

MINUTES
HOPATCONG PLANNING BOARD
REORGANIZATION MEETING
Hopatcong Borough Hall, Hopatcong, NJ
January 17, 2006

CALL TO ORDER: Scott Wallis called the meeting to order at 7:30 PM.

CHAIRMAN'S STATEMENT: The 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: Scott Wallis, Mayor Hodson, Councilman Armeno, Sam Hoagland, Molly Comerford, Peter A. Ecklund, Borough Engineer John Ruschke, Borough Planner Ken Nelson and Board Atty. William Haggerty

ABSENT: Anthony Lagomarsino

The meeting was turned over to Board Attorney William Haggerty

Sam Hoagland was sworn in as a Class IV member, the liaison for the Environmental Committee.

REORGANIZATION:

Board Attorney William Haggerty requested a nomination for Chairman.

Chairperson: Peter Ecklund nominated Scott Wallis as Chairman, seconded by Armeno. There were no other nominations. The nominations were closed.

Roll Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

Chairman Wallis resumed the meeting.

Vice Chairperson: The Chairman requested a nomination for Vice Chairman. Mayor Hodson nominated Peter Ecklund as Vice Chairman, seconded by Hoagland.

ALL IN FAVOR. MOTION CARRIED.

Board Professionals:

A motion to appoint Kenneth Nelson as Board Planner was made by Armeno, seconded by Hoagland.

ALL IN FAVOR. MOTION CARRIED.

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

ALL IN FAVOR. MOTION CARRIED.

A motion to appoint William Haggerty of Dolan & Dolan as Board Attorney was made by Armeno, seconded by Hodson.

ALL IN FAVOR. MOTION CARRIED.

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

ALL IN FAVOR. MOTION CARRIED.

Meeting Dates and Official Newspaper: A motion to approve the meeting dates and to designate the The New Jersey Herald or Sunday Herald as the official newspaper for publication was made by Armeno, seconded by Hoagland.

ALL IN FAVOR. MOTION CARRIED

MINUTES:

A motion to approve the minutes of December 6, 2005, was made by Armeno, seconded by Hoagland.

Roll Call: Ecklund – yes, Hodson – yes, Hoagland– yes, Armeno – yes, Comerford – abs, Wallis – abs.

CONTINUED APPLICATIONS:

BOTT, GLENN BLOCK 10103, LOT 1 18-20 Unger Ave.

Application for a minor subdivision: This matter was continued from the September 6, November 1 and December 6th 2005 meetings with no further notice at the applicant's request to address the Board and Engineer's concerns. Glenn Bott and Joseph Mianecki were sworn in. The Board and Mr. Mianecki reviewed the report from Board Engineer Ruschke dated January 13, 2006. They have swapped the house location with the septic field as was suggested at the last meeting and that forced the house closer to Unger Ave. The front yard setback complies. They had lowered the height of the retaining walls to 3' or less, the stone parking area on Adrian Street will be removed and graded out. They had amended the Environmental Constraints Plan to show 10-12 trees to be removed.

Ruschke noted that if the garage ceiling exceeds 6'11", a Floor Area Ratio was necessary and this matter would have to go before the Zoning Board for a D variance. The FAR was 19.9% not counting the basement or garage. The applicant said he could fit a 6'6" garage door into a 6'11" ceiling height.

Ruschke went through his January 13th report. Planner Nelson suggested that they increase the lot size to eliminate the FAR. Eventually they would like to demo the house on the other lot and build a new one so they didn't want to do this. The Mayor suggested that they meet with Donegan to address the ceiling height and FAR with an alternate plan. Nelson also suggested they be very careful of the trees using safety fence and that landscaping be a condition of the Certificate of Occupancy.

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

The applicant agreed to reduce the driveway width, reduce the height of the ceiling of the garage on the plans to 6'11" and provide a post construction landscaping plan to Nelson and come to an agreement on the landscaping before a Certificate of Occupancy is issued and comply with Ruschke's report of January 13, 2006.

A motion to approve the application with the Board's stipulations was made by Hoagland, seconded by Ecklund

Roll Call: Ecklund – yes, Hodson – no, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

NEW APPLICATIONS:

BRENNAN & SCHWARTZ BLOCK 11016, LOT 7 306 Durban Ave.

Applicant would like approval for a Home Occupation. Walter Brennan and Evan Schwartz live at 306 Durban Avenue with Walter's parents and are detailing show cars in the detached one-car garage. They wash the cars outside and sand with compound inside the garage. They use a power buffer. They operate from 8-3 and have no other employment. They only detail two cars a week and only have one car there at a time. They deliver the cars. There is not a lot of dust and they only use masks for occasional spray touch up painting.

The definition of a home occupation is that there is no indication that a business exists there. Also home occupations are only allowed in the principal building as per Ordinance 242-32(5). There can be problems with this type of business in a residential area. They could go to the Zoning Board for a use variance.

A neighbor had complained of the odor from a kerosene heater and when they were working at night.

A motion to deny the Home Occupation because it doesn't meet the Ordinance definition was made by Hoagland, seconded Ecklund.

Roll Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

BOROUGH OF HOPATCONG DOG PARK BLOCK 31503, LOT 32 & 33 508 River Styx Road

Application to construct a public dog park: John Ruschke presented this capital improvement project for the Borough. The Dog Park would be put on a vacant Borough parcel near the school bus stop and the ambulance building. There will be no substantial improvements on the site, the wetlands are delineated and there will be a buffer, they will remove existing construction debris, do no substantial grading, cut the underbrush and install a 4' high chain link fence that will follow the topography. There will be a two-gate system so the dogs can't run out. Wood chips will be installed, no paving is proposed. The Borough would prepare bylaws for the park. It would be self sustaining and the people who use it will clean up after the dogs, bags will be provided and possibly receptacles with self-close lids. They can accommodate about 10 cars there.

Ecklund wondered if this was the best use for this land, this is a busy and not particularly safe spot. The hours of operation could be regulated.

Haggerty explained this was a fact finding conceptual hearing and this Board would make recommendations to the governing body. This hearing had been noticed.

The meeting was open to the public. Daniel Burge and Richard Burge, nearby neighbors, commented this lot was once wetlands and had been filled with construction debris. They were concerned about the Town's liability, the smell and the runoff into the Lake caused by the dog park. There were other places that dogs could run loose not too far away.

Viola Karl who lives on Kisling felt the location was a poor choice and would rather see it where there is undeveloped property like Sparta Stanhope Road. She was concerned about barking and the safety of this location.

Donna Schuman, nearby resident, said that the parking is completely used for the bus stop, there are no sidewalks so it would not be safe for people to walk there. She would hear the dogs barking from her property.

Councilman Fisher said that the idea of a Dog Park came from Town residents who wanted it. Dog parks have been installed successfully in other areas. They are meeting areas for dog lovers, are self policing and the probability for biting is the same as when people walk their dogs along the road. The Town has insurance. People jog and walk along and cross the road in the area of the park now. The ambulance squad has no plans to develop the property at this time.

Councilwoman Estelle Klein is a dog lover and said that dogs are less aggressive when off a leash and many residents want a dog park in Town. She wouldn't mind one next door to her.

Charles Auriemma says he has a problem with the site; it is in a residential area, it will be noisy and smell. It should be located in an area where there are no nearby residences.

The meeting was closed to the public.

A motion for the Planning Board to recommend that the Council consider another site for the Dog Park was made by Hoagland, seconded by Ecklund.

Roll Call: Ecklund – yes, Hodson –abs., Hoagland – yes, Armeno – abs., Comerford – yes, Wallis - yes

RESOLUTIONS: Barber Shop 30704/6

A motion to approve the Resolution was made by Hoagland, seconded by Ecklund. Roll Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – abs., Wallis – abs.

BILLS: Hatch Mott MacDonald

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| Walker | 20002/2 | \$57.50 |
| General | Dec. mtg. | \$210.00 |
| Bott | 10103/1 | \$245.00 |

A motion to approve the bills was made by Hodson, seconded by Armeno.

Roll Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis – yes

Nelson Consulting Group

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| COAH research & plan | \$2441.50 |
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A motion to approve the bill was made by Ecklund, seconded by Armeno. Roll

Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

Dolan & Dolan

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|---------------|---------|----------|
| Weldon Quarry | 70001/1 | \$366.00 |
| Walker | 20002/2 | \$30.00 |
| General | COAH | \$412.00 |

A motion to approve the bills was made by Ecklund, seconded by Hoagland. Roll

Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

ESCROW REFUND: Giacolone 50204/1 \$325.00

A motion to approve the refund was made by Hodson, seconded by Hoagland.

Roll Call: Ecklund – yes, Hodson – yes, Hoagland – yes, Armeno – yes, Comerford – yes, Wallis - yes

OLD BUSINESS: None

NEW BUSINESS: The new bill review committee will be Hoagland, Ecklund and Armeno.

The professionals had increased their fees. The Board had received letters to that effect.

There will be a discussion on Floor Area Ratio on February 15th at the Council meeting and interested Planning Board members should plan on attending. The Zoning Board members will be attending.

ADJOURNMENT:

A motion to adjourn was made by Armeno, seconded by Hoagland.

ALL WERE IN FAVOR. MOTION CARRIED.

The meeting was adjourned at 9:15 p.m.

Eugenia Wiss, Secretary