

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG
LAND USE BOARD FOR
April 23, 2024, AT THE OGDENSBURG
MUNICIPAL BUILDING, 14 HIGHLAND AVE.
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order.

Chairman Honig led the 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 24, 2024.

ROLL CALL: Fierro, Fitzgibbons, Honig, Mayor Hutnick, Marceau, Poyer

Absent: Nasisi

Also present: No professionals

APPROVAL OF THE MINUTES

Mr. Fierro made a motion to approve the meeting minutes for March 26, 2024. Seconded by Mayor Hutnick.

There was no discussion.

Upon Roll call Vote:

Yeas: Fierro, Fitzgibbons, Honig, Hutnick, Poyer

Nays: None Absent: Nasisi Abstain: Marceau

APPLICATIONS FOR COMPLETENESS

There are no applications for completeness.

APPLICATIONS TO BE HEARD

There are no applications to be heard.

OLD BUSINESS/NEW BUSINESS

Local Planning Services Grant - No update

Chairman Honig read we have to review and send back to the Mayor and Council Ordinance 06-2024 "AN ORDINANCE OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 30 OF THE BOROUGH CODE ENTITLED "LAND DEVELOPMENT" RELATING TO THE BOROUGH'S BC, BOROUGH CENTER DISTRICT ZONE".

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Chairman Honig commented he assumes there are no questions, comments or issues; we are just here to approve the fact that it meets the same standards when it went up there [to Mayor and Council] and it complies to our Master Plan.

Ms. Hough commented nothing was changed.

Chairman Honig asked if there was any discussion regarding ordinance 06-2024.

There was no discussion.

Mayor Hutnick made a motion. Seconded by Mr. Fitzgibbons.

Ms. Hough asked this is to send the ordinance back to Council.

Chairman Honig commented this is to send it [ordinance 06-2024] back to Council.

Upon Roll call Vote:

Yeas: Fierro, Fitzgibbons, Honig, Hutnick, Marceau, Poyer

Nays: None Absent: Nasisi Abstain: None

Chairman Honig thanked the Mayor and Council.

Zoning Map & zoning ordinance review

Chairman Honig commented at the last meeting he asked everyone to look at the CR Zone. We had started to discuss this (CR); we are done with that now on to LI/C zone. Chairman Honig read A. Permitted uses number 4. Scientific research laboratories etc.

There was a discussion on number 4, why this would even be a permitted use, what business would this have referenced in the Borough and whether or not to leave this in permitted use or remove it. The Board decided to remove number 4.

Chairman Honig referenced C. Conditional uses number 3. Service Stations.

Mr. Fierro commented he thought that was strange he wasn't sure where you would put that in the LI/C zone.

Chairman Honig commented we have two service stations in LI/C; maybe he would say service stations fronting 517 only. Chairman Honig and Mr. Fierro was looking at the zoning map with of the LI/C zone. Do we want to see a service station in the LI/C zone off of 517?

There was a discussion on service stations in the LI/C zone, modify services stations in that zone only along 517 or to remove service stations completely from that zone and charging stations in the Borough and whether we should address this now while we are going over the zones.

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Chairman Honig commented even though it is already a conditional are we going to remove it all together we don't see a need for it in LI/C regardless they would have to come before the Board for a variance.

Chairman Honig referred to earlier updates that was discussed was to potentially add to LI/C under permitted principal use there was a recommendation from one of the previous boards to add Wireless telecommunication towers, equipment and facilities.

Chairman Honig commented his thoughts were not to add this because of issues the board previously had.

Chairman Honig commented the reason we started all the zoning updates was because Mr. Fitzgibbons had found one recommendation which was to add wireless, telecommunication towers, equipment and facilities. None of the things we have now fall under that there is wireless in town they are on the Mine.

Mayor Hutnick explained the possibility of running wires in town.

Mr. Fitzgibbons explained he thought at that time the thinking was if we had any applications that would be the only place it would be allowed.

Mr. Fitzgibbons referred to item K Miscellaneous criteria "An Environmental Impact Statement is a mandatory requirement on any site plan application for land development." Mr. Fitzgibbons commented he doesn't know what would be included in that, there is nothing in the definition or any place. Is there a State requirement for an Environmental Impact Statement to be included? That is a broad statement.

Mayor Hutnick commented there are a lot of DEP stuff you have to get for soil disruption, water, wetlands; he would think the environmental impact would be included in that especially people that are trying to build along the Delaware.

There was a discussion on letter K.

Everything else look fine in the LI/C zone. Chairman Honig commented the only changes he sees is eliminating A. 4 and C. 3.

Chairman Honig commented next meeting we will discuss I/C and P/C. We still have to go back and look at definitions.

Mr. Fitzgibbons commented did we say Satellite would be its own section.

Chairman Honig commented yes, so we don't have to mess with the individuals [zones].

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CORRESPONDENCE

Chairman Honig explained the correspondence.

- CCO and Zoning permit report
- Public legal notice regarding a freshwater wetland general permit 24 submitted to NJDEP for 19 Glenbrook Road, Block 26.06 Lot 19.

BILLS/VOUCHERS

Chairman Honig referenced the bills in the Board packet to approve. Chairman Honig explained we have to be careful how we are using our funds moving forward; we are only half way through the year.

There was a brief discussion on the bills.

Mr. Fierro made a motion to approve the bills and vouchers. Seconded by Mr. Fitzgibbons.

Upon Roll call Vote:

Yeas: Fierro, Fitzgibbons, Honig, Hutnick, Marceau, Poyer

Nays: None Absent: Nasisi Abstain: None

- Statement #949962 from Dolan and Dolan Roger Thomas, Board Attorney for T-Mobile application 2024 in the amount of \$107.38.
- Statement #949961 from Dolan and Dolan Roger Thomas, Board Attorney 75 Main Street appeal \$51.19.
- Statement # 449960 from Dolan and Dolan, Roger Thomas, Board Attorney, Laboy appeal Block 7 Lot 5 in the amount of \$107.38.
- Statement # 949959 from Dolan and Dolan, Roger Thomas, Board Attorney and Matthew Lynch, Esq. general matter in the amount of \$1,013.56.

PUBLIC PORTION

There was no one present in the public.

ADJOURN

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

Chairman Honig adjourned the meeting approximately 7:35pm.

Prepared by
Robin Hough, RMC/CMR