

**Stanhope Land Use Board
July 11, 2022
Regular Meeting Minutes**

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BOROUGH

CALL MEETING TO ORDER:

Vice-Chairwoman Zeliff-Murphy called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE:

Vice-Chairwoman Zeliff-Murphy invited all those present to stand in a salute to the colors.

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 12, 2022 and was placed on the municipal bulletin board.

In the event that 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.

ROLL CALL:

Nicholas Bielanowski - present
Najib Iftikhar - present
Glenn Kurtz – present
Christine Lipinski – absent
Thomas Pershouse - absent

John Rogalo – present (arrived at 7:02pm)
Edward Schwartz - present
Michael Vance - present
Paula Zeliff-Murphy - present
Rosemarie Maio - absent

Others Present: Board Attorney Glenn Gavan, Board Engineer Jamie Giurintano and Substitute Secretary Linda Chirip

APPROVAL OF MINUTES

June 13, 2022 Regular Meeting – On motion by Mr. Vance and seconded by Mr. Kurtz, the Minutes of the June 13, 2022 meeting were approved by a majority of the following roll call vote:

Roll Call:

Nicholas Bielanowski - yes
Najib Iftikhar - abstain
Glenn Kurtz – yes
Christine Lipinski – absent
Thomas Pershouse - absent

John Rogalo – yes
Edward Schwartz - yes
Michael Vance - yes
Paula Zeliff-Murphy - yes
Rosemarie Maio - absent

CORRESPONDENCE

06-13-22 Michael Rowan – Request to reschedule hearing to August meeting (will be on vacation July 11)

On motion by Councilman Vance, seconded by Mr. Schwartz, and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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

NEW HEARING:

22-05, Michael Rowan [*Applicant Requests to be Rescheduled to August 8th Meeting*]

Block 11006, Lot 13, Variance

Deemed Complete: 6/13/22

120 Days: 10/11/22

22-06, Gilmore Electric

Block 10105, Lot 12, Site Plan Waiver

Deemed Complete: 6/13/22

Tom Gilmore of Gilmore Electric was sworn in by Attorney Gavan. Mr. Gilmore stated Mr. Wagner, the current owner, is selling his property and Mr. Gilmore wants to purchase the building to run his electrical business and keep his trucks at this location. Mr. Wagner runs a facility which builds machinery for research, the aeronautical and aerospace industry. Mr. Wagner does cutting, welding and testing. All the building and assembly is done inside the building. Mr. Gilmore stated he would have approximately seven (7) people working in the office. All the electrical work is done offsite throughout New Jersey. There are 22 field electricians who would stop at the office three days a week on Monday, Wednesday and Friday mornings to pick up paperwork and some supplies. Most of the supplies for the jobs are shipped directly to the job sites. Some overflow materials would be stored inside at this location such as ladders, man lifts etc. The electricians keep their trucks with them. They would not be coming to the building to pick up vehicles. There will be a few shop vehicles onsite; a few trailers, a small mason dump and a bucket truck. Mr. Schwartz asked if any renovations will be done to the building. Mr. Gilmore stated he provided a pamphlet showing a rendering which he would like to do in the future. This would consist of new siding, windows and to resurface the parking lot. Mr. Gilmore stated he has been trying unsuccessfully for quite some time to find a suitable location. This location in Stanhope meets all his company's needs. Mr. Gilmore stated he found this location while he was doing the electrical work for the project which was just completed on Sparta Road. Attorney Gavan asked the Board Engineer, Jamie Giurintano, if he had any comments. Mr. Giurintano replied this is a use issue and therefore had no comments. Attorney Gavan stated this application was submitted to the Land Use Board due to the fact the Zoning Officer did not have the authority to give approval for the use. Mr. Vance referenced the site plan prepared by Lakeland and asked Mr. Gilmore what the box on the plan is for. The print is too small to read. Mr. Giurintano replied the box is the disposal bed for the septic system. This is shown on the plan as an existing item. Mr. Schwartz stated the Wagner's have been in Stanhope for the past 50 years and have been great "neighbors". In the past few years, the property surrounding Mr. Wagner's business has been developed.

Chairwoman Zeliff-Murphy opened the meeting to the public for discussion on this application.

William & Carol Wagner of Wagner Industries came forward. Mr. Wagner stated he has known Mr. Gilmore for the past two years. Mr. Wagner is a straight shooter and a good guy. Mr. Wagner stated his daughter, who works for his company, had occasion to visit Mr. Gilmore's current office. She has said while you could eat off the floor of Wagner Industries, brain surgery could be done at Mr. Gilmore's office. Mr. Wagner stated Mr. Gilmore is very cognizant of his reputation for being clean and orderly and that is the kind of person Mr. Wagner wants in his building. Mr. Wagner stated he is very proud of what he has done with his building over the years and he would like to have Mr. Gilmore move in to this location.

Seeing no one further from the public wishing to speak, Chairwoman Zelif-Murphy closed the public portion of the meeting.

On motion by Mr. Vance, seconded by Mr. Iftikhar and unanimously carried by the following roll call vote, the request for the site plan waiver was approved.

Roll Call:

Nicholas Bielanowski - yes
Najib Iftikhar - yes
Glenn Kurtz – yes
Christine Lipinski – absent
Thomas Pershouse - absent

John Rogalo – yes
Edward Schwartz - yes
Michael Vance - yes
Paula Zelif-Murphy - yes
Rosemarie Maio - absent

Attorney Gavan stated usually a corporation before the Land Use Board would have to hire an attorney. Due to the nature of the application, he had informed Mr. Gilmore that he did not have to hire an attorney for this issue. Mr. Gilmore thanked Attorney Gavan and the members of the board. Attorney Gavan congratulated Mr. Wagner on his upcoming retirement as stated by Mrs. Wagner. Mr. and Mrs. Wagner stated they will now be able to take a long overdue vacation.

22-07, Andrew and Shana Walther

Block 11208, Lot 2, Variance

Deemed Complete: 6/13/22

120 Days: 10/11/22

Shana Walther, 1 Main Street, came forward and was sworn in by Attorney Gavan. Ms. Walther stated she is requesting zoning relief for a fence. The property is considered a corner lot and therefore only a three (3) foot fence is permitted. Ms. Walther stated they would like a six (6) foot fence. When they moved into their home in 2018, a six-foot wooden fence was already in place. They would like to replace the existing six-foot fence with a six-foot vinyl fence. Attorney Gavan asked if the new fence would be installed in the same location as the existing fence. Ms. Walther confirmed this. Ms. Walther stated there is land next to their property so that the fence would not be blocking the view at the corner. Mr. Vance stated he estimates that the fence would actually be approximately 40 feet back from the road and when pulling up to the stop sign, the fence is not in sight. The Borough's sign, which is located on the adjacent piece of property, is probably more of an obstruction. Ms. Walther stated, when they submitted the zoning application for the fence, it was brought to their attention that the fence between their home at 1 Main Street and the neighbor's property at 3 Main Street is technically located on 3 Main Street's property. The owners of 3 Main Street, the DiRenzo's, submitted a letter stating they are agreeable to having the fence replaced in the same location. Attorney Gavan stated that portion of the fence is not subject to the variance and therefore it is not an issue for the Land Use Board. Attorney Gavan stated it is good legal practice to keep everything on your own property. That will be an issue between the two neighbors.

Jamie Giurintano, Board Engineer, stated as part of Ms. Walther's testimony, is seeking a C1 variance for the deviation of a six (6) foot fence to be placed in the front yard. One of the reasons for requesting a six-foot fence is because Ms. Walther has a dog who might be able to jump over a three-foot fence and a young child. Ms. Walther confirmed this. Mr. Giurintano stated the request is being made for the safety of Ms. Walther's family. The site will not impede into the site triangle. Mr. Giurintano stated the board has to weigh the benefits and the detriments. The board would be granting a deviation which will run with this property. The board may want to consider, as a protection for Ms. Walther, that while the

fence is on the adjacent property, an easement agreement with the adjacent property owner could be considered. The letter submitted by the neighboring property owner is not a protection in the event that a new property owner comes along. Attorney Gavan explained that the easement agreement information could be found online. The two homeowners can do this themselves and then the easement would be filed with the County Clerk just like a deed would be. Mr. Giurintano stated there are several gates located along the existing fence and asked if the gates would all remain. Ms. Walther replied one of the gates, which goes into the neighbor's driveway, will be removed. The others will remain in the same locations. The gate in the back is currently six feet and it will be reduced to four feet. The one in the front yard will remain the same size.

Mr. Vance asked if the resolution follows the deed. Attorney Gavan stated some towns require changes or resolutions to be filed and then they would become part of the record. This would not necessarily have any impact on the property line or the ownership of the easement but it would be there so that any future owners would be made aware of it. Otherwise, resolutions are just on record at the town hall. Mr. Giurintano stated, as counsel said, the fence on the adjacent property has no bearing because there is no relief being sought for that from the code. The relief being sought is for the six-foot fence in the front yard. The variance will stay with the property.

Chairwoman Zeliff-Murphy opened the meeting to the public for discussion on this application. Seeing no one from the public wishing to speak, Chairwoman Zeliff-Murphy closed the public portion of the meeting.

On motion by Mr. Vance, seconded by Mr. Schwartz and unanimously carried by the following roll call vote, the C1 Variance for a six-foot fence was approved.

Roll Call:

Nicholas Bielanowski - yes	John Rogalo – yes
Najib Iftikhar - yes	Edward Schwartz - yes
Glenn Kurtz – yes	Michael Vance - yes
Christine Lipinski – absent	Paula Zeliff-Murphy - yes
Thomas Pershouse - absent	Rosemarie Maio – absent

Ms. Walther thanked Attorney Gavan and the members of the Land Use Board.

RESOLUTIONS OF MEMORIALIZATION

22-02, Anna Temporale

Block 11208, Lot 4 “D” Variance

Approval Granted: 6/13/22

On motion by Mr. Iftikhar, seconded by Mr. Rogalo and unanimously carried by the following roll call vote, the “D” Variance Resolution for Block 11208, Lot 4 for Anna Temporale was memorialized.

Roll Call:

Nicholas Bielanowski - yes
Najib Iftikhar - yes
Glenn Kurtz - yes
Christine Lipinski - absent
Thomas Pershouse - absent

John Rogalo - yes
Edward Schwartz - no vote (stepped down)
Michael Vance - no vote (stepped down)
Paula Zelif-Murphy - yes
Rosemarie Maio - absent

22-04, Juana Lanchipa

Block 11004, Lot 5, Variance Application
Approval Granted: 6/13/22

On motion by Mr. Schwartz, seconded by Mr. Iftikhar and unanimously carried by the following roll call vote the resolution for a variance for fence height and location of a shed was memorialized for Block 11004, Lot 5 for Juana Lanchipa.

GENERAL RESOLUTIONS

Resolution Re: Accessory Structures on Corner Lots - Chairwoman Zelif-Murphy stated the resolution regarding accessory structures on corner lots will be carried to the August meeting.

Resolution Clarifying that Outdoor Concerts Require Board Approval - Chairwoman Zelif-Murphy stated the resolution regarding accessory structures on corner lots will be carried to the August meeting.

BILLS: NONE

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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

ADJOURNMENT:

On motion by Mr. Vance, seconded by Mr. Schwartz, it was the consensus of the Board to adjourn the meeting at 7:26 P.M.

Respectfully submitted,


Linda Chirip