

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: **January 24, 2017**

CALL TO ORDER: The meeting of the Ogdensburg Land Use Board was called to order at 7:20 PM.

PLEDGE OF ALLEGIANCE

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 25, 2017.

1. **ROLL-CALL:** **Present:** Armstrong, Andrews, Ciasullo, Fierro, Fitzgibbons, Honig, Horuzy, McGuire, Nasisi and Telischak
 Absent: Kibildis
 Professionals Present: Gene Buczynski and Roger Thomas, Esq.

2. **OATHS OF ALLEGIANCE:**

The following members were sworn in by Attorney Thomas:

<i>Mayor Steve Ciasullo -</i>	<i>Class I Member</i>
<i>Councilman Anthony Nasisi -</i>	<i>Class III Member</i>
<i>Patrick Fitzgibbons -</i>	<i>Class IV Member</i>
<i>John Fierro -</i>	<i>Class IV Member</i>
<i>Thomas Horuzy -</i>	<i>Alternate</i>
<i>Robert McGuire -</i>	<i>Alternate</i>

3. **OFFICES AND APPOINTMENTS:**

Attorney Thomas called for a motion for Chairman of the Land Use Board for 2017. A motion to appoint Robert Armstrong as Chairman was made by Vito Telischak, second by John Fierro with Fitzgibbons, Ciasullo, Nasisi, Honig, Andrews, Horuzy and McGuire also in favor and Armstrong accepting.

A motion to appoint Patrick Fitzgibbons as Vice Chairman was made by Elliott Honig, second by John Fierro with Armstrong, Ciasullo, Nasisi, Telischak, Andrews, Horuzy and McGuire also in favor and Fitzgibbons accepting.

A motion to appoint Roger Thomas, Esq. of Dolan and Dolan, P.A. was made by Bill Andrews, second by Patrick Fitzgibbons with Armstrong, Ciasullo, Nasisi, Fierro, Honig, Horuzy, McGuire and Telischak also in favor.

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A motion to appoint Eugene Buczynski of Van Cleef Engineering as Engineer and Planner was made by Patrick Fitzgibbons, second by Elliott Honig with Ciasullo, Nasisi, Honig, Horuzy, Fierro, McGuire, Andrews and Armstrong also in favor.

A motion to appoint Blanche Stuckey as Secretary to the Land Use Board was made by Chairman Armstrong, second by Patrick Fitzgibbons with Ciasullo, Nasisi, Fierro, Honig, Horuzy, Telischak, McGuire and Andrews also in favor.

A motion to designate the New Jersey Herald and the Sunday Herald as the official publications for legal notices and the meeting dates for 2017 was made by Patrick Fitzgibbons, second by Elliott Honig with all in favor.

Chairman Armstrong appointed John Fierro and Thomas Horuzy to be on the Completeness Review Committee with him.

The Board is in receipt of a contract from Van Cleef Engineering Associates for the Engineering and Planning services.

4. APPROVAL OF MINUTES:

A motion to approve the minutes from the November 22nd, 2016 meeting was made by Patrick Fitzgibbons, second by Bill Andrews with Armstrong and Telischak also in favor and Ciasullo, Nasisi, Fierro, Honig, Horuzy and McGuire abstaining.

5. BILLS/VOUCHERS

A motion to approve the bills and vouchers was made by Bill Andrews, seconded by Elliott Honig with Ciasullo, Fitzgibbons, Nasisi, Fierro, Horuzy, McGuire, Telischak and Armstrong also in favor.

Dated 9/30/16 from Dolan & Dolan, Esqs. re: Interstate Industrial Mgmt.	\$552.38
Dated 11/30/16 from Dolan & Dolan, Esqs. re: Interstate Industrial Mgmt.	\$1210.51
Dated 11/30/16 from Dolan & Dolan, Esqs. re: Edward Haracz	\$541.13
Dated 1/06/17 from Van Cleef Engineering re: Interstate Industrial Mgmt.	\$187.50
Dated 12/30/16 from Dolan & Dolan, Esqs. re: Edward Haracz	\$96.92
Dated 12/30/16 from Dolan & Dolan, Esqs. re: General	\$52.30

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6. OLD BUSINESS/NEW BUSINESS

- a. Edward S. Haracz
8 Main Street, Block 12 Lot 25
LU #16-002

Memorialization of Resolution for an Appeal and Minor Site Plan

A motion to approve the Memorialization of the Resolution was made by Bill Andrews, second by Patrick Fitzgibbons with Armstrong, Ciasullo, Nasisi, Fierro, Honig, Telischak, Horuzy and McGuire also in favor.

- b. John Claquin
Delta Gas Station
186 Main Street, Block 26.02 Lot 2

Mr. Andrews stated that we discussed this problem at the October and November meetings. The last time he passed by, he counted twenty two cars, two trailers, a lawnmower and a quad there. Chairman Armstrong said that the Zoning Officer was in contact with Mr. Claquin and they were working out an agreement. Discussion continued regarding the length of time this situation has been existing and what needs to be done. When Mr. Claquin attended the Land Use Board meeting, he was given a copy of the ordinance and was instructed to apply for a variance or request the Council to change the ordinance.

Chairman Armstrong said that gas stations work differently today. You bring your car in and they never have your part so they have to order it and your car can be sitting there for days. Mayor Ciasullo asked if unregistered vehicles are allowed to be on any property in the Borough. Board members discussed the problem with the line of sight and the truck parked in front of the property causing a safety issue. Board members are in agreement that the Zoning Officer needs to enforce the ordinance and issue a citation to the owner.

Attorney Thomas reminded the Board that the issuance of a summons to Interstate brought the gentlemen to this Board. Ultimately, Mr. Hinkes was the one who finally ended up defending it properly and advised his client accordingly and dealt with the violation in an appropriate manner. That is usually what happens if the individual ends up getting a citation; it will be the impetus to get him to do the variance application. Conditions can be placed on the approval including the parking. Chairman Armstrong stated that the station is an eyesore in front of that development and Mr. Andrews remarked that it looks like a junkyard.

Mayor Ciasullo said there is a reason the conditions were created. There is an option for a variance for a change. When Mr. Claquin goes before the Judge, the Judge will instruct him to apply for a variance from the Board.

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A motion to request the Zoning Officer to enforce the Ordinance in regard to Mr. Claquin was made by Bill Andrews, second by Elliott Honig with Armstrong, Fitzgibbons, Ciasullo, Nasisi, Fierro, Horuzy and McGuire also in favor and Telischak abstaining.

Mr. Fitzgibbons remarked that another station known as 517 Transmission has more than six (6) vehicles. Chairman Armstrong informed the Board that he spoke to the owner and there are two (2) houses, one in the rear and one on the side that park their vehicles there. Each residence is allowed three (3) vehicles and there are two (2) vehicles for the employees of the business in addition to the six (6) vehicles allowed for repair for a total of fourteen (14) vehicles.

Councilman Nasisi asked if there is an ordinance that defines the parking spaces for these businesses. Chairman Armstrong stated that gas stations are not a permitted use in the Borough of Ogdensburg. Gas stations are a Conditional Use so if someone wanted to open one, they would have to apply to the Land Use Board. Mr. Fitzgibbons remarked that the three (3) stations were here long before there were any ordinances. The building at 8 Main Street was an auto dealership at one time that sold Hudsons.

7. ATTORNEY'S REPORT

Attorney Thomas stated that he will have a report for the next meeting.

8. CHAIRMAN'S AGENDA

All reports were contained in the meeting packet including the 2016 Year in Review.

9. OPEN TO THE PUBLIC

No members of the public were in attendance.

10. ADJOURNMENT

A motion to adjourn was made by Chairman Armstrong, second by Elliott Honig with all in favor. Meeting adjourned at 8:09 P.M.

Blanche Stuckey
Land Use Board Secretary

Date of Approval

