

**BOROUGH OF OGDENSBURG
LAND USE BOARD MINUTES**

MEETING DATE: August 11, 2009

CALL TO ORDER: The meeting of the Ogdensburg Land Use Board was called to order at 7:00 PM.

STATEMENT OF COMPLIANCE:

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.

PLEDGE OF ALLEGIANCE

ROLL-CALL: **Present:** Andrews, Armstrong, Blahut, Dolan, Fahrenfeld, Fierro, Sund, Telischak, and Kibildis
Absent: Wood, Fitzgibbons and McGuire
Professionals Present: Buczynski, Stein,* Suljic
*Richard Stein, Esq. from Laddey, Clark & Ryan

A. **APPROVAL OF MINUTES:** A motion to approve the minutes from the July 14th, 2009 meeting was made by Vito Telischak, second by Bill Andrews with Armstrong, Dolan, Fahrenfeld, Sund, Telischak and Kibildis also in favor, Blahut and Fierro abstaining.

B. **CORRESPONDENCE:**
Chairman Armstrong asked if anyone will be attending the Housing Workshop scheduled for Monday, August 17th at 5:00 PM sponsored by the Housing Partnership. Chairman Armstrong stated that he will be attending.

C. **OLD BUSINESS/NEW BUSINESS**

**AA-1 Self-Storage
Block 30 Lot 3.02
LU07-004**

Minor Subdivision Approval with "c" Variance Relief

Richard Klein, Esq. stated that the applicant's attorney contacted him because the subdivision approval time has expired and they are still waiting for DEP approval before submitting the subdivision map and deeds. The applicant can file an application for an extension and the Board can grant an extension of time. Board members recall this issue from past applications and Mr. Stein will send a letter to applicant's attorney.

100 Plant Street, LLC
Block 30 Lot 11.01
LU09-001

Memorialization of Resolution for Preliminary Major Subdivision

Applicant submitted revised plans to comply with the resolution which were reviewed by Gene Buczynski and found to be acceptable. A motion to memorialize the resolution approved at the July meeting was made by Vito Telischak, second by Bill Andrews with Armstrong, Dolan, Fahrenfeld, Sund and Kibildis also in favor.

Edward and Suzanne Paiva
Block 30 Lot 2
182 Plant Street
LU09-002

Bulk "C" Variance for Front Yard and Side Yard Setbacks for Front Porch

A motion to memorialize the resolution approved at the July meeting was made by John Kibildis, second by Bill Andrews with Armstrong, Dolan, Fahrenfeld, Sund, and Telischak in favor.

D. BILLS AND VOUCHERS

Dated 6/30/09 from CMX re: 100 Plant Street, LLC Prel Major	\$687.50
Dated 7/24/09 from Laddey, Clark & Ryan re: General	\$480.00

A motion to approve the bills and vouchers was made by John Fierro, second by Patricia Dolan with Armstrong, Andrews, Blahut, Fahrenfeld, Sund, Telischak and Kibildis in favor.

E. CHAIRMAN'S AGENDA

1. Land Development Ordinances

These are updates to the old ordinances that are ready to go to the Council for approval and adoption. Section 1 is Section 200 Definitions and Descriptions. Section 700 was rewritten to describe the Land Use Board as the replacement to the Zoning and Planning Boards. John Ursin, Borough Attorney, previously introduced an ordinance for this but it is not as extensive as this one. Section 702 states that appointments are made by the Mayor and not the Mayor and Council. Appointments are made by the Mayor and approved by the Council. Also, according MLUL 40:55D-23, the Class II Member does not have to be a resident of the Borough. Section 708 mentions that the Board shall send an Annual Report to the Governing Body. This is required under the Municipal Land Use Law.

A Property Maintenance Ordinance would have to be developed by the Council because it is a police power, not zoning. The swimming pool section can be changed at a later date. The Board will ask all new developers to install LED lighting. Another advantage of the LED lighting is if a portion of the cells go out, the rest of the cells remain illuminated not like the conventional light bulbs.

A motion to approve the ordinance to amend the Land Development Ordinance prepared by Ursula Leo, Esq. was made by Patricia Dolan, second by John Fierro with Armstrong, Andrews, Blahut, Fahrenfeld, Sund, Telischak and Kibildis in favor. It was noted that the proposed changes have been developed over the past three years or more. Richard Stein, Esq. will forward this proposed ordinance with a cover letter to the Borough Council.

2. Module Update – Highlands Council

Fred Suljic, P.P. reported that the Highlands Initial Assessment Plan was submitted to the Highlands Council but he has not received any comments from them yet. Chairman Armstrong requested copies of the revised report for all the Board members. Module 1 contains the Block and Lot information and the water map. Both were revised per our discussions and Mr. Suljic will provide copies of the spreadsheet listing all the properties to the Board. Module 2 is an affirmation of Module 1 and will come out with a build-out analysis. Module 3 is COAH and Housing. The Sub-committee meeting is scheduled for September 1st, 2009 at 7:00 P.M. Fred Suljic will have a document a week before the meeting for the Board.

3. Invoice Tracking Report – No invoices have been paid or scheduled for payment since the last meeting because the Borough Council cancelled last night's meeting. The Council will meet on Friday to approve the bills. Chairman Armstrong requested a Summary Report for each professional from the Secretary.

4. Trial Balance Escrow Report – Size of report reflects that the old accounts have been closed.

F. DISCUSSION

None of the developments approved by the Board have started any work to date. They just wanted to get their approval on the books. There are no approvals coming out from the DEP. For example, the Borough submitted an application for dam repairs about three years ago. George Morville, the insurance agent, called the Municipal Clerk regarding the dam inspection which is required every two years.

Elizabethtown Gas is installing the gas pipes on Main Street/Route 517. They were supposed to send everyone a letter regarding hook-up. Perhaps they are waiting until all the

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pipng is in. There should be a stub at every intersection. It will eliminate the underground storage tanks. It was suggested that we ask them to throw asphalt down on the Borough property on Main Street.

Ms. Dolan stated that she would like to thank and compliment the volunteers who gave up their time to serve on the various committees. The results are here tonight after working on the ordinance changes for almost three (3) years.

G. OPEN TO THE PUBLIC

A motion to the open the meeting to the public was made by John Fierro, second by Ken Fahrenfeld with all in favor. There being no public comment, a motion to close the meeting to the public was made by Bill Andrews, second by John Fierro with all in favor.

H. ADJOURN

A motion to adjourn the meeting was made by John Fierro, second by Bill Andrews with all in favor. Meeting adjourned at 7:50 P.M.

Respectfully Submitted by:

Blanche Stuckey
Land Use Board Secretary

Date of Approval