

**Stanhope Land Use Board**  
**April 10, 2023**  
**Regular Meeting**  
**Minutes**

**RECEIVED**

MAY 09 2023

**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 Reorganization 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 @ 7:04 PM)
Glenn Kurtz – present	Edward Schwartz - present
Christine Lipinski - present	Michael Vance - absent
Thomas Pershouse – present	Paula Zelif-Murphy - present
	Rosemarie Maio - present

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

MINUTES

**March 13, 2023 Regular Meeting** – On motion by Mr. Schwartz, seconded by Ms. Zelif-Murphy, the Minutes of the March 13, 2023 meeting were approved on majority voice vote. Mr. Kurtz and Mr. Pershouse abstained.

CORRESPONDENCE

03-20-23 New Jersey Planning Officials – New Jersey Planner (Jan/Feb)  
03-03-23 Eric Keller, P.E. – Technical Review #1 re: Stephen Krakowski Variance Application, Blk 11104, Lot 4

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.

NEW HEARING:

**23-01, Stephen Krakowski**

Block 11104, Lot 4, Variance Application

Deemed Complete: 03/13/23

120 Days: 07/12/23

Stephen Krakowski came forward and was sworn in. Mr. Krakowski explained he is looking for two variances to install a 6-foot white vinyl fence on his property and for an increase of impervious coverage for a walkway addition. Mr. Krakowski stated his property is a corner lot with three front yards and fence height is limited to three-feet in front yards. Mr. Krakowski stated the reason for the fence is to provide a safe and enclosed environment for his family including his child and dogs and the portion by the east patio is it would give a private space for his family. Mr. Krakowski noted Engineer Keller's report and asked to address the comments.

Mr. Keller noted the applicant is seeking to construct additional sidewalk segments and fence on a portion of the property in the southeast portion of the property. The sidewalk segments would connect the parking area in the northwest portion of the property to the house and the second segment would connect the driveway on the east side to the existing patio. Mr. Keller stated the additional sidewalk is were there were sidewalks in the past. When the property was cleaned up about seven to eight years ago, there was a walkway on the Musconetcong Avenue side from the front door to the parking area and another one off the north side of the house out to the street and those were removed. Mr. Keller noted this property is one lot up from the lake, but the proposed impervious coverage is not a concern since the increase is de minimus and will not impact drainage. Mr. Keller said he agrees with Mr. Krakowski that the fence will create a private space, adding that lot has three front yards and very little privacy. Mr. Keller noted past requests for speed humps on Spring Lane and said it would be prudent to move that portion of the fence away from the driveway so there is visibility going in and out of the driveway. Mr. Keller recommended the applicant consider relocating the fence southerly approximately 25 feet from the driveway to improve sight lines to and from the driveway. Mr. Keller suggested that there be some buffer so when the plows go through there will be an area so the fence does not get damaged and there will be an area to place leaves. Mr. Keller recommended that the fence along Spring Lane be placed eight to ten feet from the edge of pavement, but not within the right-of-way. Mr. Keller noted the distance from the driveway to the patio is about 35 to 40 feet.

Mr. Krakowski provided pictures with reference point that he distributed to the Board. The first picture is a photograph taken from Spring Lane showing the driveway with arrows showing where certain intervals are and the second is a picture standing in the driveway showing the distance from the pavement to the property line and shows the closest that the fence would be which would be about eight feet off the existing pavement and as you get closer to the driveway it becomes ten feet plus. The photographs were marked Exhibit A-1.

Chairwoman Maio asked the distance off the property line, noting the fence cannot be put in the right-of-way. Mr. Krakowski responded it would be 8 feet 6 inches from the property line.

Mr. Keller noted the corner where the fence would come out of the house and go along the right-of-way is about ten feet from the pavement. Mr. Krakowski stated it is more about eleven feet. Mr. Keller noted the double hung windows and asked if it is the basement area and if it is a finished basement. Mr. Krakowski responded it is a finished basement and would be living space.

Chairwoman Maio noted there is no other six-foot fence on Spring Lane so this fence would “pop out” on the street. Mr. Keller agreed that most of the fences on Spring Lane are more decorative and lower. Chairwoman Maio questioned the impact on the neighbors. Mr. Krakowski stated there is nothing directly in line with the fencing he is proposing, but there are a lot of trees and shrubs that are taller than six feet. Mr. Krakowski expressed his opinion that the white vinyl fence will look nicer than some of the other things along the street.

Ms. Zeliff-Murphy noted that with the houses on Spring Lane, the backyard faces Musconetcong Avenue and the front yard faces the lake. Mr. Pershouse noted that Spring Lane is much lower than Musconetcong Avenue. Mr. Schwartz said that in addition to giving privacy to the family, the fence will block the noise from the yard. Mr. Schwartz noted that the applicant provided notice of the hearing to the neighbors and there is no one in the public present for the hearing.

Mr. Pershouse asked if there will be gates on the fence. Mr. Krakowski responded in the affirmative. There will be one gate that faces the driveway, one on the east side and another on the Musconetcong Avenue side and only one gate will be seen by someone on the street.

Mr. Keller stated on Exhibit A-1 it has the double hung window inside the fence and the Board should consider if it should be inside the fence or outside the fence. The corner fence is 12-feet off the pavement so there will be no site issue. Mr. Keller noted the variance is for a set-back to the street. The window is not included in the variance. Mr. Keller stated he has no issue with the window being inside the fence.

Mr. Krakowski asked Mr. Keller to clarify where his rear yard is. Mr. Keller responded the rear yard is the only non-street frontage on the lot and he read the definition of a corner lot. Mr. Keller informed Mr. Krakowski since he is a corner lot he has three front yards and the narrower one being the one facing Spring Lane on the north is his rear yard. There is no side yard to the property.

On motion by Mr. Schwartz, seconded by Ms. Zeliff-Murphy and carried by the following unanimous roll call vote, the Board approved the requested variances being for a six-foot fence and an impervious coverage increase of the de minimus amount of 250 square feet with the condition that the plan be revised to show the fence set back being 7-1/2’ off the driveway.

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

Mr. Gavan noted, for the record, there is no one present in the public so the hearing was not open to the public.

BILLS:

	<b>Bowman Consulting Group, Ltd.</b>	
04/10/23	Re: Krakowski Variance	\$225.00
	<b>Miscellaneous</b>	
03/23/22	Daily Record – Annual Meeting Notice	\$58.40

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

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

GENERAL DISCUSSION

Mr. Schwartz noted a recent issue of the New Jersey Planner had an article about grants being available to examine zoning concerning warehouse issues. Mr. Schwartz said since there is one area in town that has an existing warehouse area and a possible future area, he recommends this information be given to the Council to see if they are interested in moving forward with applying for the grant to study the existing ordinance. The members agreed and asked the Secretary to relay the information to the Council.

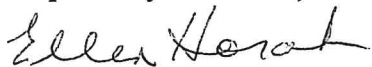
OPEN TO THE PUBLIC FOR NON-AGENDA ITEMS:

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. Rogalo, seconded by Ms. Zelif-Murphy, it was the consensus of the Board to adjourn the meeting at 7:28 P.M.

Respectfully submitted,



Ellen Horak, Board Secretary