABSTENSIONS: Ms. Hunts, Mr. Mohrle, Mr. Pershouse

UNFINISHED HEARINGS

11-04, Daud Ahmad

Block 10301, Lot 11.01, "D" Variance

Deemed Complete: 7/11/11

120 days: 11/08/11 (Extension Granted)

Chairman Maguire noted the absence of the applicant. The Board Secretary advised that she did not receive any communication from the applicant. After last month's meeting, a letter was sent to the applicant informing him that his application was scheduled for this meeting. Attorney Thomas noted the time for action expired on November 8, 2011; however, the applicant previously granted the Board an extension of time. Attorney Thomas stated the applicant did not send a letter requesting an extension and therefore, he recommends the Board dismiss the application without prejudice. If the applicant decides to come back to the Board he will be required to re-notice the application.

On motion by Mr. Pershouse, seconded by Ms. Findley and carried by the following majority roll call vote, the "d" variance application of Daud Ahmad for Block 10301, Lot 11.01 was dismissed without prejudice.

- AFFIRMATIVE: Mr. Depew, Ms. Findley, Ms. Hunts, Mayor Maio, Mr. Pershouse, Mr. Thornton, Mr. Torelli, Ms. Zeliff-Murphy, Chairman Maguire
- OPPOSED: None
- ABSTENSIONS: Mr. Mohrle, Mr. Orinick

The Board Secretary will send a letter to the applicant informing him that his application was dismissed without prejudice.

OLD BUSINESS:

Chairman Maguire asked Attorney Thomas is he would be conducting training courses for the new members. Attorney Thomas responded in the affirmative. The class will be held sometime in June. Attorney Thomas will confirm the date as soon as it is set. Mr. Thornton, Mr. Mohrle and Mr. Orinick are required to take the class.

Mr. Torelli asked if there was any issue with the new budget submitted to the Governing Body. Chairman Maguire responded that the revised budget was accepted and the Governing Body was appreciative of the Board's efforts to reduce the budget.

BILLS:

Dolan & Dolan		
01/31/12	Re: Land Use Board General	\$ 85.96
01/31/12	Re: Hoer Properties (B&B Homes)	\$421.96
01/31/12	Re: Kamlesh Patel	\$673.96
01/31/12	Re: Gary & Rose Tucker	\$337.96
01/31/12	Re: James Sweizer	\$ 85.96
01/31/12	Re: Daud Ahmad	\$715.96

Omland Engineering Associates		
02/14/12	Re: Hoer Properties (B&B Homes)	\$ 35.00

New Jersey Herald		
02/23/12	Re: Legal Notice – Kamlesh Patel	\$ 17.65
02/23/12	Re: Legal Notice – Tucker	\$ 17.30

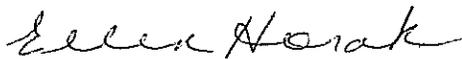
On motion by Mr. Pershouse, seconded by Mayor Maio, the aforesaid bills were approved on the following majority roll call vote.

AFFIRMATIVE: Mr. Depew, Ms. Findley, Ms. Hunts, Mayor Maio, Mr. Orinick, Mr. Pershouse, Mr. Thornton, Mr. Torelli, Ms. Zelif-Murphy, Chairman Maguire
OPPOSED: None
ABSTENSIONS: Mr. Mohrle

ADJOURNMENT:

On motion by Mr. Thornton, seconded by Mayor Maio, it was the consensus of the Board to adjourn the meeting at 7:50 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary