

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: February 10, 2009

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 5, 2009. The meeting of the Ogdensburg Land Use Board was called to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL-CALL: **Present:** Andrews, Armstrong, Blahut, Dolan, Fierro, Sund, Telischak, Wood, Fitzgibbons, and McGuire.
Absent: Fahrenfeld and Kibildis
Professionals: Buczynski, Leo and Suljic

John Fierro congratulated Blanche on behalf of the Board for obtaining her certification as Planning Board/Zoning Board Secretary. Blanche attended courses offered by the Edward J. Bloustein School of Planning and Public Policy of Rutgers University.

A. APPROVAL OF MINUTES: The minutes for the January 13th, 2009 meeting will be revised and held over to next month's meeting for approval. There was a short discussion regarding the matter of the Mayor's Designee.

B. CORRESPONDENCE: No comments.

C. OLD BUSINESS/NEW BUSINESS

1. JBL-RAL, LLC
Block 35, Lot 15
LU 07-006 A

Amended Preliminary and Final Major Subdivision

Mr. Michael J. Rubin, Esq., 1330 Hamburg Turnpike, Wayne, NJ representing JBL-RAL explained that the lot count has changed. Applicant was approved by resolution memorialized June 10, 2008 for Preliminary Major Subdivision. Mr. Beardslee, applicant's engineer, was sworn in and his qualifications were accepted. Subdivision has been reduced to 16 residential lots. There were two (2) significant changes made. The State of New Jersey added 600 miles of streams which includes the waterway between Mudpond and the Wallkill River. That stream is categorized as a C1 which needs a 300 foot buffer and meant a loss of one lot. At the other end of the project, applicant had to

reroute the storm drainage going down Cork Hill Road where the wetland area is within 300 feet of the Wallkill River.

The other item is Condition 9 in Mr. Buczynski's letter regarding the landscaping of the detention basin. Mr. Beardslee requests that applicant be allowed to submit this plan prior to the pre-construction meeting of the road. Mr. Beardslee commented on the following items:

- a. The application was approved by the Sussex County Planning Board;
- b. Application is processing for the water extension permit and applicant has a review letter for administrative compliance from the State;
- c. Septic permits have been obtained for the lots from the Sussex County Health Department;
- d. Application has been submitted and is under review by the Sussex County Soil Conservation District.

There are sixteen (16) building lots, there are two (2) lots associated with drainage facilities which will be dedicated to a Homeowners' Association to be created for maintenance purposes. There are two (2) parcels which are being dedicated to the Arch Street Homeowners' Association and need to be specified in the resolution. Lot 15.20 is the lot with the septic facilities on them and 15.21 is the parcel that is being dedicated to abate some of the encroachments. These two lots were identified in the preliminary resolution as Lot A and Lot B.

Entrance sign was discussed and the name of the subdivision according to Joann Tracy of JBL-RAL would be "Sterling Hill at Ogdensburg." Street names were also discussed and Ms. Dolan was asked to obtain suggestions from the Historical Society.

A motion to open the meeting to the public was made by John Fierro, seconded by Eric Wood with all in favor.

Mr. Philip Bruno of 15 Wausau Street voiced his concerns regarding the number of homes to be built, the number of children entering the school system and blasting issues. It was noted that the lot sizes average $\frac{3}{4}$ of an acre. As far as the blasting concern, Mr. Kervatt as the Fire Official issues the blasting permits and can restrict the hours from 9:00 AM to 3:00 PM Monday through Friday. The applicant was agreeable to this schedule. Mr. Bruno said that the blasting from the other subdivision caused his walls to crack.

Ms. Lauren Laguerre of 12 Whispering Woods Lane in Sparta came before the Board with her concerns. She reiterated that there would be no significant affect on enrollment in the school system. Ms. Laguerre wanted to know if the applicant would be clear-cutting the land. The applicant must comply with the regulations of the Sussex County Soil Conservation District. Also, there will be a 100-year storm basin for collection of rain water. There was some discussion pertaining to the planting of trees at the utility areas. Arch Street will not be extended. This developer has done everything the Board has asked of them and more.

Mrs. San Fillipo from 4 Arch Street related that the builder of the Sparta subdivision fixed and painted her walls damaged from the blasting. They also did a great job with the grading, etc. The applicant was the developer of the other project.

Motion to close the meeting to the public was made by John Fierro, second by Wood with all in favor.

A motion to approve the Amended Preliminary and Final Major Subdivision application was made by Wood, second by Fierro with Armstrong, Andrews, Dolan, Sund, Telischak, Fitzgibbons and Blahut in favor.

2. New Cingular Wireless PCS, LLC

Application #LU-08-002

Block 30, Lot 11.08

230 Passaic Ave.

“C” and “D” Variance Approval and Site Plan Approval in order to place nine (9) Antennas on an existing structure

A motion to carry without further notice was made by Fierro, second by Wood with all in favor.

3. TERM CLARIFICATION

Attorney Leo stated that the terms for Class IV Members are four years and Alternates are two years.

4. MASTER PLAN WORK TASKS & SCHEDULE

Fred Suljic submitted an outline of priorities for 2009 from February to December. The Highlands Assessment Grant is \$15,000 paid for by the State of New Jersey to hire a Planner to assess our town and the Highlands with specific things they are going to do. The town is in the process of appointing Fred Suljic by resolution. The Council needs to sign a contract with Dykstra Associates to hire Fred for this project.

5. PROFESSIONAL CONTRACT

The Land Use Board has a new contract for Fred Suljic for 2009. A motion to approve this contract was made by Wood, second by Fierro with all in favor.

6. HIGHLANDS COUNCIL

Professionals suggested inviting Tom Borden and Eileen Swan from the Highlands Council to give their presentation to the Board and Council. The Council is awarding funds to municipalities in the

Highlands. None of the money is refundable. Grant money for Modules 1 through 7 is \$50,000. At the very least, the State will pay for our COAH Plan.

The Council received a proposal from Bob Benecke for a Redevelopment Plan for the Borough property. Options for development were discussed. Present zoning for the property is residential and light industrial. It would cost approximately \$10,000 to obtain a Letter of Interpretation from the DEP to determine the amount of usable land.

7. OPERATING BUDGET

The Board is in the process of developing their budget for fiscal year 2009. In a cost cutting measure, the professionals will not be asked to attend meetings where their input is not required. Budget discussion continued regarding additional money needed for digitizing and codification of the zoning laws and ordinances.

8. OMNIPOINT

Mr. Andrews informed the Board that Omnipoint was to provide additional fencing and asked Mr. Kervatt for an update. Mr. Kervatt stated that the letter used the verbiage obtained from the resolution regarding the height of the antennas and the blending in the back of the structure. The Secretary notified the Board that the construction permit was issued on January 15th to Omnipoint.

9. ESCROW BALANCES

The Board discussed the status of the old escrow accounts and the release of the more recent balances.

D. BILLS/VOUCHERS

Dated 11/30/08 from CMX re: J & G Developers	\$491.00
Dated 12/31/08 from CMX re: Land Use Board	\$562.50
Dated 12/31/08 from CMX re: JBL-RAL, LLC	\$125.00
Dated 1/22/09 from Laddey, Clark & Ryan re: General	\$1080.00
NJ Assn. Of Planning & Zoning Administrators re: Dues	\$ 45.00

A motion to approve the bills and vouchers was made by Wood, second by Telischak with all in favor.

E. ADJOURN

A motion to adjourn the meeting was made by Fierro, second by Andrews with all in favor.

Respectfully Submitted by:

Blanche Stuckey
Land Use Board Secretary

Date of Approval