

Borough of Hamburg

Land Use Board Meeting Minutes of September 08, 2014

The Borough of Hamburg Land Use Board Meeting was call to order at 7:30 pm by **the Chairman** in accordance with the open Public Meeting Act, with regard to notices.

The Chairman invited all those present to participate in the flag salute.

The Chairman read the Statement of Certification. This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Present were John Haig, Daniel Hall, Rich Krasnomowitz, Tom Watts, Wendy Brick, Jeanette Tempe, Mayor Marino, Russell Law and Robert Adams. Absent was: Guy Harby. Also present: Jeanne Ann McManus, Esquire.

Approval of the March 10, 2014 Land Use Board Minutes:

Mayor Marino made a motion to approve the minutes of March 10, 2014 with changes. Seconded by **Ms. Tempe**. Aye: Brick, Haig, Hall, Krasnomowitz, Mayor Marino, Tempe, Watts and Adam. Nay: None. Abstained: None

Bills/Vouchers:

Mayor Marino motioned to approve payment of the following bills/vouchers.

- a. Weiner Lesniak, LLC for Grey Elephant, LLC Historic Hamburg, LLC \$102.00
- b. Weiner Lesniak, LLC for Patel \$102.00
- c. Weiner Lesniak, LLC for Grey Elephant, LLC Historic Hamburg, LLC \$119.00
- d. Weiner Lesniak, LLC for Patel \$85.00
- e. Weiner Lesniak, LLC for General \$340.00
- f. Hatch Mott McDonald for Grey Elephant, \$316.00
- g. Hatch Mott McDonald for Patel \$192.00
- h. The Nelson Consulting Group – for Patel \$448.50
- i. The Nelson Consulting Group – for Grey Elephant \$678.50
- j. Hatch Mott MacDonald – for 7-11 TCAT \$320.00
- k. Hatch Mott MacDonald – for 7-11 TCAT \$279.52

Seconded by **Ms. Tempe**. Aye: Brick, Haig, Hall, Krasnomowitz, Mayor Marino, Tempe, Watts and Adam. Nay: None. Abstained: None

Correspondence:

- a. Resignation of Councilman Russell Law
- b. Sussex County Soil Conservation District – RE: Falcon Ridge dated 3/10/2014
- c. New Jersey Planner - January/February 2014
- d. Excel Environmental Resources, Inc. RE: NJDEP Brownfield Funding dated 4/8/2014
- e. State of NJ Highlands Water Protection and Planning Council Annual Report
- f. New Jersey Planner - March/April 2014
- g. Sussex County Dept of Engineering and Planning RE: 2014 Open Space Applications dated 6/30/14
- h. Hardyston Township RE: 2014 Master Plan Reexamination
- i. Hardyston Township RE: Amending Ordinance 2014 -09
- j. Hardyston Township RE: Amending Ordinance 2014-08
- k. New Jersey Planner - May/June 2014
- l. Houser Engineering, LLC RE: 138 Route 23, Wantage NJ
- m. Borough of Franklin – RE: Ordinance Amendment
- n. David Licata – RE: School Bus Parking on Block 13, Lot 11 aka 78 Route 23.

The Chairman asked the Members if they had questions or comments regarding the following correspondences. The members had none.

Resolutions: There were no resolutions.

Borough of Hamburg
Land Use Board Meeting Minutes of September 8, 2014
Page 2 of 2

New / Old Business:

Resignation of Russell Law – **Mayor Marino** made a motion to approve the resignation of Russell Law with regrets. **Ms. Tempe** seconded the motion. All were in favor.

Martin Lee, LLC – Block 31, Lot 11 78 Route 23 North - LU 02-13 - Mr. David Licata filed a letter with the Board Secretary seeking the Land Use Boards approval to allow the Discovery Years school bus to resume parking in the lot located at 78 Route 23. At the public hearing April 8, 2013 one of the conditions he agreed to #8 "The bus shall be removed from the site". The resolution was memorialized on May 13, 2013.

Mr. Licata stated in that letter that the bus had parked on his property for approximately ten years and from his knowledge has had no complaints about the bus parking there. He would like to resume the bus parking in the rear of the property where the bus is supplied underground electric for the block heater. He is requesting the bus parking for safety reasons. The owner Peter Loukeris, who has other commercial property, cannot safely park the bus on that lot. The letter also stated that there is not enough driveway for the bus to turn around for exiting and entering to and from route 23.

Mayor Marino explained that no one in the complex has complained about the bus. **Mr. Watts** asked about the future tenants, one might have a problem. **Mayor Marino** explained that this has been brought up because of a violation issued by the Zoning Officer. **Mayor Marino** believed it was a grey area since the applicant did have a problem with the #8 condition on the resolution during the previous hearing. **Mr. Adams** explained that there are empty parking spaces in the lot. The school bus and Discovery Years has been at the location for many years. **Mr. Watts** commented that the building contained commercial and is now all residential. **Ms. Tempe** remarked that the bus is parked there for safety reasons and also so the bus could be plugged in during the winter. **Mr. Watts** discussed that the applicant agreed during the hearing the bus would no longer be parked on property.

Mr. Adams asked the members to read the last paragraph in the report from the Planner where he explains to entertain a formal "d variance". **Mr. Krasnomowitz** does not want to put an applicant through a variance. He would like to see this done easily and simply.

Mayor Marino made the motion to grant the request excision of condition #8 from the resolution dated memorialized May 13, 2013. With no more than one commercial vehicle or school bus, to grandfather the Discovery Years school bus parking, if Discovery Years is no longer a tenant at this location there will no longer be any commercial vehicle or school bus parking on the applicant's property. Seconded by **Ms. Tempe**. Ayes: Ms. Brick, Mr. Krasnomowitz, Mayor Marino, Ms. Tempe and Mr. Watts. Nays: Mr. Haig, Mr. Hall and Mr. Adams.


The Chairman asked for a motion to open the meeting for public comment. Motion was made by **Ms. Tempe** to open the meeting to the public. Seconded by **Mr. Watts**. All were in favor. There were no comments from the public. **Ms. Tempe** motioned to close the public comment session. Seconded by **Mr. Watts**. All were in favor.

Professionals Report: discussed previously during Martin Lee, LLC application.

Chairman's Agenda: Mr. Adams discussed that when there are bills the Board will meet to approve the bills. Mr. Watts asked about emailing the bill information. The Board attorney reminded the board that emailing would then open to other dialogue.

A motion by **Ms. Tempe** was made to adjourn at 7:58 PM. Seconded by **Mr. Watts**. All were in favor.

Respectfully submitted by:


Marguerite L. Nemeth
Secretary to the Land Use Board