

Borough of Hamburg

Land Use Board Meeting Minutes of March 14, 2012

The Borough of Hamburg Land Use Board Meeting was called 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. Adequate notice of the meeting has been provided to the public and press January 29, 2012 by delivering to the press and posting at the Municipal Building a copy pursuant to the provisions of the "Open Public Meeting Act"

Present were John Haig, Daniel Hall, Guy Harby, Rich Krasnomowitz, Tom Watts, Wendy Brick, Jeanette Tempe, Mayor Marino, Ron Garrett and Robert Adams. Also present were: Glenn Kienz, Esquire, and John Ruschke, Engineer.

Approval of April 09, 2012 Land Use Board Minutes:

Ms. Tempe made a motion to approve the minutes of April 09, 2012. Seconded by **Mr. Harby**. Aye: Haig, Hall, Harby, Krasnomowitz, Watts, Brick, Tempe, Mayor Marino, Adams and Garrett. Nay: None. Abstained: None

Bills/Vouchers:

Mr. Haig motioned to approve payment of the following bills/vouchers. Hatch, Mott, Mac Donald for Kirit Patel \$64.00 and Hamburg Village \$166.37; The Nelson Consulting Group for Kirit Patel \$126.50; Weiner Lesniak, LLP for Kirit Patel \$595.00; Weiner Lesniak, LLP for General \$459.00; Seconded by **Ms. Tempe**. Aye: Hall, Haig, Harby, Krasnomowitz, Marino, Watts, Tempe, Brick, Garrett and Adams. Nay: None. Abstained: None.

Correspondence:

The New Jersey Planner

The Chairman asked the Members if they had questions or comments regarding the following Correspondences. The Members had none. The Chairman and Attorney Kienz briefly discussed the class being offer for new members.

Resolutions:

Application LZ10-004 - Kirit Patel Block 14, Lot 9, 10, 11 & 12.

Motion to approve the resolution for Kirit Patel - Block 14, Lot 9, 10, 11 & 12, Application LZ10-004 was made by **Mr. Watts** and Seconded by **Mr. Haig** Aye: Haig, Hall, Harby, Krasnomowitz, Watts, Brick, Mayor Marino, Adams and Garrett. Nay: None. Abstained: Tempe

Old Business:

Mr. Harby excused himself for the application and stepped down.

Mr. Harby left the meeting at 7:40 pm.

Application LU 12-01 Block 25, Lot 19 Hamburg Village Condominium Association, Inc.

The applicant was represented by their Attorney John Hague and Engineer Jeffrey J. Careaga. The applicant's professionals were sworn in previously at the March 12, 2012 hearing. Mr. Careaga testified that they had been unable to determine what the original drainage condition was. He added that previous plans had not been able to be located within the Borough or in the applicants' files. He added that sections of the site are occupied and that Certificates of Occupancy have been obtained for the various sections of the development.

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He discussed that the applicant is requesting site plan relief to permit drainage improvements to be installed on property that has been previously improved.

They are proposing to trench and install a four inch pipe in a number of areas in order to move water through a trenched drywell system to insure a better drainage system.

It is believed that this project would not adversely impact the Board of Education playing fields and this is the best way of insuring an appropriate remediation of any water issues on the site. He testified that all water was to be directed into the detention basin.

A report from the Engineer, John Ruschke, dated May 14, 2012 was discussed and comments by Mr. Ruschke were provided at this time. Mr. Ruschke stated that this is a unique situation since the new drainage system is only focused on the rear portion of the building. He stated that there is currently no catch basin on the site and the burden is on the Applicant to insure that the stormwater runoff is addressed. He added that the two (2) 4 inch pipes shall be maintained by the Applicant and in his opinion that the discharge would not increase. He discussed his May 14, 2012 report where a number of items were specifically requested for the Applicant to address in order to insure that the system worked. The Applicant agreed to the items requested by Mr. Ruschke's letter dated May 14, 2012.

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

Sheila Frayko, a member of the Board of Education, expressed her concern of the water that was flowing to the fields. It was discussed that the plan is to pull the pipes back and to make them smaller than what exists. Mr. Ruschke said that reestablishing the four (4) 4 inch pipes will allow for greater infiltration on the site and improve the situation on the field.

There was a brief discussion that the applicants proposed project will help improve the Board of Education's fields existing drainage problem. The Board discussed that Mr. Ruschke will review the project within a year to make sure the proposed system is working and if not the applicant will take steps to improve any negative impact on the Board of Education's fields

Mr. Watts motioned to close the public comment session. Seconded by **Ms. Tempe**. All were in favor.

Mr. Haig motioned to grant amended site plan approval with terms and conditions as stated in the resolution. Seconded by **Mr. Watts**. Aye: Hall, Haig, Krasnomowitz, Marino, Watts, Tempe, Brick, Garrett and Adams. Nay: None. Abstained: None.

The applicant requested a waiver of receipt of the resolution to start the project as soon as possible.

The Chairman asked to open the meeting for public comment. Motioned made by **Mayor Marino** and Seconded by **Ms. Tempe**. All members were in favor.

Mr. DeBoer, business owner of DeBoer Service for 27 years expressed his concern that the Zoning Officer had him speak to the Land Use Board regarding placing a replacement sign with a light on his business. Mr. DeBoer said that an application was put in and the Zoning officer said he did not know he could or could not do it. He said that the Zoning Officer recommended he speak to the Land Use Board.

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Mr. DeBoer said he also spoke to Ken Nelson who had no problem with the replacement sign. Attorney Kienz discussed that if the fact is the sign will be on the building and met all the dimensional requirements it does not trigger a site plan the Planner could render an informal opinion to the Zoning Officer and if it meets the requirements the Board does not have to get involved. The Board and Mr. DeBoer discussed the lights and that the lights should be kept down. Mr. DeBoer said he owns the property next door so this would be a problem.

Mr. Adams motioned to direct the Planner Ken Nelson to issue a letter to the Zoning Officer Sid Crum.

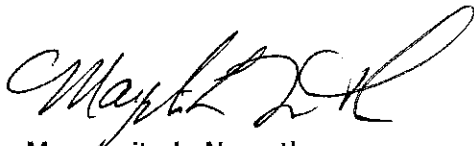
Mr. Haig seconded the motion. Aye: Hall, Haig, Krasnomowitz, Watts, Tempe, Brick, Garrett and Adams. Nay: None. Abstained: Marino.

Planner Report: None

Chairman's Agenda: None

A Motion by **Mr. Hall** was made to adjourn at 8: 10 PM. Seconded by **Ms. Tempe**. All were in favor.

Respectfully submitted by:



Marguerite L. Nemeth
Secretary to the Land Use Board



Robert Adams, Chairman