

**Stanhope Land Use Board  
January 11, 2021  
Reorganization Meeting  
Minutes**

**RECEIVED**

FEB 10 2021

**STANHOPE  
BOROUGH**

**CALL MEETING TO ORDER:**

The Board Attorney 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, 2021 and was placed on the municipal bulletin board.

Furthermore, notice of the change in meeting location was forwarded to the New Jersey Herald and Daily Record on December 31, 2021 and was placed on the official website of the Borough of Stanhope.

In the event the Board has not addressed all the items on its agenda by 10:00 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.

At this time, please turn off all cell phones.

**OATH OF OFFICE:**

Attorney Gavan stated he administered the Oath of Office to James Benson prior to the meeting being called to order.

**ROLL CALL:**

James Benson - present  
Nicholas Bielanowski - present

Rosemarie Maio - present  
Joseph Torelli - present  
John Maguire - present

Others present: Board Attorney Glenn Gavan and Board Secretary Ellen Horak

**REORGANIZATION**

**Election of Chairman:**

On nomination by Mr. Torelli, seconded by Mr. Benson, John Maguire was elected Land Use Board Chairman for 2021 on the following unanimous roll call vote:

**ROLL CALL:**

Mr. Benson – yes  
Mr. Bielanowski – yes

Mr. Torelli - yes  
Ms. Maio – yes  
Mr. Maguire - yes

**Election of Vice-Chairman:**

On nomination by Ms. Maio, seconded by Mr. Bielanowski, Paula Zeliff-Murphy was elected Land Use Board Vice-Chairman for 2021 on the following unanimous roll call vote:

**ROLL CALL:**

Mr. Benson – yes  
Mr. Bielanowski – yes

Mr. Torelli - yes  
Ms. Maio – yes  
Mr. Maguire - yes

**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 annual salary of \$10,138.00, 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 annual salary of \$10,138.00 for the Board Secretary is the salary paid for the year 2020; and

**WHEREAS**, upon determination of the salary increase for Borough employees, the Board will provide the same salary increase for the Board Secretary, which increase shall be retroactive to January 1, 2021; 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 2021 to perform such duties and office work outlined in the Board’s job description, with reimbursement for all expenses, at the annual salary of \$10,138.00;

**BE IT FURTHER RESOLVED**, by said Board that, after a salary increase percentage has been determined for Borough employees, the Board shall determine the salary increase for the Secretary which salary increase shall be retroactive to January 1, 2021.

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

**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 contract’s law of 1971,

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

**NOW, THEREFORE, BE IT RESOLVED** that the firm of **Gavan, Criscuoli, Lenar Law Group** is hereby appointed as Attorney for the Land Use Board of Stanhope for a period of for the

period January 1, 2021 through December 31, 2021, with the understanding that **Glenn Gavan, 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 Gavan, Criscuoli, Lenar Law Group'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. Maio, seconded by Mr. Bielanowski, and carried by unanimous voice vote, the above resolution was adopted.

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, 2021 through December 31, 2021, 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 Mr. Benson, seconded by Mr. Bielanowski, and carried by unanimous voice vote, the above resolution was adopted.

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 contract's 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, 2021 to December 31, 2021, 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 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 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. Maio, seconded by Mr. Benson and carried by unanimous voice vote, the above resolution was adopted.

Official Newspaper: **RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR THE 2021 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 2021 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 2021 as required under the Open Public Meetings Act.

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

Meeting Dates: **RESOLUTION ESTABLISHING MEETING DATES FOR THE CALENDAR YEAR 2021**

**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 2021 and that all scheduled meetings shall convene at 7:00 p.m. at the Stanhope Public School, 24 Valley Road, Stanhope, NJ:

January 11  
February 8  
March 8  
April 12  
May 10  
June 14  
July 12  
August 9

September 13  
October 18  
November 8  
December 13

**BE IT FURTHER RESOLVED**, that the Annual Reorganization Meeting shall be on January 10, 2022, at 7:00 p.m.

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

MINUTES

**December 14, 2020 Meeting** – On motion by Mr. Torelli, seconded by Mr. Bielanowski, the Minutes of the December 14, 2020 Meeting were approved on majority voice vote. Mr. Benson abstained.

CORRESPONDENCE

12-14-20 Eric Keller – Technical Review #1 re: Juntos Holdings LLC Variance Application, Blk 11205, Lots 1 & 4.01  
12-30-20 Eric Keller – Engineer’s Report for Bruzzese Variance re: Blk 11304, Lot 19  
01-11-21 Careaga Engineering – request to carry variance hearing for Vincenzo Bruzzese re: Blk 11304, Lot 19 to February meeting

On motion by Ms. Maio, seconded by Mr. Bielanowski, 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:

**19-03, Adam Lusardi**

Block 11007, Lot 9.05, One-Year Extension of Variance

Attorney Gavan stated the original variance application of Mr. Lusardi was granted in January 2020. The Board granted a one-year extension of the variance approval. The one-year extension will carry all the same conditions as the original approval. On motion by Mr. Torelli, seconded by Mr. Bielanowski and carried by the following majority roll call vote, the Board adopted the Resolution of Memorialization granting a one-year extension to the variance granted Mr. Lusardi for Block 11007, Lot 9.05.

AFFIRMATIVE: Mr. Benson, Mr. Bielanowski, Ms. Maio, Mr. Torelli  
OPPOSED: None  
ABSTENTIONS: None

(Chairman Maguire recused himself during the hearing and is not eligible to vote.)

NEW HEARING:

**20-05, Michael & Kenia Choquette**

Block 11403, Lot 3, Variance Application

Deemed Complete: 12/14/2020

120 Days: 4/13/2021

Carl Nelson, Esq., attorney for the applicant came forward. Mr. Nelson brought two witnesses to speak. Michael Choquette and Najib Iftikhar were sworn in by Attorney Gavan. Mr. Nelson stated his clients would like to put a shed on the right side of their property; however, the location chosen is too close to the neighbor's side line. There is nowhere else to put it to be serviceable. Mr. Nelson noted the lot has a steep slope. The shed is 12' x 18'. Mr. Choquette stated the shed will be located three feet from the property line. Mr. Choquette explained they would like to put in a utility shed for gardening equipment and storage. The location chosen is the most accessible and useable area. There is a significant slope on their property. The shed will match the house. Chairman Maguire asked if the area behind the shed drops off or is it even at the neighbor's property line. Mr. Choquette responded the neighbor's property is also on a slope so there is a drop off of about 3 feet. The neighbor's property is lower than his property. Chairman Maguire noted a letter received from Mr. Iftikhar indicating he has no objection with having the shed placed at the requested location. Chairman Maguire asked Mr. Iftikhar if that is still correct. Mr. Iftikhar responded it is correct, he has no objection. Ms. Maio asked if there is an impervious surface impact. Mr. Choquette responded in the negative. Chairman Maguire noted there is presently a paver patio and they will be placing the shed on top of the paver patio so there will be no increase in impervious coverage. Mr. Torelli asked for clarification on what will be stored in the shed. Mr. Choquette responded that gardening equipment will be stored in the shed i.e. gardening tools, lawnmower and also a snow blower.

Chairman Maguire opened the meeting to the public for comments or questions on this application. Seeing no one from the public wishing to speak, Chairman Maguire closed the public portion of the meeting.

On motion by Mr. Benson, seconded by Mr. Torelli and carried by the following unanimous roll call vote, the Board approved 20-05, Michael & Kenia Choquette's variance application permitting the construction of a 12' x 8' shed on Block 11403, Lot 3, within three feet of the adjoining property line.

AFFIRMATIVE: Mr. Benson, Mr. Bielanowski, Ms. Maio, Mr. Torelli, Chairman Maguire  
OPPOSED: None  
ABSTENTIONS: None

**Vincenzo Bruzzese**

Block 11304, Lot 19 Variance Application

Deemed Complete: 10/19/2020

120 Days: 2/16/2021

Chairman Maguire stated the applicant has requested this hearing be carried to the February meeting in order to address the comments of the Board's Engineer. Attorney Gavan announced that this matter will be carried to the February 8, 2021 meeting, with no further notice required.

**NEW BUSINESS:**

Annual Report – Chairman Maguire stated the Board is required to submit to the Mayor and Council an annual report listing all variance applications received during the year. The Secretary has prepared the annual report which shows the Board received four variance applications during the year 2020. On motion by Mr. Torelli, seconded by Ms. Maio and carried by unanimous voice vote, the Board approved the Annual Report and directed the Secretary to forward a copy to the Mayor and Council.

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.

ADJOURNMENT:

On motion by Mr. Bielanowski, seconded by Mr. Torelli, it was the consensus of the Board to adjourn the meeting at 7:25 P.M.

Respectfully submitted,

  
Ellen Horak, Board Secretary