

**Stanhope Land Use Board
May 12, 2014
Regular Meeting
Minutes**

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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 Meeting was forwarded to the New Jersey Herald and Daily Record on January 14, 2014 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.

ROLL CALL:

Michael Depew - present	Thomas Pershouse – present
John Rogalo – present	Joseph Torelli - present
Rosemarie Maio – present	Michael Vance - absent
John Mohrle, Alt #2 – absent	Paula Zeliff-Murphy - present
Andrew Orinick, Alt #1 – present	John Maguire – present

Others present: Board Attorney Roger Thomas, Board Engineer Joe Golden and Board Secretary Ellen Horak

Chairman Maguire stated he received a letter of resignation from Mr. Mohrle. Chairman Maguire thanked Mr. Mohrle for his service on the Board.

MINUTES

April 14, 2014 Regular Meeting– On motion by Mr. Torelli, seconded by Ms. Zeliff-Murphy, the Minutes of the April 14, 2014 meeting were approved on unanimous voice vote.

CORRESPONDENCE

04-16-14 NJS Highlands Council – Training Opportunities for “Exemption Designees”
04-24-14 Attorney Thomas – copy of letter to NJ Dept. of Education re: Lenape Valley Regional High School Proposed Improvements to Football Field
05-05-14 Joe Golden – Substantive Review I re: Goran Milanovic, Blk 11006, Lot 12 Variance Appl.

On motion by Ms. Zeliff-Murphy, seconded by Mr. Torelli, 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.

Mr. Monroe responded there is presently a one story dwelling with a connected (heated) breezeway and a single car garage on the property. They already received permits to renovate the first floor to remove a couple of the existing bedrooms and have two bedrooms and an open living area looking out into the backyard. They want to gain back the two removed bedrooms by adding a level to the house over the existing footprint. The upper level will have three bedrooms and a bathroom for the children and a master bedroom suite with a bathroom. The two bedrooms on the first floor will be guest rooms which will be connected to a shared bathroom. The rest of the lower level will be open family living space. Mr. Monroe stated permits have been issued for the mentioned plan. Mr. Monroe submitted Architectural Site Plan consisting of 7 sheets dated August 23, 2013 with a revision date of January 6, 2014, indicating the work that has been approved, which was marked Exhibit A-1. Mr. Monroe spoke about the work they are now proposing. Mr. and Mrs. Milanovic realized the master bedroom must be larger to fit their furniture. They propose an expansion out the back of the house. Also, in order to get permits on the initial design, they had to address the existing deck, which the zoning officer informed them was built without permits. Since the deck was built illegally, the zoning officer wanted it removed. Mr. Monroe stated they are seeking a variance for impervious coverage because they will be removing the existing deck but propose to build a patio where the existing deck is. The patio will be located off the sunken dining room between the house and garage. They are also proposing an open porch in front of the existing house and a small gathering area adjacent to the master suite on the second floor facing the front yard. They are also proposing a deck adjacent to the lower level breezeway and garage that will be partially covered by the roof and partly covered by the second floor master suite. This will provide an outside patio area consisting of pavers that will be off the dining room, as shown on Sheet A-1. The existing entry to the house (stoop and sidewalk) will be removed. Mr. Monroe directed the Board to the Survey prepared by Lakeland Surveying dated May 20, 2013 that shows the existing wood deck in the rear and deck in the front with pavers. They are proposing to remove them and put an aesthetically pleasing decorative covered porch in the front of the house.

Mr. Torelli noted there is a railing shown to the left of the front view on Sheet A-5 and he questioned what it is. Mr. Monroe responded it is an overlay from the two plans and should be removed. It has nothing to do with the project. Mr. Monroe will modify the plans and correct the error.

Mr. Monroe noted Engineer Golden's report and acknowledged the property is in the MR Zone and the minimum requirement is 14,520 square feet. The lot is only 12,468 square feet and is a pre-existing non-conforming lot. The maximum height of the structure will be 31.5 feet. Since the plans were already submitted and approved, he must show that dimension. The front yard setback requires 25 feet and currently they have 24.1 feet to the masonry stoop. They are proposing to construct a porch with a roof, not an expansion of the house. The roof will not go over the steps and will provide protection from the elements. It is their intent to "dress up" the home and make it aesthetically pleasing to the neighborhood.

Chairman Maguire noted there is currently a 24.1 foot setback and asked if the proposed setback being decreased to 21.2 feet includes the steps. Mr. Monroe responded in the negative stating the steps will go beyond that location by approximately 3 feet. Chairman Maguire asked if there will be a sidewalk. Mr. Monroe responded there will be paver stepping stones going down to the driveway. Chairman Maguire noted the "drop off" of the property and possible need to do re-grading. Mr. Monroe replied if they encounter a grading condition, it will be addressed.

Engineer Golden noted the front of the property slopes down. Mr. Monroe acknowledged the property slopes down to the road and there are issues with grading that they will address.

southwesterly property line and it appears water frequently discharges from this pipe. The road appears to be deteriorating from the frequent flow of water. The applicant should provide testimony on what this pipe is connected to and what can be done to remedy the problem. Mr. Monro testified the seepage pit will be on the right side of the property; however potentially on both sides of the property. It is their intent to bring everything to the right side of the property if possible. Mr. Depew noted comment #7 and asked where the water is coming from. Mr. Monro responded it is coming from a sump pump in the basement. He believes there is a spring in that location. Engineer Golden stated if they are going to use a seepage pit it is important to know the type of soil. Engineer Golden suggested the applicant install a catch basin. Mr. Monro noted a catch basin could be costly.

Mr. Pershouse stated a variance was previously granted for a side yard setback to permit the construction of a bedroom on the right side of the house.

Engineer Golden noted his comment # 3 and questioned if the applicant attempted to purchase the adjoining property. A certified letter requesting to purchase a portion of the property necessary to meet zoning code requirements or minimize the requested variances should have been sent to the adjoining property owner. Mr. Milanovic responded Lot 14 is presently abandoned. He has been maintaining the property since he purchased his home. The property is vacant and unusable. He verbally asked the property owner to sell him a portion of the property. He explained his reason for wanting to purchase the property; however the owner was not interested in selling the property. Mr. Monro said they will send a certified letter if required by the Board. Attorney Thomas asked how long ago Mr. Milanovic spoke to the adjoining property owner. Mr. Milanovic responded he spoke to him approximately a month and a half ago.

Mr. Rogalo suggested the applicant approach the adjacent neighbor with calculations of exactly what he would like to purchase. The applicant should determine how much property he needs to be purchased and then contact the adjacent property owner. Mr. Monro presented an aerial showing the home in question and a red square around the piece of property Mr. Milanovic requested to purchase, which was marked Exhibit A-2.

Chairman Maguire opened the meeting to the public for comments and questions on this application only.

Thea Lubrecht, 29 Maple Terrace, Stanhope, NJ was sworn in. Ms. Lubrecht testified she is the owner of Lot 13. She purchased her house in 2006 and has done extensive renovations. When they dug-up the yard they found it to be a very wet backyard. The yard was created by digging into the hillside and drainage comes from underground. A large retaining wall was put in as well as French drains that control the water problem. Occasionally there is an overflow that the French drain cannot handle; however this does not happen very often. She is concerned with the water run-off from the applicant's property; however, as long as they can agree on how to handle it, she has no objection to the application.

Seeing no one further from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

Mr. Monro spoke again of the three variances being requested. This is a smaller lot and the position of the house on the lot is skewed. The left side setback request is 13 feet; however it is 14.3 feet at the rear corner of the garage because of the peculiar position of the house and the shape of the lot lines.

(Mayor Maio returned to the dais.)

BILLS:

	Dolan & Dolan	
3/31/14	Re: CBS Outdoor	\$183.32

On motion by Mr. Rogalo, seconded by Mr. Depew, the aforesaid bill was approved on the following unanimous roll call vote:

AFFIRMATIVE: Mr. Depew, Mr. Rogalo, Mayor Maio, Mr. Orinick, Mr. Pershouse, Mr. Torelli,
Ms. Zelif-Murphy, Chairman Maguire
OPPOSED: None
ABSTENTIONS: None

ADJOURNMENT:

On motion by Ms. Zelif-Murphy, seconded by Mr. Rogalo, it was the consensus of the Board to adjourn the meeting at 9:28 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary