

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: April 10, 2007

CALL TO ORDER: The notice requirement of P.L. 1975, Chapter 231, Sections 4 and 13 have been satisfied with a schedule of all meetings together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and the NEW JERSEY SUNDAY HERALD and posted on the bulletin board at the Borough Hall on January 9, 2007. The regularly scheduled meeting of the Ogdensburg Land Use Board was called to order at 7:00 PM.

ROLL-CALL: **Present:** Andrews, Armstrong, Dolan, Fierro, McDonald, Mayor Sekelsky * and Telischak
Absent: Alfonson, Altenburg, Dabrowski and Wood
Professionals: Ursula Leo, Esq. for Attorney Garofalo and Buczynski
Absent: Suljic

APPROVAL OF MINUTES – February 13, 2007

A motion is made by Dolan, second by Andrews to approve the minutes of the February 13, 2007 Regular Meeting as amended to include Telischak as present in the Roll Call with all eligible in favor including Armstrong, Fierro, Telischak and McDonald in favor.

BILLS/VOUCHERS

1. Dated 2/28/07 from Schoor DePalma for professional services rendered on behalf of AA-1 Self Storage/Logan Homes - \$187.50 – AA-1 Self Storage/Logan Homes Escrow Account.
2. Dated 2/28/07 from Schoor DePalma for professional services rendered on behalf of the Land Use Board - \$125.00 – Land Use Board Current Account.
3. Dated 2/28/07 from Schoor DePalma for professional services rendered on behalf of MNB Realty - \$125.00 – MNB Realty Escrow Account.
4. Dated 3/22/07 Rutgers Center for Government Services for “Planning and Zoning in New Jersey” publication - \$240.00 – Land Use Current Account.
5. Dated 3/22/07 New Jersey Planning Officials for “2006 Edition Municipal Land Use Law” - \$224.00 – Land Use Current Account.
6. Dated 2/24/07 New Jersey Planning Officials Mandatory Training for Board members - \$708.00 – Land Use Board Current Account.

CORRESPONDENCE

1. Housing Partnership seminar 4/18/07 – “Changing COAH Rules, NJDEP Regulations, the State Plan and the Highlands Plan: The Impact of Affordable Housing.”
2. Dated 3/23/07 from County of Sussex re: Preliminary Site Plan – Florist on Main.
3. Dated 3/22/07 from County of Sussex re: Preliminary Major Subdivision – J & G Developers.
4. 2007 NJAPZA Membership Applications.
5. Dated 3/9/07 from State of NJDEP to W. Wander re: Statewide General permit for L. Bower, Block 27 Lot1.02.
6. Dated 3/8/07 from W. Brick to D. Siss, Esq. re: MNB Realty deed.
7. Dated 3/6/07 from NJLM re” Time of Decision & Curtailing Municipal Zoning Authority.
8. Dated 2/22/07 from W. Brick to Meyer re: Florist on Main.
9. Dated 2/22/07 from County of Sussex re: Preliminary Site Plan for Florist on Main.
10. Dated 2/21/07 from State of New Jersey DEP re: Letter of Interpretation – MNB Realty Co., Inc.

11. Dated 2/20/07 from Laddey, Clark & Ryan re: Star Ledger: State to appeal parts of ruling on affordable housing.
12. Dated 2/15/07 from W. Brick to M. Rubin, Esq. re: request for additional escrow deposit MNB Realty.
13. Dated 2/15/07 from LC&R, LLP to M. Rubin, Esq. re: MNB Realty deed.
14. Dated 2/5/07 from County of Sussex re: Application "Florist on Main".
15. Sussex County Economical Development Partnership - Municipal Forum, Wednesday, March 14, 2007.
16. APA National Planning Conference in Philadelphia April 14-18, 2007.
17. Legislative Update Winter/Spring 2007.
18. Notice of SPA Action regarding Sussex County Petition for Plan Endorsement.

Discussion on correspondence relating to the Council on Affordable Housing seminar. Board members to respond to Board Secretary regarding their interest in attending the seminar.

1. OLD BUSINESS/NEW BUSINESS

A. William and Nancy Sands

Block 12 Lot 10

North Clark Street

Application for "C" Variance Approval in order to construct a single-family dwelling.

- Correspondence dated 3/27/07 from Schoor DePalma
- Application to be carried to May 15, 2007 meeting.

The application has not been deemed "complete". No report has been received from Mr. Suljic for the application. The Completeness Committee is waiting for the submission of architectural drawings and a set of revised plans including the installation of drywells.

Telischak states that he received notice for the application. He will need to recuse himself for the hearing.

B. Master Plan Re-examination Report and Highlands Council Update

The Master Plan Subcommittee workshop meeting scheduled for April 24th has been re-scheduled to May 8, 2007.

2. CHAIRMAN'S AGENDA

- Outstanding Escrow Vouchers Payments
- Increase Application Fees and Escrow Deposits

The Board begins discussions on the present application fees and escrow deposits. The escrow deposits are insufficient to cover the costs of the professional services rendered in behalf of the applicants. Spreadsheet provided to Board with application fees and escrow deposits for Ogdensburg, Hamburg and Franklin (see attached).

Buczynski states that the deposit for an application for minor site plan is insufficient.

** At 7:15 PM Mayor Sekelsky is in attendance.*

Board requests a spreadsheet be prepared for the May 22, 2007 Regular meeting comparing escrow deposits in Hamburg with escrow deposits in Ogdensburg.

Discussion continues on whether an increase in the application fees, which help to cover costs associated with publications for the Board and training courses, will discourage residents from submitting applications.

Discussion begins on the delinquent payment of vouchers for professional services. There are sufficient funds in the escrow accounts to cover the vouchers submitted by Schoor DePalma; Laddey, Clark & Ryan, LLP; and Eric Wood, Esq. A request for additional escrow deposit was requested from one applicant.

Correspondence from Board Chairman providing examples of the outstanding vouchers for professional services rendered on behalf of the applicants and a clarification of the present process utilized by the Finance Department for bill payment is to be sent to the Mayor and Council requesting a remedy.

At 7:45 PM, a motion is made by Telischak, second by Fierro to open the meeting to the public with all others in favor.

Ms. Toni Urb of Edison Avenue questions the status of the opening of the restaurant on Main Street and property maintenance concerns with regard to the garage on Main Street across from the restaurant. Andrews refers Ms. Urb to the Construction Department and Property Maintenance Officer, as the Board does not have jurisdiction.

A resident from 25 Spring Street questions the status of the application for MNB Realty. He expresses his concerns over the alteration of the terrain when development does occur.

Discussion on the bridge over the stream, which could potentially be a violation with the Department of Environmental Protection.

The Board has received no formal application to date with regard to development of the property.

Mayor Sekelsky discusses correspondence he received from Mrs. Moyes of Spring Street who expressed similar concerns with regard to stormwater management and drainage basins.

Andrews encourages residents to attend the Board meetings.

At 8:02 PM, a motion is made by Mayor Sekelsky, second by Fierro to close the meeting to the public with all others in favor.

5. ADJOURN

A motion is made at 8:02 PM to adjourn by Fierro, second by Andrews with all others in favor.

Respectfully submitted by:

Wendy Brick
Land Use Board Administrative Assistant

Approved: _____

