

MINUTES  
HOPATCONG PLANNING BOARD  
Hopatcong Borough Hall, Hopatcong, NJ  
July 18, 2006

CALL TO ORDER: Chairman Peter Ecklund called the meeting to order at 7:35 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 New Jersey Herald and the Sunday New Jersey 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 Hodson, Councilman Armeno, Sam Hoagland, Scott Wallis, Mollie Comerford, Chairman Peter A. Ecklund, Borough Engineer John Ruschke and Borough Attorney William Haggerty

ABSENT: Anthony Lagomarsino, Planner Ken Nelson

**MINUTES:**

A motion to approve the minutes of June 20, 2006 was made by Armeno seconded by Hoagland.

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

**CONTINUED APPLICATION:**

**HOPATCONG PROFESSIONAL BUILDING, BLOCK 10705, LOT 4 & 5  
41 LAKESIDE BOULEVARD**

Preliminary Mayor Site Plan. Applicant would like to add approximately 5905 sf to the existing professional offices and relocate and enlarge the parking lot. This matter was continued from the May 2, 2006, meeting.

The applicant has requested a continuation to the September 5, 2006 meeting as per letter dated July 18<sup>th</sup> to address issues with the DEP.

A motion to continue the matter to the September 5, 2006 meeting at the applicant's request was made by Armeno, seconded by Hoagland.

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

**NEW APPLICATIONS:**

**LEE, SUN BLOCK 10708, LOT 6 17 Lakeside Boulevard**

Conceptual hearing to discuss paving of property. This application had been continued from the June 20<sup>th</sup> meeting at the applicant's request. Sun Lee, owner of the property, was sworn in. The paving of the property had already been installed and the entire property has been covered with black top. This matter had been before the Planning Board three years ago and had he received approvals as per the site plan. When the leach field was taken away, Mr. Lee covered the dirt with black top, he didn't realize he needed to notice the town. The new blacktop is not lined with parking spaces. He also demolished the garage.

Atty. Haggerty explained that there are regulations for impervious coverage and ordinances for parking to ensure safety and this paving required approvals and that is why he is here. He needs to notice for the variances and make an Amended Site Plan Application.

The new paving was not part of the previous Board approval three years ago. He was not sure the matter had been before the County for approval at that time. Now there is concern about stormwater runoff management. He has installed curbing on Atno Avenue to prevent runoff.

The Board doesn't want him to draw up a site plan that they can't approve. The stormwater must be managed on site and comply with our Stormwater Ordinance. There should also be some landscaping on the site since it abuts a residential area. He could be forced to remove the pavement, drywells should be installed at the very least. Nelson had provided a report on this matter recommending a site plan application.

Mr. Lee did not know if he had roof drains. He will talk to our engineer about what he is looking for in the way of a site plan and either come back for site plan approval or remove the pavement. He also needs a variance for no buffer for the residential area. He should discuss the Board's requirements with his engineer when he prepares an amended site plan.

**AURIEMMA, THERESE AND CHARLES BLOCK 31603, LOT 22 7 Dean Road**

Minor Subdivision Application. Therese and Charles Auriemma were sworn in. Armeno and Hodson recused themselves from this application. The Auriemmas had tried to stick with the plan that had been discussed at the previous Worksession. The new lots would be 16,979 sf and 15,433 sf but needed variances for lot width. Nelson's report indicated that they should front one of the lots on Dean Road but their septic would interfere with this. The septic and leach fields weren't shown on the plan. They have done test pits on the two proposed lots. The property overlap issue will be solved, the Borough Attorney will prepare a quitclaim deed for this property and any approval will be a conditioned on this.

The site distance needs to be verified by the County before the lots are divided. Wallis was not opposed to this application; the lots would fit into the neighborhood.

The meeting was open to the public. James Farrel, 495 River Styx Road was sworn in. Besides his general objection to seeing these lots developed, the lot width ordinance, 242-38D(2), is pretty clear and these regulations were put in place to preserve certain standards. The middle lot is 33 feet short of the requirement. He sees no extenuating circumstances for granting relief or hardship, so he objects to granting relief.

Haggerty said the applicant needs to establish entitlement to variances. The proposed lots are consistent to other lots in the area, the hardship could be the characteristics of the lot. One building lot could be approved with no variances. This lot would be larger than other lots in the area. They could also purchase the lot next to theirs that is owned by the Borough. Alternative designs for the lot lines were discussed, an on site inspection was proposed.

They said they had pursued the option of purchasing the property from the Borough. They had the property appraised at their cost and at one time the Borough wanted \$10,000 for this lot and they felt including it would result in a disturbance of more land and would not improve the proposed lot particularly.

Wallis felt that Lot 21, owned by the Borough, had a rock outcropping that would prevent it from being usable and, if the proposed lot line was moved, it would make it difficult to build on the new lot.

A motion to approve the subdivision conditioned on obtaining site distance approval and any other approvals necessary from the County was made by Wallis, seconded Hoagland.

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

**HUGGINS, APRIL DBA NEXT GENERATION CHILD CARE Block 41203, Lots 1 & 2, 442 Maxim Drive**

Waiver of Site Plan to use property for a daycare. April Huggins was sworn in. The owner of the property had given her permission to make the application in the Land Development Application and Atty. Haggerty said this was sufficient. She is a proposed tenant. She is now renting the Jewish Community Center and needs to relocate. She would be renting two of the lower floor offices. There is a circular driveway on the property that would be used for drop off. There is a municipal playground behind the

firehouse that they would like to use. This Board cannot grant permission for that; they need to go to the Recreation committee.

The site plan they submitted did not accurately show what was on the property. They needed to be specific as to stacking and evacuation procedures. There was a concern about the slope of the property.

She felt the rear exit was suitable for evacuation. Wallis felt there could be a problem with the response from the firehouse across the street with firemen's cars pulling in to respond to an emergency.

This matter does not need to go to the County as the driveway is off Indian Trail. Of the 20 children she has now, many are dropped off by school bus. They need to be out of their building by the end of this week.

She needs to address the stacking and parking with an updated site plan and project the number of children that will be there. The Board members will make a site inspection.

A motion to continue the matter to the August 1, 2006 meeting was made by Hoagland, seconded by Comerford.

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

**RESOLUTIONS: Designer Homes of NJ 10106/7,18,19**

A motion to approve the Resolution was made by Armeno, seconded by Wallis.

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

**Yoon, Jiro 30701/5**

A motion to approve the Resolution was made by Armeno with clarification of the legality of the permission by the owner to make the application, seconded by Hoagland.

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

**Pristash, Pavel 10704/1**

A motion to approve the Resolution was made by Armeno, seconded by Hoagland.

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

**BILLS: Dolan & Dolan**

Shlakman	30320/6	\$24.00
Shlakman	30320/6	\$143.75
Friel	41101/22	\$50.00
Cingular Wir.	40003/1	\$75.00
General	5/2 mtg.	\$250.00

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

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

**Hatch Mott MacDonald**

Cingular Wir.	40003/1	\$52.50
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A motion to approve the bill was made by Armeno, seconded by Hoagland.

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

**ESCROW REFUNDS: NONE**

**OLD BUSINESS:**

**COAH:** Wallis suggested that the Board consider finding another representative, Haggerty or Stein or someone with extensive experience in dealing with COAH, to address the objection. Hopatcong Adult has not filed anything to support their objection yet. Nelson would be advised to give a status report at the next meeting of his progress with COAH.

**NEW BUSINESS:**

**August 15, 2006 meeting:** Discussion on cancellation

A motion to cancel the August 15<sup>th</sup> meeting was made by Wallis providing there are no postponements to that date, seconded by Comerford.

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

The Mayor said they were considering changing the Zoning along Stanhope Sparta Road. Contour maps would be used to evaluate development based on environmental constraints. Ruschke will be doing the mapping of the study.

The Mayor, Ecklund and Hoagland will take another look at the area proposed for Tax Abatement on August 11<sup>th</sup> at 10:00 a.m.

Other correspondence was discussed.

**OPEN TO THE PUBLIC:**

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

**ADJOURNMENT:**

A motion to adjourn was made by Hoagland, seconded by Wallis

ALL WERE IN FAVOR. MOTION CARRIED.

The meeting was adjourned at 9:55 p.m.

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Eugenia Wiss, Secretary