

Borough of Hamburg

Land Use Board Meeting Minutes of November 10, 2014

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

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

The Vice 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, Jeanette Tempe, Mayor Marino, and. Also present were: Ken Nelson, Planner; Jeanne Ann McManus, Esquire, and John Ruschke, Engineer. Absent were: Robert Adams and Guy Harby.

Approval of September 8, 2014 Land Use Board Minutes:

Ms. Tempe made a motion to approve the minutes of September 8, 2014. Seconded by Mr. Hall. Aye: Haig, Hall, Krasnomowitz, Watts, Tempe, Mayor Marino. Nay: None. Abstained: None

Bills/Vouchers:

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

- a. Hatch Mott MacDonald – TCAT \$128.00, Martin Lee - \$120.00, TCAT - \$1004.00
- b. Weiner Lesniak, LLP – General \$34.00, General \$408.00,
- c. Ken Nelson – Ramage - \$172.50, Martin Lee - \$322.00, Grey Elephant \$218.00

Seconded by Ms. Tempe. Aye: Hall, Haig, Krasnomowitz, Marino, Watts, Tempe, Nay: None. Abstained: None.

Correspondence:

The New Jersey Planner July / August 2014
State Of NJ DEP dated 10/17/2014 RE: 2015 CLG Grant Application
Hatch Mott MacDonald dated 10/29/2014 RE: Ramage Application
Sussex County Soil Conservation District dated 10/28/2014 RE: Block 11, Lot 30
Sussex County Water Quality Management – Minutes of 5/8/14
Vernon Township dated 9/9/14 RE: Vernon's Ordinance 14-18
Ken Nelson dated 10/31/2014 - Report for Ramage Application

The Vice Chairman asked the Members if they had questions or comments regarding the following Correspondences. The Members had none.

Resolutions:

Martin Lee, LLC – Block 31, Lot 11 a/k/a 93 Route 23

Mayor Marino motioned to approve the resolution in the matter of Martin Lee, LLC. Application number LU 02-13, decided on September 8, 2014. Ms. Tempe seconded the motion. Aye: Hall, Haig, Krasnomowitz, Marino, Watts, Tempe, Nay: None. Abstained: None.

New Business:

Application LU03-14 Ramage, Block, 21 Lots 39, 39.01 and 39.02 Lot Line Adjustment

The applicant was represented by Ken Weintek, Engineer and Attorney Carl Nelson. Property owners David Ramage of 39.01, Edith Ramage of 39.02 and Jeff and Diane Brown of 39 were also present. It was discussed by Attorney McManus that the application shall be considered a major subdivision. Mr. Weintik discussed that the applicants want to readjust the lot lines to match the physical application of the property.

Everything else will keep the same, there will be no other changes. The property is not along a road as per the ordinance as required. They advertise with required variances. Mayor Marino asked about why

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they were not hooked up to the sewers. The Attorney Nelson explained that they were more than 250 feet and were excluded.

The applicant explained that they wanted the lot line adjustment so that they could designate a driveway.

The plans were reviewed by the Land Use Board professionals and attorney. Ken Nelson asked if there are no benefits of a HOA, who would maintain the driveway? There should be a formal agreement. Mr. Brown stated that he maintains the driveway property now.

There was confusion about the driveway encroaching on lots 41, 42 and 43.

It was not clear regarding the titles and the issue had to be cleared up prior to approvals.

The Board attorney and applicants agreed that they need to clear up all the loose ends and details prior to any approvals being granted.

Edith Ramage spoke about when her husband gave an easement to the borough for the tower.

Mr. Weintik has deeds that he will go through and forward on to the Land Use Board attorney.

The applicant's attorney discussed that the original subdivision map was never filed, and the Land Use Board attorney discussed that it needed to be filed so that it was legal.

The applicants discussed that they wanted to remove the cul de sac since it is not necessary for the lots. However, it was explained that the title issues must be cleared up first, before any action can be taken and that once cleared up the issues should be resolved regarding title in the future.

The Water department will be asked by the Land Use Board engineer to mark out the lines by the hydrant that apparently extends on to private property.

The Mayor discussed that there need to be a starting point for the application, there needs to be checks and balances and they would also need to go before the Council regarding the easements.

The Land Use Boards engineers report was reviewed. #1 was addressed, #2 the applicant will comply, #3 Not conveyed to Borough, Borough will have to mark main. #4 Setback for 41 – 48 is a board call, they will do if needed. #5 no road frontage, variance approving creation of lots with frontage addresses issue. #6 will comply, and #7 discussed power line. The Land Use Board asked who owns the power lines underground and overhead, and there should be an easement to JCPL.

The applicants, their professionals and Land Use Board professionals will work together so the applicant can be heard in the future. The applicant asked for a continuance into 2015 with no further notice to be made. Mayor Marino motions to approve the request of continuance into 2015 with no further notice to be made, seconded by Ms. Tempe. All were in favor.

The Vice Chairman asked for a motion to open the meeting for public comment. Motion was made by **Mayor Marino** to open the meeting to the public. Seconded by **Mr. Krasnomowitz**. All were in favor.

There were no comments from the public. **Ms. Tempe** motioned to close the public comment session. Seconded by **Mayor Marino**. All were in favor.

The Vice Chairman opened the meeting for public comment. Seconded by **Ms. Tempe**. All members were in favor. There were no comments from the public.

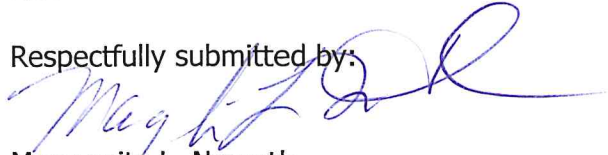
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Professionals Report: None

Chairman's Agenda: None

A motion by **Mayor Marino** was made to adjourn at 9:47 PM. Seconded by **Ms. Tempe**. All were in favor.

Respectfully submitted by:



Marguerite L. Nemeth
Secretary to the Land Use Board