

**REGULAR MEETING MINUTES OF THEBOROUGH OF OGDENSBURG
LAND USE BOARD FOR
September 22, 2020, AT THE OGDENSBURG
MUNICIPAL BUILDING, 14 HIGHLAND AVE.
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:03PM.

Chairman Honig led the Pledge of Allegiance.

Meeting was held via zoom/audio.

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 29, 2020.

ROLL CALL: Andrews (via zoom), Fierro (via zoom), Honig, Mayor Hutnick, Kervatt, Kibildis (via zoom), Telischak (via zoom)

Absent: Fitzgibbons, Nasisi

Also present: Rodger Thomas Esq. (via zoom), Angela Knowles, Planner (via zoom), Mike Vreeland, Engineer and Mike Marceau, CFO

APPROVAL OF THE MINUTES – August 25, 2020

Chairman Honig asked if there was any question of the minutes and discussion.

Mr. Fierro made a motion to approve the meeting minutes from August 25, 2020. Seconded by Mr. Kibildis.

Upon Roll call Vote:

Yeas: Andrews, Fierro, Honig, Hutnick, Kervatt, Kibildis, Telischak

Nays: None Absent: Fitzgibbons, Nasisi Abstain: None

PRESENTATION OF PLAQUES

Chairman Honig commented this is one of the most important things we have in front of us tonight; we were able to have Bob Armstrong and Blanche Stuckey come on. It is his honor for 2020 has probably been one of the strangest and odd years at least in his time and as part of that we had to say goodbye to probably our most valuable players. It was a hard thing being an outsider because both of those people were such an intricate part of our team.

Chairman Honig commented Blanche, from the very beginning you were always an asset to our team and our town. We appreciate all the hard work you put in on a weekly basis, it may seem like an easy job from the outside but it is absolutely far from that. You were always on top of

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your game and always provide to be reliable and most importantly you did it with probably one of the brightest smiles he has seen. Chairman Honig thanked Blanche for her dedication to our community and we wish you the best in your retirement and showed the plaque via zoom.

Blanche thanked everyone and commented she missed everyone.

Board members thanked Blanche.

Chairman Honig presented a plaque to former Chairman Bob Armstrong for his dedication and many years of service with the Land Use Board.

Chairman Honig commented Bob you have absolutely been a corner stone for this Board, you always had a vision, you would always see Ogdensburg for the small town, for what it is with good people and hidden gems. Bob always made it his goal to make Ogdensburg a better place for all of its citizens. Chairman Honig commented this became clear to him when he took on the role of Chairman. The day he accepted the position he said he would have extremely big shoes to fill as there were very few people who knew more about our town and our Land Use Board than Bob does. We are extremely thankful for all of your leadership and support and most importantly friendship over the past 23 years.

Chairman Honig held up a plaque for Mr. Armstrong to see via zoom. We have a plaque as a small token of appreciation for you for all you have done for our community.

Mr. Armstrong commented I really thank you; he had a lot of fun on the Land Use Board because he loves this town and he must say it was 25 years since 1993. Now he is moving on to something else.

Board members and professionals wished Mr. Armstrong well with their comments.

Mr. Armstrong thanked the Board for their recognition.

RESOLUTION

There were no resolutions to approve.

OLD BUSINESS/NEW BUSINESS

Parking for Main Street – Paper Road

Chairman Honig commented the last thing we were looking for is for parking on Main Street and trying to figure out what was going on with the paper road. Last, he knows there was no real update for it still going to be tabled but we don't want to forget about it so we are going to keep it there.

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Interstate Industrial “List”

Chairman Honig commented the same goes for the Interstate Industrial list he doesn't think we have any updates on this.

Mike Vreeland, Engineer had nothing to provide

Chairman Honig commented as we know right now the building permit has been issued; there should be some progress being made he can't say he has seen any progress but on the back end they are doing something. We have to make sure the items such as the berm gets addressed.

Mr. Vreeland commented on the issue with the property owners. It is his understanding they have worked things out.

Chairman Honig commented we can check on that but we don't really have any major updates he just doesn't want to forget about them. Chairman Honig commented at this point most items are addressed so we just have to keep an eye on this and to keep to the deadlines we have put forward. Chairman Honig asked Mr. Vreeland to do a quick review; maybe an update even just through an email.

Livestock Ordinance

Chairman Honig commented on the livestock ordinance; we have had a lot on the agenda he doesn't know how much we are going to get done tonight; but he does want to say that if there is any feedback we are still looking to put this ordinance into play. Mayor Hutnick and Mr. Kervatt have been doing some research on this. Hopefully, by next month maybe we can have a further discussion on this. Chairman Honig asked if there was any input from the board members on this. There were no comments. Chairman Honig commented we will table this until the next month.

Economic Development Plan

Chairman Honig referenced Angela Knowles report in the packet regarding the stakeholder's meetings.

Ms. Knowles commented basically everything she said at the last meeting she put into this report to formalize it a little more. Ms. Knowles explained the report. There were two themes that really came out of this the historic aspects of the town should become a priority and also the recreational component. We heard from biking and hiking advocates. We heard from the County Planning Department and how they have a larger open space plan. We received great resources from the County.

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Ms. Knowles commented what she thought was most beneficial of this was all these people were talking to each other. Ms. Knowles referenced the last page that summarized what she kind of saw as the next steps and explained those steps.

Chairman Honig asked Board members if there were any questions. There were no questions from the Board.

Chairman Honig commented one of the things he took note is a lot was focused on recreation and improvement to the overall life of Ogdensburg as opposed to bringing in types of business. He thinks that is a lot more realistic from what he can gather which will tie into some other points we are going to talk about tonight.

Chairman Honig commented the survey [for Borough residents]. The survey will be part of the newsletter; we can get more feedback from the public. That was technically going to be one of our steps anyway; we came up with this at the last meeting to be part of the newsletter and adds no cost to us [Land Use Board]. This survey will be on the Borough website too. Chairman Honig commented when you look at the survey look at not what you would like to see in town but what you actually leave the town for. Chairman Honig commented for example he leaves the town to go to Wheatsworth Field to use the walking path, to Sparta to use White Lake for their biking path, we go to Sparta for the ice cream store so he asks what do you leave this town for so that we can bring it back here and not let people leave this town. If you can answer that question for yourself he thinks in the end it will be an overall Ogdensburg Development Plan.

Walking Track/Path

Mayor Hutnick commented it was suggested if we can entertain possibly building a walking track around the fire house ball field. People are already walking around it; three sides of it have somewhat of a walking area/road to walk on it. The suggestion was could we put up a path in the inside of the fence along 517 basically on the inside of the property all around. Whatever the engineer would deem as a safe economical thing. The other thing was to find out how many laps around this park make a mile. People are using this field more and more we are all outside now so it's not that bad of an idea.

Mr. Fierro asked if it would infringe on the baseball field or dug out.

Mayor Hutnick explained how the path would go and we would avoid the softball field and go behind the dugouts.

There was discussion on the walking path/track, tie it into the trails across the street, making exercise stations, things being in walking distance, parking, rail trails and if the track would be concrete, stone or blacktop.

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2020 Budget

Chairman Honig commented he asked Robin to include in the packets the on-going expenditure we have had. Based on our previous conversation he wanted the Board to see where we were. As of right now our balance is \$4,846 left in our account for the remainder of the year including all these extra expenditures. As we move forward we are going to run as tight as humanly possible so that we can do things. To our professionals; if it comes to one of those meetings where we are just going to be having a conversation such as talking about something that is kind of small we will probably from this point make it if we don't think we need any legal advice, planning advice or something like that we will let you know when the minutes get sent out. It is nothing against you but he wants to make sure that we are being as economical as possible, a meeting can cost us up to one thousand dollars and we only have four thousand left that eats into that money. He would rather see that money get spent wisely.

Mr. Thomas commented he doesn't think you need him at every single meeting if you are just going to be talking about general items that doesn't involve legal [advice].

Chairman Honig commented you have always been great with correspondence if we need anything.

Mr. Fierro commented we probably only have two meetings left.

Chairman Honig commented we have October, November and December still on record.

Mr. Fierro commented we don't meet in December.

Chairman Honig commented technically there is always one schedule.

CORRESPONDENCE

Chairman Honig explained the below correspondence.

- a. Letter received August 24, 2020 from Upper Delaware Conservation District re: The merge of Warren and Sussex County Soil Conservation Districts.
- b. Denial of zoning permit address location 342 Main Street.
- c. Memo to Finance Department dated September 8, 2020 Re: Bills/Vouchers for Payment Land Use Board.

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Chairman Honig commented we have a denial of a zoning permit which he asked Mr. Kervatt to explain.

Mr. Kervatt commented the application was for a boxing gym; land use law doesn't allow the zoning officer to allow a use if it appears to be a greater impact on the area. Mr. Kervatt commented someone going in and out of a deli isn't a great impact on those other stores. Somebody that wants to have a class and possibly have 20 come and spend an hour his opinion as the zoning officer it would be a greater impact on what is going on there now. It's not that this doesn't fit in there it has to be talked about as a Borough.

Mr. Telischak commented he has to recuse himself since he is within 200 feet of the property.

Chairman Honig asked Mr. Thomas where do we go from here, it is in the packet as denied and it is the major change of use. The applicant is here and he has provided us some information.

Mr. Thomas referenced a provision in the Municipal Land Use Law that talks about an appeal of that he can file that he would have to talk to Kevin and some point during the week to get a better understanding. The question becomes does this fit in the CR zone and that's what he wants to talk to Kevin about with the ordinance. At this point he thinks it is appropriate to carry the matter until he has a chance to talk to Kevin.

Mayor Hutnick commented this issue is parking.

Mr. Kervatt commented in that zoning commercial retail he believes it would fit under services; he believes the use would be a permitted use but again it is going from a deli to a gym. If it was a deli to a deli or a pizzeria without seating where people go in and out he would just sign it. He is calling this a greater impact that is customarily in that little mall.

Mr. Thomas commented what you agree is it is permitted but if it effects the parking it is really an issue of the sit plan.

Mayor Hutnick commented during this process if it is parking related due to so many spaces allocated for time he noticed that the employees of these business are parking in the same parking spaces normally used for customers that could be taking away from parking spaces. If parking for employees and staff etc. were to be relocated to the back of the building if that is possible or to one side of the lot rather than throughout the lot maybe that would make this work as well.

Mr. Fierro commented he understands what you are saying but if that parking regulation wasn't built into the lease agreement for each individual business you might have an issue. This would be more of a lease issue.

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Mr. Thomas commented there is also the questions of the relation to the number of parking spaces he has to look at the ordinance in conjunction with talking to Kevin.

Chairman Honig commented you have already tabled this but at this time do you think after discussing this with Kevin that we have to wait until the next Land Use Board meeting for the applicant to proceed or could this possibly be worked out between them prior too obviously depending on your conversation. If you guys come up with something within the next week and say this is ok and it doesn't have to come before us I don't want to have to make the man wait a month.

Mr. Thomas commented he doesn't know what will be the end results of his conversation. However, if he can have a discussion with Kevin and there can be an alternative it is very possible. It is possible based upon our conversation could withdraw the violation and issue the appropriate zoning permit and explained.

BILLS/VOUCHERS

Mayor Hutnick made a motion to pay the bills/vouchers. Seconded by Mr. Fierro.

1. Date August 20, 2020 from Van Cleef Engineering Board Planner invoice #6230-7 in the amount of \$1,250.00.
2. Date August 20, 2020 from Van Cleef Engineering Board Engineer invoice #6290002-18 Interstate Industrial Management escrow account in the amount of \$65.00.
3. Date September 2, 2020 from Dolan and Dolan statement #319580 in the amount of \$291.36.
4. Date September 2, 2020 from Dolan and Dolan statement #319581 Interstate Industrial Management escrow account in the amount of \$437.06.

Upon Roll call Vote:

Yeas: Andrews, Fierro, Honig, Hutnick, Kervatt, Kibildis, Telischak

Nays: None Absent: Fitzgibbons, Nasisi Abstain: None

PUBLIC PORTION

Mr. Fierro made a motion to open the meeting to the public. Seconded by Mr. Kibildis. All were in favor.

Nelson Alvarez, 16 Jefferson Terr. commented he is here in regards to 342 Main Street. Basically, his concern is taking space from the rest of the business; his classes are going to start at 4:00pm. Basically, when everybody closes. Again, some days could be early for those he wants to train in the morning and explained.

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Mr. Fierro made a motion to close to the public. Seconded by Kibildis. All were in favor.

ADJOURN

Mayor Hutnick made a motion to adjourn. Seconded by Mr. Fierro. All were in favor.

Chairman Honig adjourned the meeting approximately 7:56pm.

Prepared by
Robin Hough, RMC/CMR