

**Stanhope Land Use Board
March 9, 2026
Regular Meeting Minutes**

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 13, 2026 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

Patrick Lynch - absent

Thomas Pershouse - absent

Carmen Pico (Alt. #1) - present

John Rogalo - present (arrived @ 7:03 p.m.)

Edward Schwartz - present

Scott Wachterhauser - present

Paula Zeliff-Murphy - present

Rosemarie Maio - present

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

MINUTES

February 9, 2026 Regular Meeting Minutes – On motion by Mr. Wachterhauser seconded by Mr. Schwartz the Minutes of the February 9, 2026 meeting were approved by a unanimous voice vote.

CORRESPONDENCE

02-11-26 Ellen Horak, Clerk - Chapter 100 Ordinance (Ordinance 2026-03)

02-17-26 Happy Tree Farmacy Stanhope LLC - Site Plan Waiver re: Block 11701, Lot 20

02-24-26 Stanhope School - proposal for parking lot at Stanhope School for the Board's review and Recommendations

02-26-26 Careaga Engineering Inc. - revised plans re: ADG Amity Rd (Tom Gilmore) Blk 10105, Lot 12

03-04-26 William Hamilton, Board Planner - Housing Element and Fair Share Plan

03-06-26 Eric Keller - Technical Review No. 3 re: Thomas Gilmore, Blk 10105, Lot 12

On motion by Mr. Kurtz, 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.

25-04, ADG Amity Road LLC (Gilmore Electric) Block 10105, Lot 12 - Site Plan and Variance Application

Deemed Complete: 10/20/25

120 days: 02/17/26 (Extension Granted to 03/31/26)

Ron Heymann, Esq. of Heymann & Fletcher, representing the applicant came forward. Mr. Heymann summarized their attendance at the January meeting, saying they provided full testimony from their architect, engineer and planner and the Board voted on their use variance. Revisions were made based on Mr. Keller's report. Mr. Heymann said he would like to recall Ray O'Brien to address Mr. Keller's March 4, 2026 report and the architectural revisions that were made.

Ray O'Brien came forward. Mr. Gavan reminded Mr. O'Brien that he remains under oath. Mr. O'Brien testified that he added on the addition to the existing building the leaders from the roof. Originally they showed only two in the front. On the new building they show seven leaders coming off the back. Mr. O'Brien noted the area down below with exposed foundation and a small portion on the side, which the engineer will state the area that will be terraced to reduce the height of the original foundation as requested. Any exposed foundation will have applied stone veneer. Mr. O'Brien said he believes this addresses the main concern of the Board regarding the back elevation view and the look as well as the left side elevation from the street side. Mr. Heymann noted #5 in Mr. Keller's report questioning the treatment for the foundation, which Mr. O'Brien addressed. Mr. Heymann noted #13 in Mr. Keller's report questioning the need for sprinklers. Mr. O'Brien responded #13 as well as #6 have been addressed and Mr. Keller's comment is closed. There will be five tenant spaces and the building is not fire suppressed because of the size they created. It is fire rated since there was a vehicle proposed to be parked in the building overnight. They provided a fire rated wall between the five tenants to allow all five to have a vehicle inside. Mr. O'Brien noted that anyone seeking more would need to come before the Board. Mr. O'Brien said the proposal would be five ADA compliant bathrooms and a small area for utilities. Mr. Keller stated he has nothing further on the architectural plans.

Mr. Pico asked how the units would be heated. Mr. O'Brien responded that they will be heated individually.

Chairwoman Maio asked Mr. Keller if he was satisfied with the drainage system. Mr. Keller responded in the affirmative.

Mr. Keller asked if the gutter system on the back is commercial. Mr. O'Brien responded that it is 6" wide away from the building and 9" deep. Mr. Keller stated it needs to be on the site plans along with the building materials. Mr. O'Brien agreed to include it.

Mr. Heymann informed the Board that engineer Jeff Careaga is ill and cannot attend the meeting and John Manilio will replace him. Mr. Manilio went over the plans with Mr. Careaga as well as with Mr. Heymann.

John Manilio was sworn in. Mr. Manilio gave a brief summary of his background as a civil engineer. He has been licensed in the state for over 18 years and has testified numerous times before various

boards within Sussex County and Morris County. He is licensed in the State of New Jersey and his license is in good standing. Mr. Manilio was accepted as an expert in the field of civil engineering. Mr. Manilio stated he reviewed Mr. Keller's March 4, 2026 report as well as his January report. Mr. Manilio went over the changes made since the last meeting. They added a note on the plans regarding the septic that the original will be removed once the new one is in place. The survey has since been submitted. The truck circulation plan has been revised to allow for a front-load truck, as requested. The stormwater report has been updated as requested. Mr. Keller stated he is satisfied with the changes made. Mr. O'Brien noted the silt fence was moved as requested by Mr. Keller and the zoning table was updated and is now consistent. A guide rail has been installed and the construction detail provided as requested. Mr. Manilio went through Mr. Keller's report dated March 4, 2026, noting the following: #1 comment is closed; #'s 5,6 and 7 were addressed by Mr. O'Brien; #'s 13 and 16 were addressed; #17 was resolved at the previous meeting; #18 has been addressed; #20 the revised truck circulation was revised and submitted as requested; #22 there was one comment on the side of the plan that said Grading & Drainage, which will be corrected to state Soil Erosion & Sediment Control Plan; #'s 24, 25; 26 and 27 have been resolved and Mr. Keller's comments are closed; #28 has one additional comment from Mr. Keller. Mr. Manilio stated the roof leader has been sized for a 10'-inch pipe and once it passes the retaining wall, it changes to 15-inches. They will revise the plans and add a manhole. They will continue with either a 10-inch or 15-inch pipe; whatever Mr. Keller prefers. #'s 29, 30 and 31 have been satisfied; #32 the light poles were lowered and they reduced the intensity; #'s 33, 34 and 35 have been satisfied; #36 the location of the soil logs have been added to the site plan; #'s 37, 38 and 39 have been satisfied and added to the plans as requested; #40 ADA parking signs have been added; #41 plans were revised to show positive slope toward the infiltration basin along the southeast parking area; #42 the surface runoff towards Sparta Road has been evaluated in the stormwater management report and Mr. Keller's comment is closed. Mr. Manilio stated they are requesting a variance for parking, impervious coverage and critical slopes. Mr. Heymann noted the testimony of Mr. Careaga at the last meeting about what caused those slopes. He spent a significant amount of time testifying as to why the slopes are that way, which is due to predisturbance from the initial development. Mr. Keller asked Mr. Manilio, since the building is not sprinklered, is it his opinion that a 2" water line is adequate to address the two buildings. Mr. Manilio responded in the affirmative. Mr. Keller said if they are putting in a manhole, it does not matter if it is a 10" or 15" pipe, but they need to indicate on the plans which they decide to use. Mr. Keller said, with regard to the basin, they will have to prepare an Operation and Maintenance Manual that needs to be recorded with the deed and the owner of the property will have the lifelong responsibility to comply with the regulations and do quarterly inspections and submit those reports to his office. Mr. Heymann stated he will prepare the revised deed and submit it with the manual. Mr. Keller said, if approved, an engineer's estimate needs to be done. He does not think there is any work in the Borough's right-of-way, but if there is, it needs to be broken down. Mr. Keller also noted the applicant needs the County Health Department's approval for the septic system. The Borough has nothing to do with that unless they change it. Everything to do with the septic is to go to the County. Mr. Keller noted the property is in the MLR Zone, which is a residential zone and he asked if the impervious coverage requested is consistent to what you would see in a commercial zone. Mr. Manilio responded in the affirmative. Mr. Keller stated the design of a stormwater system to reduce the flow coming off the site and providing water quality for the site requirement is 55% and they are providing 70%. With respect to parking, Mr. Keller noted they are providing 23 spots and the Code requires 36 spots and he asked the basis for that. Mr. Manilio responded that some of the vehicles will be parked inside the building. For warehouses, the code has it for 700 square feet which is high for industrial and warehouse sites. Mr. Manilio said over 3,000 square feet for warehouses is the norm. Mr. Keller addressed the steep slopes and noted this site has already been improved and the steepest slopes over 25%. Mr. Manilio directed

the Board to the plans that show the existing pavement and the proposed pavement and the steep slopes surrounds the existing pavement. Mr. Keller asked what engineering controls are being put in place to minimize their impact on the disturbance. Mr. Manilio responded that there will be a silt fence put up and there is a retaining wall.

Chairwoman Maio asked if anything they are doing will impact the railroad behind the property. Mr. Keller responded that there will be no impact. The water goes there today and now it will be discharged into a basin and go there. It will come out at a lower rate than it is today. They are removing trees, but the basin offsets that. There will be no negative impact to the railroad.

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.

There were no further questions or comments from the Board. On motion by Mr. Rogalo, seconded by Ms. Lipinski and carried by the following unanimous roll call vote, the Board approved 25-04, ADG Amity Road LLC (Gilmore Electric) Block 10105, Lot 12 site plan with the conditions stated in the record and the "c" variances for steep slopes, parking and impervious coverage with the condition that, as long as they comply with the Code, it does not need to be sprinklered.

AFFIRMATIVE: Mr. Kurtz, Ms. Lipinski, Mr. Pico, Mr. Rogalo, Mr. Schwartz, Mr. Wachterhauser, Ms. Zeliff-Murphy, Chairwoman Maio
OPPOSED: None
ABSTENTIONS: None

NEW BUSINESS:

Ordinance 2026-03 "Amend Chap 100 - Add Article "Affordable Housing Overlay Zone" -

Chairwoman Maio stated the Board received Ordinance 2026-03 from the governing body for review and comment. The ordinance creates an overlay zone to address affordable housing and is the same as the previous one. Mr. Keller stated the properties are the same and there are minor adjustments. The density is the same and the Borough's obligation is 101 units. After a review of Ordinance 2026-03, the Board had no comments or recommendation for the governing body. The Board Secretary will send a written communication to the governing body informing them that there were no comments or recommendations from the Board on the ordinance as written.

Housing Element and Fair Share Plan (Public Hearing) - Chairwoman Maio stated a copy of the Housing Element and Fair Share Plan was distributed to the Board for review. This is a public hearing on the Housing Element and Fair Share Plan. The Board had no comments on the Housing Element and Fair Share Plan as presented.

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

RESOLUTION: Chairwoman Maio offered the following resolution which was read by title:

Resolution Adopting the Housing Element and Fair Share Plan

WHEREAS, the Land Use Board previously adopted said Plan dated June, 2025; and

WHEREAS, the Land Use Board is being asked to consider and adopt a revised draft dated February 27, 2026

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Stanhope Borough Land Use Board (the "Board") held a public hearing on the Housing Element and Fair Share Plan ("HEFSP") on June, 2025 and revised February 27, 2026 during which the Housing Element and Fair Share Plan was presented to the public and Board, and opportunity for comments and questions were provided; and

WHEREAS, upon the conclusion of the public hearing, the Board determined that the proposed Housing Plan Element and Fair Share Plan is consistent with the goals and objectives of the Master Plan of the Borough of Stanhope, will guide the use of lands in the municipality in a manner which protects public health and safety and promotes the general welfare in accordance with N.J.S.A. 40:55D-28, and is designed to access to affordable housing to meet present and prospective housing needs in accordance with N.J.S.A. 52:27D-310;

NOW, THEREFORE, BE IT RESOLVED, by the Stanhope Borough Land Use Board as follows:

1. The Board hereby approves and adopts the Housing Element and Fair Share Plan ("HEFSP") in substantially the same form as attached hereto.
2. The Borough Planner and Borough Attorney are authorized to correct any typographical or grammatical errors in the HEFSP.
3. The Board Secretary shall publish notice of the adoption of this resolution and the HEFSP on the Borough's official website, www.stanhopenj.gov, which is accessible and available to the public free of charge.
4. The Board Secretary shall also transmit a copy of this resolution and the adopted plan to the Borough Clerk and Council.
5. The Board Secretary shall provide a copy of this resolution and the adopted plan to the Sussex County Planning Board and New Jersey Office of Planning Advocacy, in accordance with N.J.S.A. 40:55D-13.
6. The Borough Attorney is authorized to take all actions required by the FHA, including filing a copy of this Resolution and the adopted HEFSP with the Superior Court.

On motion by Ms. Lipinski, seconded by Mr. Schwartz and carried by the following unanimous roll call vote, the Board adopted the Resolution Adopting the Housing Element and Fair Share Plan dated February 27, 2026.

AFFIRMATIVE: Mr. Kurtz, Ms. Lipinski, Mr. Pico, Mr. Rogalo, Mr. Schwartz, Mr. Wachterhauser, Ms. Zeliff-Murphy, Chairwoman Maio
OPPOSED: None
ABSTENTIONS: None

NEW HEARINGS:

26-01, Happy Tree Farmacy Stanhope LLC

Block 11701, Lot 20 - Site Plan Waiver

Appl. Rec'd: 02/17/26

John Williams, Esq., attorney for the applicant came forward. Raaj Amthabhai, managing member of Happy Tree Farmacy Stanhope LLC also came forward. Mr. Gavan said the applicant is requesting a site plan waiver, but the ordinance requires a site plan. Mr. Gavan stated the applicant can ask for a waiver of certain items, but needs to submit a formal site plan application. Mr. Gavan noted this is new to the Board and it is his opinion that they should follow the requirements of the ordinance. Mr. Keller said if they are making any changes to the building such as modifying signage, it needs to be shown on the plans as well as the parking. Mr. Keller said he reviewed three cannabis applications for another town he represents, and he recommended the applicant go through the ordinance and make sure they provide all of the required information. Mr. Gavan noted that this matter is withdrawn and will be resubmitted as a site plan application.

PRESENTATION - REVIEW AND RECOMMENDATIONS - Stanhope Valley Road School Parking Lot

Mr. Pico stepped down from the dais since he is a member of the Stanhope Valley Road Board of Education.

Mr. Gavan reminded the Board that this is advisory only and the Board can only give comments.

Steven Hagemann, Superintendent of the Stanhope Valley Road School and Anthony Gianforcaro, engineer for the Stanhope Valley Road School came forward.

Mr. Gianforcaro stated he is a licensed architect in the State of New Jersey with his license in good standing and has testified hundreds of times. Mr. Gianforcaro said there is a field behind the school that borders the Sagamore cul de sac. It is currently used by the school and the recreation department for soccer and lacrosse. They want to construct a parking lot to the northern side so they can help with the circulation in the front of the school. They want to allow the teachers to park in the rear of the building. This is being done to alleviate the parking and the drop off and pick-up during the day. Currently cars are backed up all the way up the street. The proposed parking lot in the back would get some of the cars out of the front parking lot. The plan is to get as close as possible to the woods with no tree cutting. They are building a 50-foot parking lot and will leave room to maintain a field for the school and recreation department. They can still fit a soccer field with the parking lot. There will be a sidewalk along the one side of the parking lot coming up to the existing asphalt walkway and they are proposing

lights for safety. It is designed with a porous paving system. It will be designed to assume no infiltration as everything is drained into an outfall structure. There will be 15-inches of stone under the parking lot. The entire lot will be porous asphalt. They will put in an outflow structure and the overflow will be discharged into the back basin. They will be reducing the runoff for that area of the property. Mr. Gianforcaro noted they also submitted a drainage report. The parking lot will be lined and there will be two handicap spots. These handicap spots are not for access to the building, they are for spectators or parents at an event on the field. They will have seven fixtures to illuminate the parking lot.

Chairwoman Maio questioned that the parking lot will not be for drop off or pick-up. Mr. Hagemann responded that the intention is for it to be a staff parking lot during the school day and leaving the front lot open for the parents for drop off and pick-up. Mr. Hagemann said they have a significant increase in students and staff. The parking lot is almost full every day. The hope is for arrival to be much smoother and parents will get their children to school on time. Mr. Hagemann said it is difficult for parents to come into the school during the day because they cannot find a parking spot and there is not enough parking for evening events, i.e, graduation. It is their intent to still maintain the field for the sports activities. Chairwoman Maio asked Mr. Hagemann if he made an announcement to the neighborhood about the project. Mr. Hagemann responded he will be informing the neighborhood, but he wanted to meet with the Board first. He will invite the neighborhood in for a question and answer session. Mr. Gavan said he would have preferred to compel notice, but was told to do notice under law, would require notice to a very large development and he appreciates this as an alternative. Mr. Hagemann said they are not trying to get this done quietly, he wants everyone to know. Mr. Gavan commented that it will be a positive thing for the residents of Sagamore during a sports game since the spectators will be parking in the parking lot and not on the street.

Mr. Rogalo asked if they would line the ground with a filter fabric before putting down the gravel. Mr. Gianforcaro responded that he believes it is a requirement by the BMP to lay fabric first. They will have a fabric underneath the stones.

Mr. Gavan said the additional parking lot is for the safety of the school. Mr. Hagemann agreed, stating it will provide fifty spots for the staff and then there will be fifty additional spots in the front of the school. Mr. Rogalo questioned the possibility of balls going into the parking lot. Mr. Hagemann said they are turning the field in order to keep balls from going into the parking lot.

Mr. Keller asked if the lights would be on from dusk to dawn. Mr. Gianforcaro replied that usually for a school, they go on with a photo cell and go off with a timer. There was a concern that if someone was parking in the lot at night when they should not be parking there, the police would not see them from the street and would need to go into the parking lot. Mr. Keller suggested having an LED feature where it will not be 100% light level, but 50% so you can see something and it is not an intrusion on the neighbors. Mr. Keller stated he is not in favor of motion lights. Mr. Hagemann said the lighting will be similar to what they have in the front parking lot. It has dim lighting and does not disturb the neighbors.

Mr. Keller noted that with respect to stormwater management, they need to do an Operation and Maintenance Manual and the system must be inspected. It falls under the Borough's stormwater permit which means he must get the reports. Mr. Keller said they must do the inspections, the quarterly reports and an annual report that are to be submitted to him. Mr. Gianforcaro agreed.

Chairwoman Maio thanked Mr. Hagemann and Mr. Gianforcaro for their presentation.

Mr. Pico returned to the dais.

BILLS:

Bowman Consultants Group Ltd.		
02/13/26	Re: Kaczynski - Subdivision	\$ 78.75
02/13/26	Re: First Impressions School	\$ 905.63
02/13/26	Re: Gilmore Electric (ADG Amity)	\$2,981.88

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

AFFIRMATIVE: Mr. Kurtz, Ms. Lipinski, Mr. Pico, Mr. Rogalo, Mr. Schwartz, Mr. Wachterhauser,
Ms. Zeliff-Murphy, Chairwoman Maio
OPPOSED: None
ABSTENTIONS: 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. Lipinski, seconded by Mr. Rogalo, and carried by unanimous voice vote, it was the consensus of the Board to adjourn the meeting at 8:25 P.M.

Respectfully submitted,



Ellen Horak
Board Secretary