

**Stanhope Land Use Board
October 17, 2022
Regular Meeting
Minutes**

RECEIVED

NOV 17 2022

**STANHOPE
BOROUGH**

CALL MEETING TO ORDER:

Chairwoman Maio 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, 2022, 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.

ROLL CALL:

Nicholas Bielanowski - absent

Najib Iftikhar – present

Glenn Kurtz - present

Christine Lipinski (Alt #1) – present

Thomas Pershouse - absent

John Rogalo - present

Edward Schwartz - absent

Michael Vance - absent

Paula Zeliff-Murphy - present

Rosemarie Maio - present

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

MINUTES

September 12, 2022 Regular Meeting – On motion by Ms. Zeliff-Murphy, seconded by Mr. Iftikhar, the Minutes of the September 12, 2022 Regular Meeting were approved on unanimous voice vote.

CORRESPONDENCE

09-16-22 New Jersey Planning Officials – New Jersey Planner (July/August)

09-21-22 Brandon Croker, Esq. – Request for Non-Binding Review and Recommendations re:
LVRHS Scoreboard Replacement

10-14-22 Eric Keller – Technical Review #1 re: Northwest Construction, LLC Variance
Application, Blk 10902, Lot 5

On motion by Ms. Zeliff-Murphy, seconded by Mr. Rogalo and carried by unanimous voice vote, the Correspondence List was accepted and placed on file.

OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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

PRESENTATION- REVIEW AND RECOMMENDATIONS – LVRHS Scoreboard Replacement

Brandon Croker, of Comegno Law Group, P.C., attorney for Lenape Valley Regional High School Board of Education (“LVRHS”) came forward. Mr. Croker noted in attendance with him are Superintendent Michael Rossi, Architects David Didimamoff, and Gregory Somjen and Board of Education President Rich Kuncken. Mr. Croker explained they are here to give the Board the opportunity, as a Planning Board, to review and provide recommendations concerning their scoreboard replacement project. The existing scoreboard was installed forty-seven years ago and is still operational; however, it is outdated.

David Didimamoff of Parette Somjen Architects, LLC was sworn in. Mr. Didimamoff stated the new scoreboard will be placed in the same location as the existing scoreboard. Mr. Didimamoff displayed an aerial view of the school campus showing there will be little if no disturbance to the neighboring properties. Mr. Didimamoff displayed a sheet showing the details of the new scoreboard. One side of the sheet shows the existing scoreboard and the other side shows the proposed new scoreboard. The new scoreboard is slightly taller at 10’ off the ground. There is an LED screen in the middle and on the side and along the bottom are areas for sponsorships.

Mr. Croker asked for questions or recommendations by the Board, adding they are making this presentation and request for recommendation as per the Municipal Land Use Law. There were no questions or recommendation by the Board.

Rich Kuncken, BOE President, said that, in addition to the existing scoreboard being outdated and in need of replacement, the new scoreboard has a secondary purpose. It will be tied to the Broadcast Journalism Program. They envision that the scoreboard will be tied to the educational program as the purpose is to integrate it with the program. Mr. Kuncken noted that the advertising (sponsorships) around the scoreboard will reimburse them the cost of the scoreboard. They will really only be paying for the installation. The new scoreboard will give them the opportunity to broaden the Broadcast Journalism Program. Also, all sports will have equal use of the scoreboard.

Mr. Gavan noted the new scoreboard will be going into the same location. The Board agreed it is a great looking scoreboard and they had no recommendations.

UNFINISHED HEARING

22-08, 30 Main Stanhope, LLC

Block 11203, Lot 9, Use Variance and Site Plan Waiver

Deemed Complete: 8/08/22

120 Days: 12/06/22

Chairwoman Maio noted this hearing began at the last meeting and was carried to this meeting. Mr. Gavan stated it is his understanding the applicant did not contact anyone from the town and he has seen no correspondence from them. The Board has until December to act on the application. Mr. Gavan announced this hearing will be carried to the November 14, 2022 meeting with no further notice required.

NEW HEARING:

22-10, Northwest Construction, LLC

Block 10902, Lot 5, Variance Application

Deemed Complete: 09/12/22

120 days: 01/10/23

Michael Selvaggi of Lavery, Selvaggi, Abromitis & Cohen, attorney for the applicant came forward. Mr. Selvaggi noted he is the attorney for Northwest Construction, LLC, owner of 9 Valley Road, Block 10902, Lot 5, which property is in a residential neighborhood. The application is for a bulk variance, specifically a lot coverage variance. Mr. Selvaggi noted Eric Keller's report dated October 13, 2022, containing the historical background of the property. Northwest Construction purchased the property which was substantially developed and it was discovered then, that this present coverage issue existed. The Zone permits 25% coverage and they propose 37.9% coverage. To offset the increase in impervious surface is to put in stormwater management, which will be designed so there will be no run-off problems.

James Glasson, Engineer for the applicant was sworn in. Mr. Glasson provided a brief summary of his educational background and qualifications. He graduated with a BA in Civil Engineering and has been practicing as a professional engineer for over thirty years. He has appeared before approximately 50 to 60 Boards throughout the State of New Jersey and his license is current. Mr. Glasson stated he prepared the plans and he reviewed Mr. Keller's report. Mr. Glasson noted the property is 9 Valley Road and is a single-family home in the MR Zone. The MR Zone requires lot size of 14,520 sq. ft. and this lot is 9,402 sq. ft. The Zone requires front yard setback of 25 ft. and they have 30.7 ft. The required rear yard setback is 25 ft and they have 39.1 ft. Mr. Glasson displayed the original plan that was before the Board in 2009. The original plan was for a driveway to access the garage in the left-hand corner with front steps. The difference now is the garage area is now a patio area and the driveway is not as long, but is slightly wider than the approved plan. The major difference is the paver walkway that was to be taken out as per the previous application and now there is a walkway to the steps. A walkway and steps were built from the street to the basement level. The impervious coverage is now an additional 592 square feet. Mr. Glasson noted he is proposing a drywell to address run-off. The drywell is designed to handle run-off from a 5-inch rain storm.

Chairwoman Maio asked if the patio is in the same footprint as the garage would have been. Mr. Glasson responded the garage was 289 sq. ft. and the patio is 288 sq. ft.

Mr. Glasson noted this is not a flat property it has plateaus. It is still a single-family home and it is being sold as a single-family home. Mr. Glasson informed the Board that the applicant was unaware that the improvements did not conform to the previous approval until it was brought to his attention after he purchased the property.

Mr. Rogalo noted that everything from that property will go to the street and will not impact the neighbors. Mr. Glasson agreed.

Ms. Louloudis asked Mr. Glasson to address Mr. Keller's report dated October 13, 2022. Mr. Glasson stated he reviewed Mr. Keller's report and he will comply with all of Mr. Keller's recommendation and comments. Chairwoman Maio asked Mr. Glasson if there is anything in Mr. Keller's report that he has an issue with. Mr. Glasson responded in the negative. Chairwoman Maio expressed her opinion that this is an improvement over what was on the property for a good number of years and it is now an asset in the neighborhood.

Ms. Louloudis asked if there is any possibility that any of the impervious coverage could be removed or reduced. Mr. Glasson responded doing so would remove access to the basement. Ms. Louloudis acknowledged they cannot get it to 31% without removing the stairs. The Board agreed the stairs are necessary.

Anthony Gallerano, Planner for the applicant was sworn in. Mr. Gallerano provide a brief background on his education and experience. He graduated in 1984 and has been licensed as a professional engineer and professional planner since 1988. He has appeared before many boards testifying on numerous types of applications throughout the State of New Jersey and has also provided municipal planning and engineering to various municipalities. His planning and engineering licenses are current. Mr. Gallerano presented photographs of the site, which photograph were marked Exhibit A-1 and an aerial photograph based on DEP GIS data which was marked Exhibit A-2. Mr. Gallerano explained they were before the Board for a C-2 variance. The permitted impervious coverage is 25%. There was a previous approval for 31.1%. The applicant has an "as-built" showing 37.49% which is about 592 square feet of additional impervious coverage. The photograph to the upper left on Exhibit A-1 shows the front view of the property and to the upper right is the rear of the dwelling. The bottom left corner is the front view of Lot 4 and the bottom right is the front view of Lot 6. Mr. Gallerano noted they are seeking a C-2 Variance under the Municipal Land Use Law as relief is justified for the purpose of planning. They are not seeking hardship relief. Mr. Gallerano stated the driveway was originally to the right and has been moved to the left. There was to be a garage where the patio now is located. Mr. Gallerano expressed his professional opinion that the new location provides a better location for the driveway. The proximity of the subject driveway is further from the house. Mr. Gallerano noted that looking at the property overall, it fits into the neighborhood. It is not excessively large. The patio, where it sits to the rear of the yard that is enclosed by a fence, will not be visible to the neighbors. Mr. Gallerano noted the drywell is designed for a 5-inch rainfall and usually for a single-family home it done to accommodate a 3-inch rainfall. Mr. Gallerano noted the positive and negative criteria for this type of variance. To consider what is in the surrounding area and how does this fit in. Mr. Gallerano directed the Board to Exhibit A-2. The aerial photograph was done with infrared, which shows the improvements better. There are currently seven properties that exceed the 25% impervious coverage and three of the seven exceed the impervious coverage that is on Lot 4. Mr. Gallerano noted Lot 4 has impervious coverage of 44.7% and Lot 6 has impervious coverage of 37.8%. Ms. Louloudis asked how the 44% is calculated. Mr. Gallerano responded the GIS is scaled so they can measure from the database. It is not 100%, but it is to scale and is pretty accurate. Mr. Gallerano noted he believes they meet the positive criteria. The property has sufficient space and he believes there will be no negative impact to the surrounding area. He does not think it is an intrusive proposal. There is no substantial detriment to the public. The proposal has no negative impact and there is no substantial impact on the zone plan. There is no substantial detriment to the zoning ordinances or master plan because the use is permitted in the zone.

Mr. Selvaggi asked, if the previous owner had put the garage in, would it have had a greater visual impact than the patio, which you cannot see from the street. Mr. Gallerano responded in the affirmative, adding you would see part of the garage from the street. The patio provides for a better visual impact because it is not seen from the street. Mr. Selvaggi also noted that the seepage pit being proposed will accommodate a 5-inch rainfall and in addition, any run-off not captured by the seepage pit will go into the street so this will have no negative impact on the neighbors.

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

Mr. Selvaggi said Mr. Glasson designed this to mitigate the problem with the run-off and Mr. Gallerano gave a good description of this being a c-2 variance and he hopes the Board supports the variance.

On motion by Mr. Iftikhar, seconded by Mr. Rogalo and carried by the following unanimous roll call vote, the Board approved the variance as presented re: 22-10, Northwest Construction, LLC, Block 10902, Lot 5 with the condition that they meet all conditions and criteria outlined in Eric Keller’s report dated October 13, 2022.

- AFFIRMATIVE: Mr. Iftikhar, Mr. Kurtz, Ms. Lipinski, Mr. Rogalo, Ms. Zeliff-Murphy, Chairwoman Maio
- OPPOSED: None
- ABSTENSIONS: None

Mr. Selvaggi asked if, rather than wait to come back next month for the signed Resolution of Memorialization, he could proceed to the construction department. Mr. Gavan responded it would not be inappropriate to waive requiring a signed resolution before obtaining the required permits. A memo will be sent to the construction official and zoning official, informing them that the variance has been granted.

RESOLUTIONS OF MEMORIALIZATION

22-09, Brian and Paula Murphy

Block 11205, Lot 3, Variance Application

Approved: 9/12/22

On motion by Mr. Rogalo, seconded by Mr. Kurtz and carried by the following roll call vote, the Resolution of Memorialization for 22-09, Brian Murphy’s Variance Application re: Block 11205, Lot 3 was adopted.

- AFFIRMATIVE: Mr. Iftikhar, Mr. Kurtz, Ms. Lipinski, Mr. Rogalo, Chairwoman Maio
- OPPOSED: None
- ABSTENSIONS: None

(Ms. Zeliff-Murphy was no eligible to vote.)

BILLS:

Gavan Criscuoli Lenar

09/13/22	Re: Juntos Holdings, LLC	\$412.00
09/13/22	Re: Sergio Lemus – Variance	\$313.50
09/13/22	Re: Anna Temporale – Variance	\$379.50
09/13/22	Re: Gilmore Electric – Waiver	\$214.50
09/13/22	Re: BGK Realty – Appeal	\$495.00
09/13/22	Re: Michael Rowan – Variance	\$297.00
09/23/22	Re: Brian Murphy – Variance	\$198.00

09/13/22	Re: Lanchipa – Variance	\$330.00
	Bowman Consulting Group, Ltd.	
10/04/22	Re: 30 Main Stanhope, LLC	\$562.50
	New Jersey Herald	
09/16/22	Legal notice – Resolution of Memorialization Re: Gilmore Electric	\$ 16.47
09/16/22	Legal notice – Resolution of Memorialization Re: Shana Walther	\$ 16.47
10/05/22	Legal notice – Resolution of Memorialization Re: Juntos Holding	\$ 17.25
10/05/22	Legal notice – Resolution of Memorialization Re: Michael Rowan	\$ 16.47
	Miscellaneous	
09/08/22	Business Information System -Contract for Liberty Recording System	\$522.50

On motion by Mr. Rogalo seconded by Ms. Zeliff-Murphy, the aforesaid bills were approved on the following unanimous roll call vote.

AFFIRMATIVE: Mr. Iftikhar, Mr. Kurtz, Ms. Lipinski, Mr. Rogalo, Ms. Zeliff-Murphy,
Chairwoman Maio
OPPOSED: None
ABSTENSIONS: None

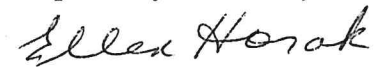
OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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

ADJOURNMENT:

On motion by Mr. Iftikhar seconded by Mr. Rogalo, it was the consensus of the Board to adjourn the meeting at 7:40 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary