

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: May 29, 2019

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

PLEDGE OF ALLEGIANCE

1. 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 22, 2019.

2. ROLL-CALL:

Present: Andrews*, Fierro, Fitzgibbons, Honig, Kibildis, McGuire and Telischak

Absent: Armstrong, Hart, Hutnick and Nasisi

Professionals Present: Michelle Corbett-Rivielle, Esq.

*Mr. Andrews arrived at 7:05 P.M.

3. APPROVAL OF MINUTES

A motion to approve the minutes of April 23, 2019 was made by John Kibildis, second by Vito Telischak with Fitzgibbons, Fierro, and McGuire also in favor and Honig abstaining.

4. OLD BUSINESS/NEW BUSINESS

- a. CNC Innotech, LLC, 91 Main Street, Block 7 Lot 7 LU19-003
Appeal of Denial of Zoning Permit

Kevin Kervatt, Zoning Officer, stated that he did not issue the Zoning Permit because the previous owner did not allow any access to the building for twenty five (25) years. I didn't know the intensity and exactly what was going on in there. The Board is comfortable when it is a pizza parlor to a pizza parlor to issue a zoning permit. I think something of this level with not knowing what is going on there and if it will increase the intensity needs Land Use Board approval. Virtually the last few years I have seen no activity there. The use fits in the Zone. I know that the Board doesn't have a problem when I issue permits for a single family residence or a small commercial enterprise but this didn't fit into either category.

Juan Paredes was sworn in by Attorney Corbett-Rivielle and acknowledged that he is the owner of CNC Innotech LLC and the premises located at 91 Main Street. The company was started in 2015 with a couple of machines. Basically, they make small components

MEETING MINUTES

May 29, 2019

Page 2.

out of materials such as steel and aluminum. Mr. Paredes showed the Board members a few sample pieces that were made. The machines go up to 20 millimeters in diameter. The material comes in twelve (12) foot lengths. Mr. Paredes described the machinery used. Mr. Telischak asked about the chemicals used to clean the equipment. The coolant that is used isn't toxic and is disposed of in fifty (50) gallon drums which are picked up every four (4) months. Mr. Fierro asked if there are CMSDS sheets on that chemical. Mr. Fitzgibbons stated that the town should know what is in there and Mr. Kervatt said that the company will be registered with the Fire Marshal's Office and will obtain the MSDS information.

Mr. Fierro asked about personnel and Mr. Paredes answered that right now it is only himself and when he gets busy, there are two part-time employees. Mr. Kibildis asked if the machines generate a lot of noise and Mr. Paredes said not really and they are quiet. The only human traffic would be for the deliveries of material. There is sufficient parking for three (3) vehicles and delivery trucks. The only power equipment for transport of inside material moving would be one forklift and a couple of handtrucks. The forklift is powered by propane.

When asked, Mr. Paredes noted that he will not be renting out any space in the building and will be utilizing the entire first floor for his business. Mr. Kervatt questioned the use of the center front room and Mr. Paredes stated that he will use that room as an Inspection Room. The second floor will not be utilized at the present time because it does not have insulation, etc. Mr. Kervatt stated that an ice cream parlor was snuck in there by the previous owner without obtaining the proper permits.

Mr. Andrews explained that the Zoning Officer and Board Members were concerned about the safety issues in the front center room. Mr. Paredes stated that his electrician will install 3-phase for his machines and will check all of the electric in the building. Board Members agreed that the resolution will include the condition for permits from the Building Dept. and an as-built for the 13' x 24' center front room.

A motion to approve the application for CNC Innotech LLC was made by Elliott Honig, seconded by John Fierro with Fitzgibbons, Kibildis, Telischak, Andrews and McGuire also in favor. The fee for the re-submittal of the Zoning Permit is \$15.00.

5. CHAIRMAN'S AGENDA

Reports and OPRA Requests are only for informational purposes.

6. BILLS/VOUCHERS

No Bills and Vouchers have been received for approval.

MEETING MINUTES

May 29, 2019

Page 3.

7. OPEN AND CLOSE TO THE PUBLIC

No members of the public were in attendance.

8. OTHER BUSINESS

Mr. Fierro inquired if the Board has any jurisdiction to contact the County regarding the dump truck traffic on Route 517. There was another accident today involving a dump truck which is probably the sixth one this year. The number of accidents occurring on 517 is a big concern for the people in town. Can we inquire if the County can do a study and if this roadway is suitable for dump trucks and/or should be resurfaced. There is a considerable amount of sloping in areas. Mr. McGuire stated that the dump trucks are as wide as the lane. Is this road suitable enough for the constant traffic of eighty to a hundred loads a day? When was the last time a traffic study was even done? Mr. Fitzgibbons said that the speed limit set is for regular vehicles but it is difficult for a dump truck to stop even at 30 mph. Board Members Fierro, Fitzgibbons and Telischak related incidents of accidents and visual observations of trucks having trouble stopping.

Perhaps a letter can be drafted and approved by the Borough Council and sent to the Freeholders and the County Planning Department voicing all of our concerns with regard to this matter. Mr. Fierro pointed out that we have the quarry in Franklin which expanded, one in Wantage, one in Hamburg and all of the mulch companies. He also stated that he is not a proponent of the Jake brake restriction because those brakes help stop the truck. Mr. McGuire said that was discussed ten (10) years ago and stated that it was not a good idea but the Council passed it anyway.

Attorney Corbett-Rivielle recommended that we forward a letter to the Council and then a letter be sent to the County Departments so that it is on the record regarding our concerns. Thirty (30) years ago there wasn't a bypass so the trucks didn't come this way. With all the additional weight and pounding that these roads are getting, they came and paved in Sparta, skipped Ogdensburg, and paved in Franklin. A letter will be written to the Mayor and Council regarding the unanimous concerns of the Board Members. Perhaps other adjacent towns will join Ogdensburg.

Mr. Kervatt called the County regarding a guiderail and the oil boom in the Wallkill River and then in a week the work was done.

9. ADJOURNMENT

A motion to adjourn was made by Elliott Honig, second by Vito Telischak with all in favor.

Blanche Stuckey
Land Use Board Secretary

Date of Approval