

MINUTES
HOPATCONG PLANNING BOARD
Hopatcong Borough Hall, Hopatcong, NJ
October 17, 2006

CALL TO ORDER: Chairman Peter Ecklund called the meeting to order at 7:32 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, Mollie Comerford, Scott Wallis, Alt. Mark Jenkins, Chairman Peter A. Ecklund, Borough Engineer John Ruschke, and Borough Attorney William Haggerty, Planner Ken Nelson

ABSENT: Anthony Lagomarsino

MINUTES:

A motion to approve the minutes of October 3, 2006 was made by Armeno seconded by Hoagland

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

CONTINUED APPLICATIONS:

PILINCI, ANGELO BLOCK 10708, LOT 4 25 Lakeside Boulevard

Conceptual hearing for a proposed Preliminary and Final Site Plan application: This matter was continued from the October 3rd meeting. Ronald Heyman, Esq. represented Mr. Pilinci. They have removed some macadam under the supervision of Zoning Officer Bill Donegan so the ticketing had ceased. The engineer they retained, Mr. Stewart, presented a survey showing the pavement that had been removed that lowered the lot coverage to 81% which is what they believe they were at before the paving. They will relocate the dumpster area and share it with the motel. It will also be enclosed, probably masonry with gates. They would like to add a foyer and shift the entry area towards the parking lot and extend the canopy over an existing walkway and relocate the sidewalk. 20-30 sf would be added as a result of the increase in walkway and sidewalk.

They will repair the fence; he wants to be a good neighbor. They will file an application next week and obtain the old site plan and any resolutions. The canopy might need a variance. The next meeting of the Planning Board is November 21st due to cancellation of the first meeting because of elections. The site plan should show landscaping, striping, impervious coverage and a rendering of the building with the canopy. The fence should be replaced with a 6' wooden fence. They will comply and advertise for the November 21st meeting.

NEW APPLICATIONS:

LEE, SUN BLOCK 10708, LOT 6 17 Lakeside Boulevard

Amended site plan application. Mr. Fullerton, a landscape architect who participated in the preparation of the plan, was sworn in with Mr. Lee. They had removed the rear parking spaces to create a 20' buffer to allow for vehicle circulation and added a drywell in the back with an overflow into the County storm system. They will re-stripe and be at 81.5% coverage. They have ten parking places now; eleven is required. They have removed the parking space from the buffer zone per the engineer's request. The ingress is

from Lakeside Blvd., egress on Atno Ave., one way. The maximum amount of people they have working there is five people so the parking is pretty tight.

Ruschke thought a blending of this plan and what they had originally proposed that showed some landscaping and pavers that would beautify the site and offset the impervious coverage. Parking in the right of way, although not usually recommended, should be considered due to the uniqueness of this site, maybe just for the tenant or employee. A fence buffer might be considered or landscaping rather than a grass strip. This application does not need County review because they are not changing any curb cuts on the County road. They do not use commercial dumpsters, just garbage cans.

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

They will revise the plans based on the comments of the Board. Fullerton wanted the design to be the best for his client and the community.

A motion to carry the matter to the next meeting, November 21st, was made by Armeno, seconded by Hoagland.

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

SOMJEN, GREGORY BLOCK 50208, LOT 14 Squaw Trail

Minor Subdivision Application. Gregory Somjen was sworn in. He wants to divide a property that has two homes on a single lot into two separate lots. The property was three separate properties prior to 1979 when they were combined. He would like to use the properties for his family. He had received the reports from the engineer and planner. The previous owners of these homes had rented one of the homes in the summer. He would like to improve the homes. They share a well and a parking easement will be necessary. He did provide a draft easement for review.

The letter from the Health Dept. said that if the property was separated and sold to another party, a new well would have to be drilled. He agreed to drill a well if the property was sold and has had a well driller on the property. He has hired Carreaga engineering to work with the Health Dept. to improve the septic systems. With regard to the lot size, the entire block has an average lot size of 11,000 sf with a 66' width, Somjen felt the proposed lots were not unusually undersized. The Board wanted the proposed lot size not to include any property in the lake or on Squaw Trail. Somjen would consider moving the lot line but felt keeping the peninsula whole would create a better subdivision. He is an architect, wants to be a good neighbor and wouldn't design anything inappropriate for the lots, he just wants to improve the property for his own use.

The meeting was open to the public. Bob Daddis, 203 Maxim Dr. was sworn in. He is familiar with the property, the fact that the applicant will "try" to address the Board's concerns about the septic was not enough. Access to the lake from one of the houses was difficult, parking is bad there, there is no off street parking, guests would block the street. The useable land should only be factored in this application. The septic and well needs to be addressed completely before a subdivision was created that would affect neighbors and the lake.

Haggerty felt the well would be needed sooner or later but Somjen said it has existed this way. He agreed to make things as compliant as possible on this lot. Sewers are not planned for this area in the near future.

Eli and Joy Galicki of 223 Squaw Trail were sworn in. The property is too small and there is a problem with lake access for one of the proposed lots. There is a lot of traffic on this road and cars make u-turns in his driveway all the time. Garbage trucks cannot turn around so they don't go to the end of Squaw. They were concerned about property values if these homes were sold separately. Other property owners had problems with septic systems and wells. The lot is very steep, they were concerned about dock space. One of the homes was only used in the summer. The area has mixed part and full time residents.

Walt Molosh and Donna Ruh, 225 Squaw Trail, adjacent property owners are interested in buying some property from Mr. Somjen to make their lot more conforming. Their eaves overhang Somjen’s property. The additional property would be a good buffer. They are not in favor of subdividing the property and would prefer one house on the property.

Garret Trull, 221 Squaw Trail has a summer bungalow on a small lot that was a “fixer-upper”. He can’t make the improvements he thought he could when he bought it. It would not be an improvement to the neighborhood to have another house on a small lot.

Cliff Lundin was sworn in. He has lived at 378 Maxim Drive since 1955 and knew previous owners. Land under the water should not be counted for square footage requirements. The small house was a subsidiary home, rented and sometimes unoccupied. There is a drop off near the small house so a well would be difficult. The burden of proof is on the applicant to prove that the lot can stand on it’s own with an adequate well and septic.

The Board would like to have this information: recalculated square footage excluding Squaw Trail and the lake, the status of the septic systems and the ability to reconstruct the systems and construct a well, reasonable parking and access needs to be provided, consideration of possible lot line adjustment to increase the square footage of the smaller lot, investigation the neighbor’s offer to sell property to create a nice remainder lot and a topographical map should be submitted.

He will come back with this additional information.

A motion to continue this matter to the November 21st meeting with no further notice was made by Armeno, seconded by Wallis.

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

PATEL, BHAVESH BLOCK 30707, LOT 11 469 River Styx Road

Waiver of Site Plan for Awning Installation: Wallis recused himself from this application. Mr. Patel rents the property and is asking permission for approval for an awning that is already there. He used to have a 12’x18’ sign there. The awning is considered signage. A signage calculation needs to be done by Donegan to see if what he has there with the awning is permitted. The old site plan and Resolution needs review. He has permission to leave the awning up until the next meeting, November 21st, when the matter will be reconsidered with this additional information.

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

A motion to carry the matter to the November 21st meeting was made by Jenkins, seconded by Armeno.

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

BEDFORD WOODS, LLC. BLOCK 20002, LOT 5 Stanhope Sparta Road

Completeness discussion. The engineer and planner agreed this application was complete enough to be scheduled for the November 21st meeting. The applicant will be given the option of being heard on December 5th because of the full agenda on November 21st.

RESOLUTIONS:

BILLS:

Dolan & Dolan

BSP Ent.	30313/1	\$181.25
Boulevard Rty	10901/40	\$331.25
Lee	10708/6	\$25.00
Pilinci	10708/4	\$25.00
Weldon	70001/1	\$25.00
General	9/5, 9/19 mtg.	\$756.25

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

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

Nelson Consulting

Somjen	10708/4	\$390.00
Master Plan Reexamination		\$1260.00
Gen.	10/3	\$170.00

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

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

ESCROW REFUNDS: NONE

OLD BUSINESS:

COAH: Representatives from COAH will be speaking at a Sussex County Municipal League dinner on October 19, 2006.

NEW BUSINESS:

ADOPTION OF THE AMENDMENT TO THE MASTER PLAN: The October 5th Amended Reexamination Report was reviewed and summarized by Planner Ken Nelson. There was one correction to omit an appendix.

The meeting was open to the public. A member of the public was concerned about the supply of water in the Sparta Stanhope corridor. He felt the zoning could be downsized more than what was proposed in the rezoning.

A motion to approve the Adoption of the Amendment to the Master plan dated October 5, 2006, was made by Hoagland, seconded by Comerford.

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

Ruschke summarized the Water Resource Inventory that will be adopted into the Natural Resource Inventory and how the data was collected and compiled.

A feature that stands out is the discrepancy in projections on non-functioning wells and the fact that the lake supplies water into a lot of the wells near the lake.

The meeting was open to the public. Cliff Lundin who has an environmental science background and had done water quality studies felt this study was the first step, it is not conclusive. More studies should be done especially with the increase in impervious coverage and reports of natural spring decreases in the lake. He referenced the 1975 N.R.I. and said there was data from the Lake Commission studies. He supports this report but encouraged continuation of studies for the protection of the Lake quality.

Lundin felt the N.R.I. should not supplant the previous work done in the 1974 N.R.I, but it is a good N.R.I. There is a new soil survey that should be used to readopt the critical areas section.

A member of the public was concerned that the long-term affects of sewers aren't known since the project isn't complete yet. Another member of the public was concerned about the springs changing and discussed the geology of the area and the effect on the wells and vernal ponds.

A motion to approve the incorporation of the Water Resouces Study and Natural Resource Study into the Amended Master Plan was made by Hodson, seconded by Wallis.

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

LOT COVERAGE & IMPERVIOUS COVERAGE ORDINANCE CHANGE

The Ordinance is up for adoption and the Planning Board needs to comment. Ruschke had supplied some coefficients on different types of coverage. The Board was not in favor of the definition changes. Not counting gravel would enable gravel parking even in front yards. Coefficients on pavers are not available. Pools should be counted as impervious coverage as when they are covered or drained there is certainly runoff. The change gives developers a way out to meet coverage requirements. This change was a step backwards from good stormwater management.

Haggerty will prepare a letter summarizing the Board's opinion for the Council

A motion to recommend against the Ordinance change was made by Hoagland, seconded by Comerford.

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

CHANGES TO SEWER ORDINANCE: Using abandoned septic systems for roof leaders and water softeners was a Health Department matter. This is just for information purposes.

2007 BUDGET: Ecklund gave out the 2007 budget and asked for some input. Some items could be reduced. COAH litigation needs to be budgeted for and there might be some studies that need to be done in the near future, like a continuation of the water study, plan endorsement or a recycling plan if there is not already one.

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 Armeno seconded by Comerford

ALL WERE IN FAVOR. MOTION CARRIED.

The meeting was adjourned at 10:50 p.m.

Eugenia Wiss, Secretary