

**Stanhope Land Use Board  
January 8, 2024  
Reorganization Meeting Minutes**

**CALL MEETING TO ORDER:**

Board Secretary Ellen Horak called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE:**

Board Secretary Ellen Horak 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:**

Glenn Kurtz – present

Christine Lipinski – present

John Rogalo – present (arrived @ 7:03 pm)

Paula Zelif-Murphy – present

Rosemarie Maio - present

Others Present: Board Secretary Ellen Horak

**REORGANIZATION BUSINESS:**

**Election of Chairwoman:**

On nomination by Ms. Zelif-Murphy and seconded by Ms. Lipinski, Rosemarie Maio was elected Land Use Board Chairwoman for 2024 by the following unanimous roll call vote:

**ROLL CALL:**

Mr. Kurtz – yes

Ms. Lipinski – yes

Mr. Rogalo - absent

Ms. Zelif-Murphy - yes

Chairwoman Maio - yes

Chairwoman Maio took over the meeting at this time.

**Election of Vice-Chairwoman:**

On nomination by Chairwoman Maio and seconded by Mr. Kurtz, Paula Zelif-Murphy was elected Land Use Board Vice-Chairwoman for 2024 by the following unanimous roll call vote:

**ROLL CALL:**

Mr. Kurtz – yes

Ms. Lipinski – yes

Mr. Rogalo - absent

Ms. Zelif-Murphy - yes

Chairwoman Maio - yes

(Mr. Rogalo arrived)

**Resolutions**

**Board Secretary      RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD SECRETARY**

**WHEREAS**, there exists the need within the Land Use Board (the “Board”) for the retention of personnel to perform such secretarial services/clerical duties and office work as required by the Board’s job description to hold a monthly public meeting, at the annual salary of \$10,918.00, and in addition, other such work as deemed necessary by the Board at a \$20.00 hourly rate or other rate negotiated per task;

**WHEREAS**, the annual salary of \$10,918.00 for the Board Secretary is the salary paid for the year 2023; and

**WHEREAS**, upon determination of the salary increase for Borough employees, the Board will provide the same salary increase for the Board Secretary, which increase shall be retroactive to January 1, 2024; and

**WHEREAS**, the funds for such duties and services are available for this purpose;

**NOW, THEREFORE, BE IT RESOLVED** by said Board that it hereby appoints Ellen Horak as the Board’s Secretary, to be retained for the calendar year 2024 to perform such duties and office work outlined in the Board’s job description, with reimbursement for all expenses, at the annual salary of \$10,918.00;

**BE IT FURTHER RESOLVED**, by said Board that, after a salary increase percentage has been determined for Borough employees, the Board shall determine the salary increase for the Secretary which salary increase shall be retroactive to January 1, 2024.

On motion by Ms. Zelif-Murphy, seconded by Mr. Kurtz and carried by the following unanimous roll call vote, the above resolution was adopted:

**ROLL CALL:**

- |                    |                        |
|--------------------|------------------------|
| Mr. Kurtz – yes    | Mr. Rogalo - yes       |
| Ms. Lipinski – yes | Ms. Zelif-Murphy - yes |
|                    | Chairwoman Maio - yes  |

**Board Attorney:      RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD ATTORNEY**

**WHEREAS**, the Land Use Board of the Borough of Stanhope is in need of Professional Legal services; and

**WHEREAS**, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

**NOW, THEREFORE, BE IT RESOLVED** that the firm of **Gavan, Criscuoli, Lenar Law Group** is hereby appointed as Attorney for the Land Use Board of Stanhope for a period of for the period January 1, 2024 through December 31, 2024, with the understanding that **Glenn Gavan, Esq.** will be primarily responsible for the work done for the Board.

**BE IT FURTHER RESOLVED** that the aforesaid is a member in good standing of his profession.

**BE IT FURTHER RESOLVED** that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Gavan, Criscuoli, Lenar Law Group’s professional services.

**BE IT FURTHER RESOLVED** that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zeliff-Murphy, seconded by Mr. Kurtz and carried by the following unanimous roll call vote, the above resolution was adopted:

**ROLL CALL:**

Mr. Kurtz – yes

Mr. Rogalo - yes

Ms. Lipinski – yes

Ms. Zeliff-Murphy - yes

Chairwoman Maio - yes

Board Engineer:        **RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD ENGINEER**

**WHEREAS**, the Land Use Board of the Borough of Stanhope is in need of Professional Engineering Services; and

**WHEREAS**, R.S. 40A:11-5 specifically exempts professional services from the provisions of public bidding as provided in the Local Public Contracts Law;

**NOW, THEREFORE, BE IT RESOLVED** that the firm of Bowman Consulting is hereby appointed as Engineer for the Land Use Board of Stanhope for the period January 1, 2024 through December 31, 2024, with the understanding that **Eric Keller, P.E.** will be primarily responsible for the work done for the Board;

**BE IT FURTHER RESOLVED**, that the aforesaid is a member in good standing of his profession;

**BE IT FURTHER RESOLVED**, that this Resolution is contingent upon receipt of a fully executed professional services contract with attached fee schedule established for Bowman Consulting professional services, and

**BE IT FURTHER RESOLVED**, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Mr. Rogalo, seconded by Mr. Kurtz and carried by the following unanimous roll call vote, the above resolution was adopted:

**ROLL CALL:**

Mr. Kurtz – yes	Mr. Rogalo - yes
Ms. Lipinski – yes	Ms. Zelif-Murphy - yes
	Chairwoman Maio - yes

**Board Planner: RESOLUTION OF THE STANHOPE LAND USE BOARD APPOINTING BOARD PLANNER**

**WHEREAS**, the Land Use Board of the Borough of Stanhope is in need of Professional Planning services; and

**WHEREAS**, R.S. 40A:11-5 specifically exempts professional services from this provision of the local public contracts law of 1971,

**NOW, THEREFORE, BE IT RESOLVED** the firm of **Bowman Consulting** is hereby appointed as Planner for the Land Use Board of Stanhope for a period of one year from January 1, 2024 to December 31, 2024, with the understanding that **William Hamilton, P.P.** will be primarily responsible for the work done for the Board.

**BE IT FURTHER RESOLVED**, that the aforesaid is a member in good standing of his profession.

**BE IT FURTHER RESOLVED**, that this Resolution is contingent upon receipt of a fully executed professional service contract with attached fee schedule established for Bowman Consulting professional services.

**BE IT FURTHER RESOLVED**, that this Resolution is contingent upon the receipt of a completed C.271 Political Disclosure Form pursuant to N.J.S.A. 19:44A-20.4 et. seq., commonly known as the Pay-to-Play Law.

On motion by Ms. Zelif-Murphy, seconded by Mr. Rogalo and carried by the following unanimous roll call vote, the above resolution was adopted:

**ROLL CALL:**

Mr. Kurtz – yes	Mr. Rogalo - yes
Ms. Lipinski – yes	Ms. Zelif-Murphy - yes
	Chairwoman Maio - yes

Official Newspaper: **RESOLUTION DESIGNATING OFFICIAL NEWSPAPER FOR THE 2024 CALENDAR YEAR**

**BE IT RESOLVED**, by the Land Use Board of the Borough of Stanhope that the New Jersey Herald is hereby designated the official newspaper of the Land Use Board for the calendar year 2024; and

**BE IT FURTHER RESOLVED**, that the New Jersey Herald and the Daily Record are hereby designated to receive all notices of Land Use Board meetings in the calendar year 2024 as required under the Open Public Meetings Act.

On motion by Ms. Zelif-Murphy, seconded by Mr. Kurtz and carried by unanimous voice vote, the above resolution was adopted:

Meeting Dates: **RESOLUTION ESTABLISHING MEETING DATES FOR THE CALENDAR YEAR 2024**

**BE IT RESOLVED** by the Land Use Board of the Borough of Stanhope that the following schedule of dates for Regular Meetings be established for 2024 and that all scheduled meetings shall convene at 7:00P.M. at the Stanhope Municipal Building, 77 Main Street, Stanhope, NJ:

- January 8
- February 12
- March 11
- April 8
- May 13
- June 10
- July 8
- August 12
- September 9
- October 21
- November 18
- December 9

**BE IT FURTHER RESOLVED**, that the Annual Reorganization Meeting shall be on January 13, 2025, at 7:00 p.m.

On motion by Ms. Lipinski, seconded by Mr. Kurtz and carried by unanimous voice vote, the above resolution was adopted:

MINUTES

**December 11, 2023 Regular Meeting** – On motion by Mr. Kurtz, seconded by Ms. Zelif-Murphy the Minutes of the December 11, 2023 meeting were approved by a majority voice vote. Mr. Rogalo abstained.

CORRESPONDENCE

12-04-23 Mayor Patricia Zdichocki – Season’s Greetings Card

12-11-23 Jason Dunn, Dykstra Associates – Minor Subdivision Application re: Maria and Jacek

- Kaczynski, Block 11106, Lot 6
- 12-12-23 Sussex County Dept. of Engineering – Notice of Preliminary Minor Subdivision Review re: Maria and Jacek for Kaczynski, Block 11106, Lot 6
- 12-13-23 Ellen Horak, Clerk – Proposed Redevelopment Plan re: 45 Main Street
- 12-28-23 Sussex County Dept. of Engineering – Findings of Preliminary Minor Subdivision Review re: Maria and Jacek for Kaczynski, Block 11106, Lot 6
- 01-02-24 Eric Keller, P.E. – Technical Review #1 re: Juntos Holdings, LLC, Blk 11205, Lot 4.01

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

**23-07, Maria and Jacek Kaczynski**

Block 11106, Lot 6, Minor Subdivision Application

Appl Rec'd: 12/11/23

45 days: 1/25/24

Chairwoman Maio stated the Completeness Review Committee reviewed the application and recommends it be deemed complete.

On motion by Mr. Rogalo seconded by Mr. Kurtz and carried by the following unanimous roll call vote, 23-07, Maria and Jacek Kaczynski's Minor Subdivision Application re: Block 11106, Lot 6 was deemed complete:

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

The Board directed the Secretary to send the application to the Board Engineer for review and comments.

NEW HEARING

**23-06, Juntos Holdings LLC (carried to February meeting at request of applicant's attorney)**

Block 11205, Lot 4.01, "D" Variance Application

Deemed Complete: 12/11/23

120 days: 4/19/24

Chairwoman Maio stated the application is for a "D" variance. The applicant's attorney requested the hearing be carried to the February meeting.

RESOLUTIONS OF MEMORIALIZATION

**23-05, T3 Innovations (Adam Lusardi)**

Block 10607, Lot 8, Variance Application

Approval Granted: 12/11/23

Chairwoman Maio noted the Resolution of Memorialization was distributed to the Board. Mr. Rogalo corrected a typographical error on #12 of page 5. The resolution states "modified and revised on the

players” which should be corrected to read “modified and revised on the plans.” Mr. Keller recommended the following language be added to the end of #12 “subject to the approval of JCP&L.” The Board agreed with the two revisions. On motion by Mr. Kurtz, seconded by Ms. Lipinski and carried by the following majority roll call vote the Resolution of Memorialization re: T3 Innovations (Adam Lusardi) Variance for Block 10607, Lot 8 was adopted, as amended:

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

BILLS:

	<b>Bowman Consulting Group, Ltd.</b>		
01/08/24	Re: T3 Innovations (Lusardi)		\$862.50
	<b>Local Media Group Inc. (NJ Herald)</b>		
12/15/23	Legal Notice – Resolution of Memorialization Re: Metro Storage Site Plan Amendment		\$16.47
12/15/23	Legal Notice – Resolution of Memorialization Re: Patrick Lynch Subdivision		\$16.08

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

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

NEW BUSINESS:

Annual Report – Chairwoman Maio stated the Annual Report has been prepared for submission to the Mayor and Council. Chairwoman Maio asked the members if there were any questions or comments on the report. On motion by Ms. Lipinski, seconded by Ms. Zelif-Murphy and carried by unanimous voice vote, the Board accepted the Annual Report as written and instructed the Secretary to send the Annual Report to the Mayor and Council.

Proposed Redevelopment Plan re: 45 Main Street – Chairwoman Maio stated the Council sent the Board a proposed redevelopment plan for review and recommendations. Ms. Maio noted a discrepancy on page 5 which is laundromats is included as both a “Permitted Use” and a “Prohibited Use.” The plan should be corrected to indicate laundromats as a prohibited use. Chairwoman Maio asked Mr. Keller to clarify the procedure. Mr. Keller stated the Council must conduct a public hearing where they will discuss this plan. They did a study on the area in need of redevelopment and this property meets the criteria. The next step by Council was to have Mr. Keller’s firm prepare a redevelopment plan. Mr. Keller stated there were discussions with the Council, the Borough attorney and his office to establish those criteria everyone thought was appropriate for the redevelopment of that site. Chairwoman Maio noted bicycle parking that is required as an example and asked Mr. Keller if when the Council approves this plan and a site plan application comes before this Board, can the Board require something different than in the plan. Mr. Keller responded by saying this would be the time to make that change since this plan is establishing a zoning ordinance for that specific piece of property. The Board is making a

recommendation to the Council for zoning for that single piece of property. Ms. Lipinski asked how many parking spaces will be on the property. Chairwoman Maio noted the plan does not state a specific number of parking spaces; it states 1.7 spaces per unit.

Mr. Rogalo noted the bulk standards on page 5 states minimum building height as 55 feet or 5 stories and questioned if it should read the maximum height not the minimum height. Mr. Rogalo expressed his opinion that 55 feet should be the maximum building height. Mr. Keller stated they reviewed a schematic plan and building rendering for this site sent to him by the Borough attorney and the density they discussed as 62 units to the acre which would be the maximum. At 1.7 parking spaces per unit, it would be 105 parking spaces. There would be 4 to 5 bicycle parking spaces being required at 1 for every 25.

Chairwoman Maio asked, when the site plan application comes to the Board and the Board does not agree with the site plan as presented, being they want more or less of something, can they treat it like a normal application. Mr. Keller responded the application is bound by what the ordinance says. If the Board thinks there should be changes, they should be part of your recommendations to the governing body. Once the governing body adopted the plan, it is law. The Board can grant a variance and some redevelopment plans limited what type of variances can be granted by the Board. The Land Use Board is only authorized to deal with C-1 and C-1 variances. The Board can grant bulk variance, but cannot grant height or use variances for the site. Chairwoman Maio noted the recommendations by the Board are to correct the building height to be a maximum of 55 feet and to clarify laundromats are a prohibited use not a permitted use. Mr. Rogalo asked what is currently the maximum density in the Borough. Mr. Keller responded it is the Compac site which allows 65 units to the acre.

Mr. Keller noted under Architectural Design Standards on page 8, there is a blanket prohibition of vinyl siding because certain vinyl siding does not meet the quality they are looking for in this project, but there are new types of vinyl siding that are architecturally superior and compatible with the high-quality design they are looking for. This came up in during discussions and, vinyl siding is generally prohibited unless a specific decision is made by the Land Use Board that that particular type of vinyl siding meets your criteria. Mr. Keller said they do not want to specify something because building products are evolving all the time. The thought process that went into this was to provide the greatest flexibility to create an attractive building.

Mr. Rogalo asked if there is anything specific on fire safety. Mr. Keller responded the building must meet the building code which will address fire suppression.

Chairwoman Maio commented under "Lighting" the plan states typical Stanhope streetlights shall be installed on street frontages. Chairwoman Maio noted there are already streetlights. Mr. Keller responded if they are going to put in more, they must match the existing streetlights. Mr. Keller stated the design of the building is 4 stories over parking so lights at podium level will have some sort of recessed ceiling lighting. Lighting for the parking area shall be shielded to prevent glare on adjacent properties.

Mr. Rogalo questioned if they can require cameras on the site. Mr. Keller responded the Board cannot require they install cameras. Mr. Keller noted there are a number of municipal parking spaces on the property that will remain.

Chairwoman Maio individually listed each item in the plan and asked if the Board had any comments.



Regarding Prohibited Uses there were no comments or recommendations. Regarding Bulk Standards it will be recommended that the maximum building height be 55 feet and the rest of the Bulk Standards were acceptable. There were no comments or recommendations regarding the Residential Amenities, Loading Space, Stormwater Management, Landscaping, Buffering, Lighting, Signage or Sustainability. With respect to Sustainability, Mr. Keller stated EV is required under State Law so 15% of the required parking must be EV. A third is required at the outset, a third has to be done within three years after they start and a third has to be done within six years. There are 100 parking spaces required so they must provide 15 EV charging stations, or make ready charging stations. If they have 100 spaces they get a credit for 10 more spaces because they have provided EV charging. If they are required to provide 100 and they put in 91, 10% would be nine additional spaces, so they could physically provide 91 spaces and get credit for the 100 spaces according to State Law. Mr. Rogalo asked if they should require more parking spaces. Mr. Keller stated the parking standard set forth in this plan is for residential. Regarding Architectural Design, the Board has no comment or recommendation other than the adjustment the Board will propose about the vinyl siding.

On motion by Mr. Rogalo, seconded by Ms. Lipinski and carried by the following majority roll call vote, the Board authorized sending their discussed recommendations to the governing body with respect to the proposed redevelopment plan for 45 Main Street:

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

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. Lipinski, seconded by Mr. Rogalo, and carried by unanimous voice vote, it was the consensus of the Board to adjourn the meeting at 7:45 P.M.

Respectfully submitted,



Ellen Horak  
Board Secretary