

**Stanhope Land Use Board
February 8, 2021
Regular Meeting
Minutes**

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**STANHOPE
BOROUGH**

CALL MEETING TO ORDER:

Vice-Chairman Zelif-Murphy 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 12, 2021, was placed on the municipal bulletin board and 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 administered the Oath of Office to Mr. Cipollini.

ROLL CALL:

Nicholas Bielanowski - present
James Benson - absent
Raymond Cipollini - present
Rosemarie Maio – present
Thomas Pershouse – present

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

Others present: Board Attorney Glenn Gavan, Nicki Louloudis for Board Engineer Eric Keller and Board Secretary Ellen Horak

MINUTES

January 11, 2021 Reorganization Meeting – On motion by Mr. Torelli, seconded by Mr. Bielanowski, the Minutes of the January 11, 2021 Meeting were approved on majority voice vote. Mr. Cipollini abstained.

CORRESPONDENCE

- 01-15-21 New Jersey Planning Officials – New Jersey Planner (Nov/Dec)
- 01-19-21 Sussex County Dept. of Engineer & Planning –“Incomplete” application re: Juntos Holdings Combined Subdivision (minor) and Site Plan re: Block 11205, Lots 1 & 4.01
- 01-29-21 Careaga Engineering – Revised Plans re: Bruzzese Variance for Blk 11304, Lot 19
- 02-05-21 Eric Keller – Technical Review #2 -Vincenzo Bruzzese Variance re: Blk 11304, Lot 19

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:

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

RESOLUTION OF MEMORIALIZATION:

20-05, Michael & Kenia Choquette

Block 11403, Lot 3, Variance Application

Approval Granted: 01/11/2021

Attorney Gavan stated he submitted the Resolution of Memorialization late this afternoon and if members have not had the opportunity to review the resolution, action can be carried to the next meeting. If a number of members have reviewed the resolution, action can be taken tonight.

On motion by Mr. Torelli, seconded by Mr. Bielanowski and carried by the following roll call vote, the Board adopted the Resolution of Memorialization granting the variance application of Michael and Kenia Choquette to construct a shed on property known as Block 11403, Lot 3.

AFFIRMATIVE: Mr. Bielanowski, Ms. Maio, Mr. Torelli
OPPOSED: None
ABSTENSIONS: Mr. Cipollini, Mr. Pershouse, Ms. Zelif-Murphy

NEW HEARING:

Vincenzo Bruzzese (*Extension Granted by Applicant*)

Block 11304, Lot 19 Variance Application

Deemed Complete: 10/19/2020 120 Days: 2/16/2021

Jeff Careaga of Careaga Engineering, Inc., Vincenzo Bruzzese, applicant and Jessica Caldwell of J. Caldwell & Associates, LLC were sworn in by Attorney Gavan. Mr. Careaga stated they are seeking to expand the parking area and add a carport to an existing property that has 5 apartment units. In 2011 they came before the Board for an addition to the property. There is an existing 2-story dwelling at the property known as 113 Main Street. There are presently 9 parking spaces on the property. Mr. Careaga noted there was a previous variance granted for the property because there were 10 parking spaces required and they have rectified that variance condition with this application. Mr. Careaga stated there are drywells on the property that were oversized when installed and the plans show they are more than adequate for the proposed improvements. Mr. Careaga noted a comment in the Board's Engineer's report with regard to the actual carport. Mr. Careaga submitted copies of the architectural plans he received after submittal of the plans. Attorney Gavan noted the architectural plans to be dated today and marked Exhibit A. The architectural plans contain details of construction including the actual building height of 14.7+ feet. Mr. Careaga noted this will change some of the variances as the rear yard setback is to be two times the building height. Originally, they noted 24.5 feet as the proposed required rear yard setback, but the actual number is 29.25 feet. The proposed structure has three garage doors for 3 cars. There is a side entrance door and windows on the rear wall and there will be a concrete floor. There are no other improvements proposed. Mr. Careaga stated they are seeking the following: for minimum front yard setback as 23 feet are required and 27 feet is proposed; for accessory use which should not exceed 500 square feet and they propose a 984 square foot structure; for a rear yard setback as 29.25 feet is required and the proposed is 24.5 feet; and a buffer area of 50 feet is required and 24.5 feet is proposed. Mr. Careaga stated the plans include the

installation of arborvitae along the rear property line to block-out the building since they do not have the full 50-foot buffer required. Stormwater improvements have been addressed with additional catch basins to collect stormwater and direct it to the existing drywells. Mr. Careaga noted there are no other improvements proposed on the property.

Ms. Maio questioned why the structure is being called a carport when it is a garage. Mr. Careaga responded the structure is coming from Carolina Carport and they assumed it was a carport. Ms. Maio stated a carport has open sides and the proposed structure is fully enclosed.

Vice-Chairman Zeliff-Murphy said it looked like there are parking spaces for 9 cars and the building has 3 garage doors. Mr. Careaga stated they are losing a couple of parking spaces to get into the carport. The total parking spaces comes out to 10 spaces.

Ms. Maio asked if it is the applicant's intent to park cars in the structure. Mr. Careaga responded in the affirmative, noting Mr. Bruzzese has historic cars that will be stored in the structure. Ms. Maio asked if the garage will not be used by the tenants. Mr. Careaga responded in the affirmative. Ms. Maio asked where the 10 parking spaces for the tenants are. Mr. Careaga stated the existing tenants have 5 cars. Ms. Maio asked the parking requirement for the building. Ms. Louloudis responded the total required parking spaces are 2 spaces per unit which would total 10 parking spaces required. Attorney Gavan noted there is not sufficient parking spaces. Mr. Careaga stated Mr. Bruzzese just informed him that he will store 1 car in the garage and permit some of the tenants to use the spaces in the garage. Attorney Gavan again noted it requires 10 parking spaces. Mr. Careaga responded it was previously approved with 9 parking spaces. Attorney Gavan said if 3 of those 9 spaces are for the garage, the applicant will not have 9 parking spaces for the tenants. Mr. Careaga stated Mr. Bruzzese will permit tenants to use 2 spaces in the garage. Ms. Maio noted on the plans parking spaces 1 through 5 and parking spaces 9 and 10 on the other side of the parking lot, with parking spaces 6, 7 and 8 in the garage to store Mr. Bruzzese's cars. Mr. Careaga noted Mr. Bruzzese said he will only store 1 car in the garage and the other 2 parking spaces will be used by the tenants. Ms. Maio asked how the applicant will determine what tenants use the garage. Mr. Careaga responded that Mr. Bruzzese has not decided yet how he will determine what tenants use the garage.

Attorney Gavan asked if the applicant resides at the property. Mr. Careaga responded in the negative. Attorney Gavan asked if the applicant will use one of the bays for storage and not in conjunction with the use. Mr. Careaga responded in the affirmative. Attorney Gavan reviewed the public notice provided by the applicant. Attorney Gavan stated, as he understands the application, the applicant is asking for the accessory structure and they need a variance for size. They will be fixing the parking requirement, if the Board accepts the testimony, which means that the 9th or 10th parking space will be used for storage and not for the tenants, which is not permitted on this property without a use variance. Attorney Gavan stated he does not want the Board to give approval for something that was never applied for nor noticed. The applicant may own the property, but he does not reside there so if the Board was to approve the application, they would be granting a use variance for the garage with one of the bays being used for storage by a non-resident. Attorney Gavan said the applicant must notice for the extra use. Ms. Caldwell looked up the Section 100 of the Borough's Code dealing with accessory structures and agreed with Attorney Gavan's assessment.

Attorney Gavan stated the application is an expansion of a non-conforming use and must be re-noticed correctly. The notice must include the application is for an expansion of a non-conforming use as well as a "d" variance for storage in one of the three parking spaces in the garage. Attorney Gavan

explained to the applicant that the Board has a large application scheduled for the March meeting; however, that applicant has rescheduled numerous times. The applicant can notice for the March meeting and be heard if the other applicant cancels, or be carried, or notice for the April meeting.

BILLS:

Criscuoli & Gavan, LLC		
01/11/21	Re: Lusardi Variance Extension	\$ 82.50
01/11/21	Re Juntos Holdings, LLC	\$214.50
01/11/21	Re: Land Use Board General	\$ 82.50
Bowman Consulting Group, Ltd.		
01/07/21	Re: Bruzzese (113 Main St.)	\$ 75.00
01/07/21	Re: Juntos Holdings, LLC	\$787.50
Daily Record		
01/22/21	Legal Notices – Reorganization Meeting; Annual Meeting Notice & 2 Affidavits of Publication	\$107.41

On motion by Ms. Maio, seconded by Mr. Cipollini, the aforesaid bills were approved on the following unanimous roll call vote.

AFFIRMATIVE: Mr. Bielanowski, Mr. Cipollini, Ms. Maio, Mr. Pershouse, Mr. Torelli, Ms. Zelif-Murphy
OPPOSED: None
ABSTENSIONS: None

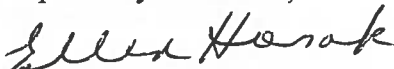
OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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

ADJOURNMENT:

On motion by Ms. Zelif-Murphy, seconded by Mr. Cipollini, it was the consensus of the Board to adjourn the meeting at 7:40 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary