

Stanhope Land Use Board
June 12, 2023
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:

Chairwoman Maio 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 10, 2023, 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:

Najib Iftikhar – absent	John Rogalo – present (arrived @ 7:08 p.m.)
Glenn Kurtz – present	William Thornton - present
Christine Lipinski - present	Edward Schwartz - present
Thomas Pershouse – absent	Paula Zelif-Murphy - present
	Rosemarie Maio – present

Others Present: Board Attorney Glenn Gavan, Board Engineer Eric Keller, Board Planner William Hamilton and Board Secretary Ellen Horak

MINUTES

May 8, 2023 Regular Meeting – On motion by Mr. Kurtz, seconded by Ms. Zelif-Murphy, the Minutes of the May 8, 2023 meeting were approved on majority voice vote. Mr. Thornton abstained.

CORRESPONDENCE

05-22-23 New Jersey Planning Officials – New Jersey Planner (March/April)
05-22-23 Eric Keller – Resolution Compliance Review #1 re: Stanhope Fuel LLC, Blk 11705, Lot 5
05-25-23 Eric Keller – Resolution Compliance Review #1 re: Stephen Krakowski, Blk 11104, Lot 4
05-30-23 Alberto Montalva – Variance Application re: Blk 10701, Lot 9.01
06-01-23 William Hamilton, P.P. – Area in Need of Redevelopment Study
06-12-23 Eric Keller – Technical Review #1 re: Metro Storage, Blk 11701, Lot 21

On motion by Mr. Schwartz, seconded by Ms. Zelif-Murphy 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:

23-03, Alberto Montalva

Block 10701, Lot 9.01, Variance Application

Appl Rec'd: 05/30/23

45 days: 07/14/2023

Chairwoman Maio stated the Completeness Review Committee reviewed the application and found substantial deficiencies with the application. Mr. Schwartz and Ms. Zelif-Murphy agreed, noting there are numerous checklist items missing from the application. On motion by Mr. Schwartz, seconded by Ms. Zelif-Murphy and carried by the following unanimous roll call vote, 23-03 Alberto Montalva Variance Application was deemed incomplete.

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

OPPOSED: None

ABSTENSIONS: None

The Board directed the Secretary to forward a copy of the application to the Board Engineer for review and comments.

NEW HEARING

23-02, Metro Storage LLC

Block 11701, Lot 21, Site Plan Amendment

Deemed Complete: 05/08/23

45 days: 06/20/23

Robert Heilman of Metro Storage, LLC came forward. Mr. Gavan asked Mr. Heilman if Metro Storage is a limited liability company. Mr. Heilman responded in the affirmative. Mr. Gavan informed Mr. Heilman that, under the Municipal Land Use Law, unless they are a single entity LLC, they must have an attorney present. Mr. Gavan announced that this hearing will be carried to the July 10, 2023 meeting with no further notice required.

(Mr. Rogalo arrived.)

REVIEW OF PROPOSED REDEVELOPMENT AREA STUDY

Block 11207, Lot 8

(45 Main Street)

Mr. Thornton and Ms. Zelif-Murphy stepped down from the dais.

William Hamilton, the Board Planner came forward. Mr. Hamilton stated he will review with the Board the report he prepared which outlines the results of an investigation of the Study Area. Mr. Hamilton noted the Governing Body authorized the Land Use Board to conduct a preliminary investigation to determine if the property known as Block 11208, Lot 8, the Stanhope House constitutes an area in need of redevelopment. The Mayor and Council in Resolution 095-23 states that the preliminary investigation of the area in need of redevelopment is to be a Non-Condensation

Redevelopment Area. The Local Redevelopment and Housing Law (LRHL) provides the legislative authority for municipalities to initiate redevelopment activities that include the designation of an area in need of redevelopment, preparation of redevelopment plans and the implementation of redevelopment projects. The report submitted to the Board was step one in a two-step process. The site must satisfy at least one of the eight statutory criteria listed under Section 5 of the LRHL to qualify as an area being in need of redevelopment. Mr. Hamilton spoke about the property in general and he displayed an exhibit which is a reproduction of the map included in the back of his report and is an aerial photograph of the area. The Study area is indicated by a pink color. The area is approximately 0.88 acres. There is an existing 2-1/2 story structure located in the front of the lot and adjacent to Main Street. The facility is known as the Stanhope House and was constructed originally in the 1700's. The present use is a cabaret or roadhouse with live music on the first floor. The second floor of the structure contains a number of apartment type units that are utilized by some of the acts that perform there. In the rear there is a storage container and an outdoor Beer Garden area and in the rear is an existing paved parking area. There is no stripping in the parking area. Mr. Hamilton's display also contained enlarged photographs to give an idea of the area and the site itself. There are photographs showing a view of the Stanhope House from Main Street, the ramp leading to the facility, the staircase at the back of the structure leading upstairs, the Beer Garden area, the rear side of the parking area and of the access point. There are also internal pictures of the structure showing the stairs to the basement, electrical wires in the basement, the main room stage, the main room seating, the stairway to the second floor and the roof condition. The surrounding area includes a retail establishment with second floor apartments on the south side of Main Street, opposite the facility. A municipal parking area is also present with ingress and egress to Main Street. Around the site in a clockwise direction there exists an apartment building and a mixed-use retail and apartment building just west of the site. To the northwest and west of the Study Area are existing residential dwellings at the back of the site that front on Linden Avenue. To the east of the Study Area is a three-story building with retail uses on the first floor and apartments on the upper floors. The property is within the Village Business Zone and is bounded on the north boundary by the Historic Village Residential Zone. There are a number of accessory uses which are permitted. With regard to the bulk standard of the Village Business Zone, this site meets most of the requirements. Mr. Hamilton stated he reviewed the Borough's most recent Master Plan and there are five goals that will be advanced by the redevelopment of the area, which are outlined in his report. Mr. Hamilton spoke about the statutory criteria to deem an area in need of redevelopment. Mr. Hamilton stated it is his opinion that the site meets two of the statutory requirements, being Criteria "a" and Criteria "d". The first criteria, being Criteria "a" is that the generality of the buildings in the area are substandard, unsafe, unsanitary, dilapidated, or obsolescence, or possess any of the characteristics, or so lacking in light, air, or space, as to be conducive to wholesome living or working conditions. Mr. Hamilton noted the structure is in poor condition. The siding and roof are in need of major repair. The electrical system needs to be repaired as there are exposed wires. The stairway entrance in the rear is unsafe and the stairway to the basement where employees frequent are unsafe. The deteriorated condition is shown in the photographs contained in the report. The age and condition of the building is such that it is considered dilapidated so as to be conducive to unwholesome working conditions meeting the standard of Criteria "a". The second criteria, being Criteria "d" is it includes areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement, or design, lack of ventilation, light, sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, moral or welfare of the community. Mr. Hamilton stated the study area contains extensive impervious coverage that is well above the 60% permitted in the Zone. There is almost 100% impervious coverage. There are no stormwater controls on the site to accommodate the runoff from the impervious area of the site. There is a sheet flow of the

parking area that drains in a southwest direction to an inlet at the northwest corner of the site. This inlet and any runoff flow passing this inlet enters the parking lot of Borough Hall, creating erosion and flooding. There is no infrastructure on the site to prevent eventual discharge into the lake and river. Mr. Hamilton stated there is clear harm to the welfare of the community with uncontrolled runoff down to the water bodies. There is no signage or striping of the parking area and there is no delineation as to where someone would enter the site and where to park on-site, which is a safety issue for pedestrians and vehicles. Mr. Hamilton stated he strongly believes they meet two of the criteria for an area in need of redevelopment and he recommends the Board make a recommendation to the governing body that the area be deemed an area in need of redevelopment.

Mr. Rogalo stated the stormwater from the site goes to Furnace Pond and it will not reach Lake Musconetcong.

Mr. Gavan announced a public hearing on this matter will be held on July 10, 2023 and he asked the Board Secretary to notice the public of the hearing.

Mr. Keller stated the Musconetcong River, both water bodies and downstream are subject to 150' riparian buffer zone and he does not know of the site is 150' from the pond by the Plaster Mill. Mr. Keller also stated there is one inlet in the corner of the site and that inlet cannot handle the flow from that parking lot.

Chairwoman Maio thanked Mr. Hamilton for his report and attendance.

Chairwoman Maio expressed the importance to have all Board members present at the July meeting.

Mr. Thornton and Ms. Zelif-Murphy returned to the dais.

BILLS:

Bowman Consulting Group Ltd.		
05/05/23	Re: Krakowski Variance	\$ 112.50
06/07/23	Krakowski Variance	\$ 75.00
06/07/23	Demattheis Development Inc. – Area In Need of Redevelopment	\$6,555.00

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

AFFIRMATIVE: Mr. Kurtz, Ms. Lipinski, Mr. Rogalo, Mr. Schwartz, Mr. Thornton, Ms. Zelif-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 Ms. Zelif-Murphy, seconded by Mr. Kurtz, it was the consensus of the Board to adjourn the meeting at 7:30 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary