

MINUTES
HOPATCONG PLANNING BOARD
REORGANIZATION MEETING
Hopatcong Borough Hall, Hopatcong, NJ
January 15, 2008

CALL TO ORDER: Cliff Lundin called the meeting to order at 7:30 PM.

CHAIRMAN'S STATEMENT: The Vice Chairman stated that this meeting is held in accordance with the Open Public Meetings Act 10:4-1 et seq. Annual notice having been forwarded to the Jersey Herald and the Sunday Herald and posted on the bulletin board maintained in the Municipal Building for public announcements.

SALUTE TO THE FLAG: The Members joined in a salute to the Flag.

ROLL CALL PRESENT: Mayor Petillo, Councilman Mike Francis, Sam Hoagland, Robert Daddis, Cliff Lundin, Ron Jobeless, Alt. Alan Gilbert and Alt. Malcolm Piester, Board Atty. William Haggerty and Board Engineer John Ruschke

ABSENT: Mollie Comerford.

The meeting was turned over to Board Attorney William Haggerty. Alan Gilbert was sworn in as an Alternate.

REORGANIZATION:

Board Attorney William Haggerty requested a nomination for Chairman.

Chairperson: Sylvia Petillo nominated Sam Hoagland as Chairman, seconded by Lundin. There were no other nominations. The nominations were closed.

Roll Call: Petillo – yes, Francis – yes, Hoagland – abs. Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

Vice Chairperson: The Chairman requested a nomination for Vice Chairman. Francis nominated Robert Daddis as Vice Chairman, seconded by Petillo. There were no other nominations. The nominations were closed.

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – abs., Jobeless – yes, Lundin – yes, Gilbert - yes

Open Space Nomination: Sylvia Petillo nominated Cliff Lundin as the Open Space Representative, seconded by Hoagland.

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – abs., Gilbert - yes

Board Professionals:

A motion to appoint John Ruschke of Hatch Mott MacDonald as Board Engineer was made by Lundin, seconded by Daddis

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

A motion to appoint William Haggerty of Dolan & Dolan as Board Attorney was made by Petillo, seconded by Daddis

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

Board Secretary: A motion to appoint Eugenia Wiss as Board Secretary was made by Petillo, seconded by Daddis.

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

Meeting Dates and Official Newspaper: A motion to approve the meeting dates was made by Lundin, seconded by Petillo.

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

A motion to approve the The New Jersey Herald or New Jersey Sunday Herald as the official newspaper was made by Lundin, seconded by Daddis

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert - yes

MINUTES:

A motion to approve the minutes of December 4, 2007, was made by Lundin, seconded by Hoagland

Roll Call: Petillo – abs., Francis – abs., Hoagland – yes, Daddis – abs., Jobeless – abs., Lundin – yes, Gilbert – abs., Piester - yes

CONTINUED APPLICATIONS:

NEW APPLICATIONS:

PATEL, JASHVANT BLOCK 30313, LOT 1 50 Hopatchung Road

Worksession to discuss adding seating in the new deli. Bujan Patel, part owner of the business, was sworn in. There was a previous Resolution from January of 1999 that said Lots 1 and 3 needed to be combined as part of the approval. A Deed dated November 19, 1999 referenced this Resolution and said that Lots 1 and 3 could never be conveyed separately. Procedurally a Deed needs to be recorded to combine Lots 1 and 3. Mr. Patel said the properties were owned by him and his partner and doing this should not be a problem.

Bujan Patel wanted to add four or five 24” x 42” tables inside the deli; seating for 16. Ruschke said the when they had received approval for the Site Plan Amendment to put on an addition, the parking requirements were satisfied. The addition of tables would require a waiver of the parking requirements for 5 or 6 more parking spaces. They do not have a final Certificate of Occupancy for the addition.

Daddis felt the parking was more than adequate when he was there and customers standing around drinking coffee would now have a place to sit.

If there is a problem in the future, they could visit the parking issue again. They had submitted an adequate Site plan as part of the approval for the addition.

The meeting was open to the public. No one from the public commented. The meeting was closed to the public.

A motion to grant a Site Plan Waiver and waive the five additional parking spaces required conditioned upon having a Deed recorded combining Lots 1 and 3 of Block 30313 and compliance with all the conditions of the Site Plan was made by Daddis, seconded by Petillo.

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – yes, Jobeless – yes, Lundin – yes, Gilbert – yes

HERRMANN, THOMAS BLOCK 30701, LOT 1 434 River Styx Road

Waiver of Site Plan. Mr. Thomas Herrmann was sworn in. Ruschke commented that the application was problematic in that the proposed kennel was not a permitted use in this Zone so it required a D-variance that can only be heard by the Zoning Board. The grooming parlor aspect did fit into the Zoning requirement and the Planning Board would have jurisdiction on that application. The proposed multiple mixed uses including boat docks and storage would also be a Use or D variance that would be a Zoning Board application. There was a question as to whether the property extended to the Lake and they would probably have a problem with impervious coverage if they added a walkway to a dock. They would need an accurate site plan that should be drawn to scale and they would need to be before the Zoning Board for the boat storage and kennel approval.

There used to be a florist and travel agency in this building so a dog grooming and internet entertainment business would be permitted here. The use of the apartment on the second floor was supposed to be abandoned.

Mr. Herrmann said he would go forward with this Board with just a grooming business and the entertainment business. He would like to put a boat on the seawall but had to determine if this was part of his property first by checking the Deed. When this property was a bank in prior years, the customers could come by boat and dock. His customers could also come by boat.

He would have two employees and would not change the parking or lighting. This commercial property was in disarray and this is an opportunity to improve the property with landscaping, proper striping, sidewalks, lighting and garbage disposal. The sign should comply with the sign ordinance. A rudimentary site plan is required and also the interior space needs to be clearly identified.

The side fenced area would probably be opened up now that it could not be used as a kennel. If the parking was properly striped they could avoid backing into the road. Boat storage would hamper this.

The Board wanted a scaled site plan with dimensions, especially to the water, striping of the parking lot, landscaping if proposed, removal of the barbed wire on top of the fence with a dumpster location noted on the site plan. The sign dimensions and interior use need to be identified. He should come back to the Board with a Site Plan Application.

**RESOLUTIONS: Sniffen 40001/8.03
Minor Amendment of Conditions of Final Site Plan Approval**

**Sniffen 40001/8.03
Minor Amendment of Site Plan**

A motion to approve the Resolutions was made by Lundin, seconded by Hoagland

Hoagland – yes, Lundin – yes, Piester - yes

BILLS:

Dolan & Dolan			
Hopatcong Utility Bldg.	10002/1		\$65.00
Hopatcong Utility Bldg.	10002/1		\$26.00
Wiss	30408/28		\$52.00

A motion to approve the bills was made by Hoagland, seconded by Petillo

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – abs., Jobeless – yes, Lundin – yes, Gilbert – yes, Piester - yes

Nelson Consulting Group

Gen.	12/4/07 Mtg.	\$270.00
COAH Mun.	Site Eval	\$440.00

A motion to approve the bills was made by Francis, seconded by Lundin

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – abs., Jobeless – yes, Lundin – yes, Gilbert – yes, Piester - yes

Hatch Mott MacDonald

Lee	10708/6	\$231.64
Bedford Woods	20002/5	\$215.00
Gen. Dec. Mtgs.		\$220.00

A motion to approve the bills was made by Francis, seconded by Petillo

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – abs., Jobeless – yes, Lundin – yes, Gilbert – yes, Piester – yes

There was a discussion on the reappointment of the Bill Committee that consisted of three members who reviewed the bills after complaints about professional charges being charged against the escrows. This Committee was in place for 8 years. The Board decided to eliminate this Committee because any applicant who feels he is being overcharged has the right to have a hearing on it.

OLD BUSINESS:

LA BRUNDA, KEITH BLOCK 20112, LOT 11 7 Kynor Ave.

Evaluation of compliance of the Home Occupation business for a home bakery and catering business: Keith La Brunda was sworn in. This matter was before the Board on May 15, 2007, and since this was new territory for the Board, they wanted to review the application later. There have been no complaints about parking or traffic according to the Zoning Officer. The orders are received by phone or email and a recent newspaper article had helped business. If they succeed they would like to get a retail space.

This application did not go before the Zoning Board for a Use Variance because it was a home occupation with no employees, no customers coming to the home, signage or pickups at the site. It was supposed to be indistinguishable from the other homes as a condition of approval. All goods are made to order.

The Zoning Officer reviews most Home Occupations and approves them if they meet the criteria in the Ordinance and any questionable ones are sent to the Planning Board for review.

MEETING OPEN TO PUBLIC:

Ken Trumpore questioned how the LaBrunda’s handle deliveries. The business was low volume and when it becomes high volume they will go into a retail space. She was doing this to be home with her children.

COAH Spending Plan: COAH has received a six month extension; however, we need a Planner on board to be the lead person. Hopefully someone will be hired within two or three months. The Spending Plan has to be developed so bills that should be charged to COAH can be taken from the fund.

There was a discussion on the COAH Plan and obligation, how the Borough was doing on compliance and the consequences of non-compliance.

NEW BUSINESS:

Request for Proposal (RFP) for Planner Position: The Board is looking for a licensed Planner with redevelopment ability, COAH and site plan review experience.

Ruschke or Haggerty will come up with a Request for Proposal and this position will be advertised.

Weldon Quarry, Block 70001, Lot 1: Review of Reclamation: Lundin said the Ordinance requires an independent engineer, LAN, to inspect the Quarry. LAN initially

requested an insurance bond to insure reclamation, however, the Quarry wasn't in a position to post a million dollar bond and instead put the money that they would spend on the bond into reclamation as a condition of the bond waiver. Part of the reclamation area (the Sparta face) is actually in Sparta. There used to be a Quarry Oversight Committee and a new Committee might be advisable. Weldon is submitting an annual aerial photo as was required.

A motion to defer the waiver of the reclamation bond until after a Quarry Committee is appointed and LAN does an inspection was made by Lundin, seconded by Gilbert

Roll Call: Petillo – yes, Francis – yes, Hoagland – yes, Daddis – abs., Jobeless – yes, Lundin – yes, Gilbert – yes, Piester - yes

Francis had gone to Trenton to the Office of Smart Growth to find out more information on grants for Planning for town circulation and transportation issues.

The Highland's Commission also has grant money available. The Borough had received one of these grants in the past. Eileen Swan from the Highland's Commission will be at the February 20, 2008 Council Meeting. The Planning and Zoning Board will be invited to this meeting.

ADJOURNMENT:

A motion to adjourn was made by Lundin, seconded by Jobeless.

ALL WERE IN FAVOR. MOTION CARRIED.

The meeting was adjourned at 9:04 p.m.

Eugenia Wiss, Secretary