

MINUTES
HOPATCONG PLANNING BOARD
Hopatcong Borough Hall, Hopatcong, NJ
May 6, 2008

CALL TO ORDER: Chairman Sam Hoagland 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: Mayor Petillo, Mike Francis, Robert Daddis, Mollie Comerford, Ron Jobeless, Cliff Lundin, Ch. Sam Hoagland, Alt. Alan Gilbert, Alt. Robert Duncan, Board Atty. William Haggerty, Board Planner Chuck McGroarty

EXCUSED: Board Engineer John Ruschke

MINUTES:

A motion to approve the minutes of the March 18, 2008 Planning Board Meeting was made by Petillo, seconded by Comerford

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

CONTINUED APPLICATIONS: none

BYRAM BUS BLOCK 20001, LOT 3 19 Sparta Stanhope Road

Worksession: Harvey Michelman, Esq. represented Byram Bus and General Manager, Tom Losh, appeared. A new state regulation requires that the Board approve a dealer license. A letter dated April 30, 2007 from Mr. Losh explained the situation. There are no changes proposed to their operation. For 25 years they had a dealer's license from another company that went out of business five years ago. Mr. Losh was sworn in and said he has worked for Byram Bus for 25 and they sell and service Braun lifts for handicapped vehicles. A photo of a Braun van was given to the Board. They would like to become distributors for this vehicle. Originally they had a license to sell Wayne Weld vehicles from 1975 through 1995 when the Company went out of business. This was similar to what they are doing now.

The Board needs to determine if this is a new use. This property is in the M-1 Zone and vehicle sales are not a permitted use anywhere in any zone in the Borough. They must determine if this is an accessory use to their business. A similar ancillary use had been approved by the Planning Board to obtain the state license and the resolution was specific as to what was permitted. They will have two or three of these vehicles on site.

Mr. Losh explained they are a school bus contractor for seven districts, have a 12,000 sf. facility with an office and mechanical staff. They are in the transportation business and also service buses. Approximately 70 school buses are parked on the premises.

They agreed that there would be no change in the facility, lighting, parking, signage or operation and they have been using the facility for this use but are here for the license renewal only as an ancillary use that was not intentionally ever abandoned.

A motion to find jurisdiction by this Board was made by Lundin, seconded by Petillo.

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

They have rearranged the type of vehicles parked on the site to make it more orderly from the road and Lundin complemented them on this.

They are requesting a Waiver of Site Plan based upon the fact that there will be no change in parking, egress, lighting, operation and it is a continuation of the business as it has operated before with the condition that no more than five vehicles will ever be on site for sale.

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

A motion to waive Site Plan Approval and authorize the dealership subject to no change in the existing conditions on the lot with no showroom, signage, etc. with a maximum of five vehicles for sale on the premises was made by Lundin, seconded by Petillo

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

WENG, JIA GUI BLOCK 10601, LOT 19 22 Lakeside Boulevard

Amendment of Site Plan: Mr. Weng and his interpreter were sworn in. He would like to put a takeout Chinese restaurant in an existing storefront that used to be a bakery in a B-2 zone. A restaurant is a permitted use in a B-2 zone and we have had similar approvals in B-2 zones. McGroarty took photos of the site that showed the paving needed to be repaired or resurfaced and the parking striped. Also there was no lighting or trash containers on site and this would be necessary. They would use the same size signage or comply with the sign ordinance. There is an erosion problem in the back of the property and that is a safety issue.

The restaurant will be open from 11 a.m. to 11 p.m., Monday through Saturday, so lighting is necessary. McGroarty recommended soffet lighting.

This is the time to correct property maintenance issues. Any approval will be subject to Board of Health and the Sewer Department approvals also. There was also a problem with the countertops so the employees could have access to the restrooms.

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

A motion to approve with these conditions of approval: same size signage, a grease trap and box installed, lighting added, resurfacing or patching of the parking lot and parking stripes painted, addressing the erosion and the installation of a dumpster with an enclosure was made by Daddis, seconded by Hoagland.

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

Daddis said he would discuss the issues the landlord needed to address with him and told the applicant it was his responsibility to install a grease trap and dumpster and a fenced in dumpster enclosure, open up the counter and would be subject to Board of Education. This would all be done before a C.O. is issued.

RESOLUTIONS: Sniffen 40001/8 & 8.04

A motion to approve the Resolution was made by Comerford, seconded by Daddis.

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

BILLS: Hatch Mott MacDonald

Atkins	10712/38	\$55.00
Walker	20002/2	\$55.00
General	3/4 mtg.	\$165.00
General	3/18 mtg.	\$55.00

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

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

Dolan & Dolan

Herrmann	30701/1	\$32.50
Herrmann	30701/1	\$162.50
General	COAH	\$26.00
General & 3/4 & 3/18 mtg.		\$780.00
Sniffen	400018.04	\$312.00
General	COAH	\$26.00
Bedford Woods	20002/5	\$130.00
Byram Bus	20001/3	\$52.00

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

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

Discussion on two outstanding bills:

Kentwood Academy	41203/2	\$26.00
------------------	---------	---------

A motion to approve paying this out of the general account was made by Francis, seconded by Lundin.

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

Habitat for Humanity	11001/15	\$65.00
----------------------	----------	---------

A motion to pay this bill out of the general account and document it for reimbursement when the COAH fund is set up was made by Lundin, seconded by Petillo

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

OLD BUSINESS:

COAH: Chuck McGroarty said that the Housing Plan will have to be redone to comply with the new rules that came out today and a spending plan will be included in it. Because Hopatcong had previously submitted plans, it will remain under COAH jurisdiction. The deadline to submit the New Housing Element complying with the revised rules is December, 2008. The prior round number is unchanged at 93 and the projected residential need is 78 (up from 73), and the employment growth is 26 down from 33. COAH’s projections for the third round that runs through 2018 is 104 units, a decline of two units. Our total including the previous round obligation is 230. Municipalities are encouraged to create the zoning for this. The Town Center Designation may modify these numbers.

The new rules will be published and there will be a comment period but McGroarty felt it was important to move ahead with preparing a credible plan to keep us under COAH jurisdiction. We can file instead of asking for a petition.

The Mayor said the two groups are asking the Borough to contribute to fight COAH. McGroarty felt it was more important to protect the Borough. Francis felt we should work within COAH and the Highlands boundaries as well as we can. We can only put 3% of our area in Open Space according to the new rules.

All mediation has stopped with regard to the challenge from D.R. Horton and the new plan will be substantially different.

McGroarty will give us two proposals, one without going through the land adjustment analysis and one with. We are trying to obtain grants for visioning and the Highlands grant.

NEW BUSINESS:

KATZ, SETH BLOCK 30703, LOTS 12 & 12.01 408 River Styx Road

Discussion on temporary fence around property. Mr. Katz was sworn in. He had purchased the old "Mad House" property and wants to put up a temporary, security fence while he is removing the dilapidated house on the property and also to prevent trespassing and for safety reasons. He agreed to allow the Lake Commission and Fire Department to use the dock this summer. He will install a chain link fence and he will keep it out of the right of way.

A motion to Waive a Site Plan Approval for a temporary, security fence for a six month time period was made by Lundin, seconded by Daddis

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

Hoagland said there are over 20 trailers parked on the Lake Hopatcong Jewish center, Block 30705, Lot 4 on 6 Durban Road. Donegan had sent them a letter to remove the trailers with a deadline.

MEETING OPEN TO PUBLIC: The meeting was 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 Petillo, seconded by Francis.

ALL WERE IN FAVOR. MOTION CARRIED.

The meeting was adjourned at 8:48 p.m.

Eugenia Wiss, Secretary