

Stanhope Land Use Board
April 11, 2022
Regular Meeting
Minutes

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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 - present (arrived @ 7:23pm)	John Rogalo - present
Najib Iftikhar – absent	Edward Schwartz - present
Glenn Kurtz - present	Michael Vance - absent
Christine Lipinski (Alt #1) - present	Paula Zelif-Murphy - present
Thomas Pershouse - present	Rosemarie Maio - present

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

MINUTES

March 14, 2022 Regular Meeting – On motion by Mr. Schwartz, seconded by Ms. Zelif-Murphy, the Minutes of the March 14, 2022 Regular Meeting were approved on majority voice vote. Mr. Pershouse and Mr. Rogalo abstained.

CORRESPONDENCE

03-15-22 Eric Keller – Technical Review #1 re: BGK Realty Group, Blk 11207, Lot 8
03-29-22 Raquel Hiben, Esq. – Variance Application for Daniel Makosky re: Blk 10210, Lot 9
04-01-22 FCA Architects – Revised plans for Sergio Lemus Variance re: Blk 10105, Lot 1.01
04-07-22 Tom Dixon, Zoning Officer – Proposed Retraction of Zoning Denial re: Daniel Makosky Variance Application, Blk 10210, Lot 9
04-08-22 Eric Keller – Technical Review re: Sergio Lemus Variance, Blk 10105, Lot 1.01

On motion by Ms. Zelif-Murphy, 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 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.

COMPLETENESS:

22-03, Daniel Makosky

Block 10210, Lot 9, Variance Application

Appl Received: 3/29/22

45 Days: 5/13/22

Chairwoman Maio noted the Board received a Memorandum from the Zoning Official requesting a retraction of his zoning denial and withdrawal of the variance application. The Zoning Official would like to retract his denial and issue a zoning permit based on information he discovered and for which a variance is no longer necessary. Mr. Gavan stated he concurred with the Zoning Official and since the Zoning Official will be issuing a zoning permit, a variance is no longer needed.

On motion by Mr. Schwartz, seconded by Mr. Pershouse and carried by the following unanimous roll call vote, the Board directed the Secretary to request the governing body refund the escrow fee and application fee to Mr. Makosky.

AFFIRMATIVE: Mr. Kurtz, Ms. Lipinski, Mr. Pershouse, Mr. Rogalo, Mr. Schwartz, Ms. Zeliff-Murphy, Chairwoman Maio

OPPOSED: None

ABSTENSIONS: None

Chairwoman Maio revised the agenda and moved the hearing for BGK Realty Group, LLC to be heard first. Chairwoman Maio stated she received a request to move the BGK Realty Group, LLC up because the Planner is on a short time schedule.

NEW HEARING

22-01, BGK Realty Group, LLC

Block 11207, Lot 8, Request for Interpretation

Appl Received: 01/21/22

Mr. Gavan noted this is a Zoning Board application and therefore, the Mayor's representative must step down. The Council Representative is not present tonight. Mr. Schwartz stepped down from the dais.

Michael Shapanka, attorney for the applicant came forward. Mr. Shapanka stated he is the attorney for the applicant BGK Realty Group, LLC, the owner of property at 45 Main Street known as the Stanhope House. Mr. Shapanka said they originally submitted a combined application which was an appeal of a denial by the Zoning Officer for a zoning permit for a parking lot concert that was to have taken place on September 4, 2021. The denial was dated August 2, 2021. The matter went to Municipal Court and they were directed to the Board. Mr. Shapanka noted Mr. Gavan had informed him they were beyond the timeframe for an appeal, so they are now asking for an Interpretation on the Beer Garden area where there is dining and drinking in that area. Mr. Shapanka stated there has been musical performances in the Beer Garden for years and they are asking for a declaration that it is an approved accessory use under the Borough's definition of Accessory Use in the Borough's code under Section 100-3.

Jon Klein came forward and was sworn in. Mr. Klein testified he is the owner of BGK Realty Group LLC and owns the property at 45 Main Street. He also owns JMK Hospitality Group, LLC that runs the operations at 45 Main Street. Mr. Shapanka showed Mr. Klein a draft survey by Van Cleef Engineering Associates dated November 20, 2020, noting this survey was included in the Board's package in small and full size. Mr. Klein testified this is a survey of the grounds of the Stanhope House, being Block 11207, Lot 8, adding that the Stanhope House is the only building on the lot. Mr. Klein showed the Board where the Beer Garden area is on the survey. Mr. Klein marked the area of the Beer Garden with a yellow highlighter. Mr. Gavan noted this document will be called Exhibit A-2 since it has been modified. Mr. Klein testified the Beer Garden will be open from May 1st through October 1st. During that period of time there will be approximately 60 live music performances within that 5-month period. In the main building, there are musical performances of approximately 150 in the course of the year. Mr. Klein noted that by ordinance, the music must stop by 2:00 a.m., but they usually only go to 11:00 pm to midnight. Mr. Klein testified that, in the Beer Garden, the music does not play beyond 10:00 p.m. unless someone runs a little over. The intent is to have about 60 performances per year running up to 10:00 p.m. in the Beer Garden and 150 performances going up to about midnight in the main building. Mr. Klein listed a number of establishments in the State similar to the Stanhope House, including the Stone Pony in South Jersey, Pavinci's in Hopatcong and Bell's Mansion in Stanhope, all of which have outdoor food service and live entertainment. Mr. Shapanka presented a photograph of the Beer Garden area and the expanded bar with a tent that has been taken down, which area is fenced in and located in the parking lot. This photograph was marked Exhibit A-3. Mr. Shapanka presented a photograph of the view of the north corner of the Beer Garden looking at the back, which photograph was marked Exhibit A-4. Mr. Shapanka noted the photographs in the Board's package so various views from the property. The photographs show the distance between the Beer Garden and the surrounding residential properties. Mr. Shapanka asked Mr. Klein what steps are taken to minimize the affect on the neighbors. Mr. Klein deferred to his manager; however, he said they try to keep the noise level at 65 decibels or less. Mr. Klein added that, aside from the parking lot concerts, when there is Beer Garden activity, they do not have any parking issues. The Fire Department permits them to utilize some of their parking spaces.

(Mr. Bielanowski arrived.)

Mr. Klein testified they have had a Beer Garden since 2010. Mr. Shapanka presented a newspaper article in the Star Ledger dated September 8, 2010 which was marked Exhibit A-5. Mr. Klein stated the photograph with the article is him playing at the Stanhope House. Mr. Klein said he performed at the Stanhope House in 1983.

Vincent Ventriglia came forward and was sworn in. Mr. Ventriglia testified his role at the Stanhope House is he runs the bookings and details with the technical aspects and performances. He is also the sound and stage director as well as entertainment director. He has also been in charge of the operation in the Beer Garden with musical performances. Mr. Ventriglia stated he has taken steps to try to minimize the impact on the neighbors and he regularly talks to the people living in the apartment building next to the Stanhope House. Mr. Ventriglia testified that he takes decibel readings during performances. OSHA standards are 65 decibels, which is normal. When operating a stereo, you are to be no more than 65 decibels at all corners of the property. Mr. Ventriglia said he walks to the four corners of the property and takes the decibel reading and it is never higher than 65 decibels on those corners of the property. Mr. Ventriglia noted that during his tenure at the Stanhope House, he has never received a noise complaint. Mr. Ventriglia noted the Stanhope House is a music club and some people who do not love music may complain. Mr. Ventriglia said prior to this hearing, he spoke to neighbors about the relief they are seeking. Between April 5th and April 9th, he walked the bordering neighbors of the Stanhope House and took a poll

on what they wanted over the summer. He also went to area businesses. Mr. Gavan stated since those people are not present, it cannot be entered into evidence. Mr. Shapanka showed a video of one of the events and he asked Mr. Ventriglia to identify what is going on. Mr. Ventriglia described the video as being a band playing in the Beer Garden at night. The video depicts what music in the Beer Garden entails. The video was marked Exhibit A-6. Mr. Ventriglia stated whenever they do a show with a lot of people, safety is their first priority. They have not had a safety issue on anything. They have done a very good job this past year keeping everyone on an even keel and keeping everyone safe.

Ms. Zeliff-Murphy asked if the band plays under the tent because she thought that is where the bar was located. The picture shows the bar under the tent. Mr. Ventriglia responded he shortened it, adding there is another tent for the band.

Chairwoman Maio asked if the second tent is within the confines of the Beer Garden fence. Mr. Ventriglia responded the fence can be moved out farther. Chairwoman Maio asked the size of the Beer Garden. Mr. Ventriglia did not know the size of the Beer Garden.

Renald Giliberti came forward and was sworn in. Mr. Giliberti testified that he is the General Manager of the Stanhope House. Mr. Giliberti explained that, looking at the survey of the Beer Garden, the band stand is about 40-feet out and the full length of it is about 80-feet. Chairwoman Maio stated it appears on the site plan to be the total confine of the Beer Garden. Mr. Giliberti responded that they applied for an expanded use under the COVID special use permit. The Beer Garden is an approved area for the service of alcohol. With the COVID special use permit they applied and received approval for an expanded area to service the entire parking lot. The COVID special use permit has been extended through November 2022. Mr. Gavan asked for a copy of the town's approval. Mr. Shapanka said it is the special use permit that went to December 31, 2020 and was extended.

Mr. Gavan asked if the Beer Garden shown on the map is the whole Beer Garden. Mr. Shapanka responded it is. Mr. Gavan noted Exhibit A-3, the picture with the fenced in Beer Garden and asked how the fence moves and if what is shown is permitted by the town and if it is what was permitted by the town, how can they move the fence, thereby making the Beer Garden bigger. Mr. Shapanka responded they are only asking for an Interpretation that this Beer Garden is permitted, being the picture on Exhibit A-3.

Chairwoman Maio asked for confirmation that what they are talking about is within the confines of the fence as it exists in the picture (shown on Exhibit A-3) for the service of beer. Mr. Shapanka responded they are asking for an accessory use to be permitted for music in the Beer Garden.

Mr. Shapanka asked Mr. Ventriglia to show on the survey (Exhibit A-2) where the stage goes. Mr. Shapanka clarified they are not before the Board for the parking lot concerts. Mr. Ventriglia drew a box showing where the stage is. The front of the stage is centered in front of the Beer Garden fence. The band faces the building and the stage has a tent over it. The band is playing to the people who are within the confines of the fence. Mr. Gavan informed the Board that the applicant is only before the Board for the "yellow area" with the stage outside, which is all the Board should consider.

John McDonough, professional planner for the applicant, came forward. Mr. McDonough stated he has testified before this Board in the past and has been qualified as a professional planner. Mr. McDonough testified he reviewed the application and examined the property. Mr. McDonough submitted a set of pictures of the site which were marked Exhibit A-7. Page 1 shows the Stanhope House, in which music is part of the legacy of the building. Page 2 is a view of the outdoor Beer Garden which has a physical

boundary. Mr. McDonough stated music is an accessory to the outdoor dining area. There are other eateries in town where there is outdoor eating and music, i.e. Bell's Mansion. Page 3 is a view of the subject parking lot which shows the physical constraints of the parking lot. Page 4 contains the zoning issues; being "Use" and what is customarily incidental to the use of a building which is located on the same lot. Mr. McDonough noted customarily means commonly and music is commonly associated with outdoor dining. Music adds to the ambiance and legacy of this use. Mr. McDonough expressed his professional opinion that this meets the definition for an accessory use. Mr. McDonough also noted he highlighted "which is located on the same lot." Mr. McDonough stated the request is reasonable and the section in the ordinance noted (Section 100-3) is what they are asking for; being an accessory to the principal use.

Mr. Keller noted there was indication that if there was an outdoor event, there would be no music event inside the building. Mr. Shapanka responded that is correct. If there is music in the Beer Garden, there will be no music inside the building. Mr. Keller asked, if there is music in the main building, will they be serving in the Beer Garden. Mr. Giliberti responded they will be serving alcohol in the Beer Garden, but no music. Mr. McDonough noted music runs with the nature of the use.

Mr. Gavan asked if there is documentation on the Beer Garden's approval by the town. Mr. Shapanka responded the approval was given on July 31, 2019 by the Zoning Official.

Chairwoman Maio asked the capacity of the Beer Garden. Mr. Giliberti responded the capacity is approximately 100 people. Chairwoman Maio noted Mr. Klein indicated he expected there would be approximately 60 performances in the Beer Garden between May 1st and October 1st and that there would be 150 events inside, which is 210 events in 5 months. Mr. Klein clarified that the 150 interior events would be within a 12-month period. The Beer Garden is only able to operate for 5 to 6 months. The total of 210 events is per year. Mr. Gavan noted the applicant submitted a document showing the maximum occupancy shall not exceed 117 standing, 73 persons (chairs only) and 98 (tables and chairs). Mr. Pershouse asked who provided the occupancy number. Mr. Gavan responded it is on Borough letterhead, but no name. Mr. Klein stated the maximum permitted occupancy was given to him by the two fire marshals who came out and gave them the legal limit they could have in the space without needing a suppression system. Mr. Pershouse stated the building was renovated in 2010 and he issued the original Certificate of Occupancy and it was at 288 for the building. They kept it under 300 so they would not be required to suppress the building. That number is the maximum for interior and exterior (the entire property). Mr. Klein testified that in the 10 to 11 years he operated the site, they were never cited for exceeding the occupancy. Their security has always been able to limit the number coming in as the number going out so they maintain the number throughout the course of the evening.

Chairwoman Maio opened the meeting to the public for comments or questions on this application.

Daniel Smith, 6 High Street, was sworn in. Mr. Smith stated he has lived in his house which is behind the Stanhope House parking lot since 2011. He has been to the Stanhope House and its venue is reputable. Mr. Smith said he is talking about having good faith towards your neighbors. The music outside goes to 10:30 p.m. and 11:0 p.m. Mr. Smith said he has small children and when they have outside concerts, the windows in his house are shaking and entire time. Mr. Smith expressed his opinion that his windows would not be shaking at 65 decibels or even 56 decibels. Mr. Smith state the video Mr. Shapanka showed does not show the true concert that they have in the parking lot. Mr. Smith asked for good faith neighbors. Mr. Smith said with regard to the comparison made to the Stone Pony, the Stone Pony is a shore town in a commercial area. The Stanhope House is in a residential area and it abuts residential

houses. Mr. Smith asked that the 10:00 p.m. cut-off time be respected. Mr. Smith expressed concern with the affect this has on his property value and quality of life. He is asking for good faith neighbor-ship on the part of the Board and the Stanhope House. Mr. Smith also said, in terms of expanding the Beer Garden, the last two years has been a problem. The previous nine years they did not have any problem with the Stanhope House. Mr. Smith said the last two years have reached unacceptable levels.

Kati Smith, 6 High Street was sworn in. Ms. Smith stated she has lived in Stanhope for eleven years. There had been music in the Beer Garden, but not what it has been this past year. The Stanhope House has been holding outside events every weekend. Ms. Smith noted she has small children and they cannot sleep, nor can she have guests over or enjoy their outside space. This continued throughout the summer causing unbearable noise inside their home. Ms. Smith stated they called the town, the police and even the Stanhope House pleading for someone to manage the noise, but it continued. Calls to the Stanhope House went unanswered. Ms. Smith asked the Board to consider the precedent it will set by their decision. Ms. Smith played recordings taken from inside her home, with her windows closed and air conditioning window unit on of the September 4th, September 19th and September 18th outside concerts. Ms. Smith asked the Board to please consider her comments when making their decision.

Mr. Shapanka said he agrees the noise needs to be controlled and they need to be reasonable neighbors, adding the music needs to end by 10:00 p.m. Mr. Shapanka noted the September 4th event was a "full parking lot" concert and that is not what is before the Board. They are only asking for music to be permitted in the Beer Garden. His client is agreeable to putting in reasonable noise controls. Ms. Smith said the concerts were not only the times she recorded, it was every weekend.

Mark Ivins, 12 Linden Avenue was sworn in. Mr. Ivins stated he moved in to his home last June and since he moved in the music at the Stanhope House has ended at 10:00 p.m. with the exception of only one time. Mr. Ivins said he does not see it as a nuisance and the people are orderly. Mr. Ivins said he hopes the Board makes a good decision as the Stanhope House is a focal part of the town.

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

Ms. Zelif-Murphy questioned the September 4th concert and asked how many others there were like that because it was a different stage. Mr. Ventriglia responded there were supposed to be two others, but the weather moved one inside. Mr. Ventriglia clarified those were the "parking lot" concerts.

Mr. Pershouse commented that in 2010 the Stanhope House was dark and the present owner came in and did a good job resurrecting it. Mr. Pershouse said that, as the construction official, he has never received a complaint against the Stanhope House. Mr. Pershouse also said that having an outdoor Beer Garden is something they need and is something that will allow this business to stay in the town.

Chairwoman Maio expressed her opinion that they need to consider the neighbors and the cut-off time for music at 10:00 p.m., adding the Board would like the applicant to be a successful business. Chairwoman Maio also expressed her opinion that the measurement of the decibels is significantly impacted if the building is between you and the measuring device.

Mr. Gavan noted the Board must decide if outdoor music in the area of the Beer Garden is customarily and incidental to the already approved outdoor dining. The Board can put restrictions on the time such as 7:00 to 10:00 must be no more than 65 decibels and after 10:00 p.m. no more than 50 decibels. Mr.

Gavan stated the Board would also be approving the size of the Beer Garden as shown in the picture marked Exhibit A-3 and on the marked-up (colorized) Exhibit A-2.

On motion by Mr. Rogalo, seconded by Mr. Pershouse, and carried by the following unanimous roll call vote, the Board approved the Beer Garden with music as depicted on Exhibit A-2 and Exhibit A-3 is a permitted use.

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

On motion by Ms. Lipinski, seconded by Mr. Pershouse and carried by the following unanimous roll call vote, the Board placed the condition on their approval that all music in the Beer Garden area must end at 9:45 p.m.

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

On motion by Mr. Kurtz, seconded by Mr. Rogalo and carried by the following unanimous roll call vote, the Board placed the condition on their approval that the applicant must keep all noise at no more than 65 decibels until 10:00 p.m.

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

Mr. Schwartz returned to the dais.

UNFINISHED HEARING

21-03, Sergio Lemus

Block 10105, Lot 1.01, Variance Application

Deemed Complete: 12/13/21

120 Days: 4/12/22

Frank Colasurdo, architect for the applicant came forward. Mr. Gavan reminded Mr. Colasurdo that he is still under oath. Mr. Colasurdo stated after the last meeting, they were to do steep slope analysis which they did and they submitted revised drawings that addressed the additional comments. Mr. Colasurdo noted Mr. Keller's review letter dated April 8, 2022, containing 19 comments. Mr. Colasurdo noted a number of Mr. Keller's comments have been satisfactorily addressed. With respect to comment #3 stating the need for the County's Health Department approval for the septic system, Mr. Lemus submitted all paperwork to the County today. Mr. Lemus has contracted an engineer to design the septic system and it is shown on the revised plans. With respect to comment #4 stating the plans should clearly depict the locations of the proposed water service and sanitary sewer and should provide a detail of the curb box, which they will add to the plans. Mr. Colasurdo noted Mr. Keller's question on why the plans show two 90-degree bends in the water service and said Mr. Lemus wanted to keep the digging next to his driveway.

Mr. Keller stated that makes for less optimal flow. Anything beyond the curb box is the property owner's responsibility. Mr. Keller also said that from the water line to the main has to be absolutely straight. Mr. Colasurdo noted comment #7 and noted the revised plans, adding the idea is to provide a swale going around the house and it will not affect the neighbors. Mr. Keller will review the revision and will work with the applicant on this. Mr. Colasurdo noted comment #11 and stated they need a design waiver. They are working on the existing topography. Mr. Colasurdo noted comment #12. Mr. Keller stated the Borough's ordinance exempts the driveway from steep slope calculations. When he wrote the memorandum, he did not include that. The plan that was submitted is accurate and there is no steep slope disturbance calculation required for the driveway. The amount on the plans is what the variance is for. Mr. Keller noted they have minimized the disturbance as much as possible. Mr. Colasurdo noted the steep slope categories, being Steep Slope A is 0% to 11.9% for which they do not need a variance; Steep Slope B is 12% to 14.9% for which they do not need a variance; Steep Slope C is 15% to 25%, which they do need a variance for. They have 62.4% disturbance. Mr. Colasurdo noted comment #14 and said he believes the plans are correct. The patio elevation is 103 and the base is 102. With respect to comment #15, Mr. Colasurdo stated he has just tonight received the approval from the Upper Delaware Soil Conservation. Mr. Keller asked that a copy of the approval be provided. Mr. Colasurdo stated they are okay with comment #16. With respect to comment 19a, they will add the detail about the water box in the front to the plans. Mr. Keller stated the applicant has addressed, for the most, his concerns and there are some technical things to be addressed. Mr. Keller said he is satisfied with the revised plans and the steep slope request is reasonable for the property because you cannot get to the property without disturbing those slopes. The applicant should provide the Board with the County Health Department's approval of the septic system.

Mr. Pershouse asked if Mr. Keller will have jurisdiction to inform the construction official they complied with everything before any Certificate of Occupancy is issued. Mr. Keller responded in the affirmative. Mr. Keller noted it can be included in the resolution that what is built in the field is consistent to what is on the plans. Mr. Keller also suggested a condition of any approval be that there is an as-built survey showing the house and driveway location. They will also need an as-built of the septic system which will be required by the County Health Department.

Mr. Keller noted they will need to apply for a road opening permit from the town, which should be a condition of any approval. Mr. Keller informed the applicant that the Borough recently adopted a new street excavation ordinance. Mr. Pershouse questioned if a conservation easement would be appropriate for the back of the property. Mr. Keller noted the steep slopes are at the property line and that would be a decision of the Board. The adjoining property to the rear is the State. After a brief discussion it was agreed a conservation easement is not necessary.

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.

On motion by Ms. Zelif-Murphy, seconded by Mr. Schwartz and carried by the following majority roll call vote, the Board granted the variance relief for lot frontage and steep slopes and with regard to the steep slopes with the conditions of the Board Engineer's letter dated April 8, 2022 re: 21-03, Sergio Lemus, Block 10105, Lot 1.01, Variance Application.

AFFIRMATIVE: Mr. Bielanowski, Mr. Kurtz, Ms. Lipinski, Mr. Rogalo, Mr. Schwartz, Ms. Zelif-Murphy, Chairwoman Maio

OPPOSED: None
ABSTENSIONS: Mr. Pershouse

RESOLUTION OF MEMORIALIZATION

21-01, Stanhope Fuel LLC (Manjit Bajwa)

Block 11702, Lot 5, Preliminary & Final Site Plan and Variance Application

Approval Granted: 02/14/22

Mr. Gavan noted numerous comments were received from the Mr. Keller. Mr. Gavan said he agreed with all of Mr. Keller’s comments and he incorporated those comments in the revised the Resolution of Memorialization recently sent to the Board Secretary. Mr. Gavan read the revisions made to the resolution. On motion by Mr. Rogalo, seconded by Mr. Bielanowski and carried by the following majority roll call vote, the Board adopted the Resolution of Memorialization granting the Preliminary and Final Site Plan with “D” and Bulk Variances Application filed by Stanhope Fuel LLC to permit the development of a mixed use, being retail and residential units, at property designated as Block 11702, Lot 5.

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

BILLS:

<u>Bowman Consulting Group, Ltd.</u>		
03/04/22	Re: Lemus Variance	\$727.50
04/05/22	Re: Juntos Holdings, LLC	\$375.00
04/05/22	Re: BGK Realty Group	\$225.00
04/05/22	Re: Sergio Lemus Variance	\$ 95.00

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

AFFIRMATIVE: Mr. Bielanowski, Mr. Kurtz, Ms. Lipinski, Mr. Pershouse, Mr. Rogalo, Mr. Schwartz, 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. Pershouse, seconded by Ms. Zeliff-Murphy, it was the consensus of the Board to adjourn the meeting at 9:00 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary