

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: September 9, 2008

CALL TO ORDER: 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 8, 2008. The regularly scheduled meeting of the Ogdensburg Land Use Board was called to order at 7:00 PM.

ROLL-CALL: **Present:** Armstrong, Andrews, Dolan, Fahrenfeld, Fierro, McDonald, Sund and Wood.
Absent: Altenburg, Dabrowski, and Telischak*.
Professionals: Buczynski, Leo and Suljic.
Absent: None.

APPROVAL OF MINUTES – August 12, 2008

A motion is made by Fierro, second by Dolan to approve the minutes of the August 12, 2008 as amended to reflect Mayor Sekelsky's late arrival and early departure with Armstrong, Andrews, Sund, Fahrenfeld and McDonald in favor; Mayor Sekelsky and Eric Wood abstaining.

CORRESPONDENCE

1. Dated 8/12/08 from Laddey, Clark & Ryan to McGivney & Kluger re: Bruce Morse
2. Dated 8/13/08 from W. Brick to Finance Department re: Bills/Vouchers
3. Dated 8/13/08 from W. Brick to Eric A. Wood re: memorialized resolution
4. Dated 8/13/08 from W. Brick to McGivney & Kluger, P.C. re: Morse-Cork Hill Rd. memorialized resolution
5. Dated 8/25/08 from NJDEP re: application submitted by Daryle Kelly
6. Sussex Cty. EDP, Inc. re: Municipal Plan Endorsement forum
7. NJ Corporate Wetlands Restoration Partnership re: Rain Garden Workshop
8. Dated 9/05/08 from Gene R. Altenburg to Mayor Sekelsky re: resignation from Land Use Board

Comments: Mayor Sekelsky advised the Board that he will ask Gene Altenburg to reconsider and serve out his term.

1. NEW BUSINESS

A. Appointment of new Land Use Administrator

Chairman Armstrong introduced Blanche Stuckey who has 14 years experience in Hardyston Township, largely in the Construction Office. She has signed up for the three Planning and Zoning courses offered by Rutgers and her hours are 8:30 A.M. to 5:00 P.M. on Monday to Wednesday. A motion was made by Andrews and seconded by Fiero to appoint Blanche Stuckey as the new Land Use Administrator with all in favor.

*Mr. Telischak arrived at 7:10 P.M.

2. CHAIRMAN'S AGENDA

Chairman Armstrong advised the Board that the New Cingular Wireless application has been extended to the October meeting and will not be heard tonight.

A. Re-Examination of Master Plan

Draft of the Re-examination Plan prepared by the Sub-Committee was distributed to everyone. The Sub-Committee was chaired by Mr. Suljic with Andrews, Armstrong, Wood and Mayor Sekelsky as committee members. They met several times and performed a site walk.

Chairman Armstrong requested all Board Members to review the Re-examination plan in detail and submit their recommendations. Discussion ensued regarding the plan endorsement for a village center or town center designation and the steps necessary to obtain the designation. One of the requirements is to have a housing share plan, the COAH Round II and III in place. Clean copies of approvals from 2004 on CD-Rom to be submitted for approval.

Towns much smaller than Ogdensburg have received Town Center Designation. Approval is based on a range – jobs, population, density, etc. are taken into account. The Town Center would include the entire Borough.

The Draft consists of five (5) different areas and goals and they are not prioritized. Chairman Armstrong suggested placing an objective as a monthly item on the agenda. A Plan Endorsement Advisory Committee made up of a group of citizens needs to be formed. Chairman Armstrong asked Mr. Suljic for a flowchart to show the steps and committees required. A Municipal Self-Assessment Report would cost a total of \$10,500; a Citizens Advisory Committee consisting of eight people needed, a Visionary Plan for the Business District, a State Transportation Plan, the Plan Endorsement (not to exceed \$8,000) and the Housing COAH Plan (not to exceed \$10,000) would be required. Costs would total approximately \$29,000. Question arose as to whose responsibility it would be to hire the Planner – the Council or the Board. The Council would hire the Planner after the Board's approval of the Plan.

Members were asked to see if they agree with the goals and issues. Board members should e-mail their responses to Blanche with their comments and recommendations. We will meet on Tuesday, October 7th at 7:00 P.M. to review them. Chairman Armstrong would like the Board to finalize the document and have the final draft ready to be approved at our next regular meeting on October 15th. The next step will be to accept this as our re-exam report and then issue it to the public. A Public Meeting to be held after our regular October meeting.

Mr. Wood informed the Board that the County Economic Development Partnership has a Plan Endorsement Forum scheduled for September 18th. Mayor Sekelsky stated that he and a Councilman will be attending. A few board members were interested in attending.

A Certified Housing Plan needs to be established. Ms. Leo informed the Board that the Robertson Bill was passed instituting a 2 ½% development fee. Mayor Sekelsky stated that the Council is in the process of passing an ordinance to establish a trust account for the 2 ½% development fee. If no

measures are in place for the Borough to collect this fee, Ms. Leo said that the monies would go to the State.

Discussion on Property Maintenance Code – Mr. Kervatt advised the Board that he has been requiring commercial and industrial properties to make repairs before transfer of ownership but has stayed away from residential properties.

3. OLD BUSINESS/NEW BUSINESS

AA-1 Self Storage, LLC/Logan Homes

Application #LU07-005

Block 30 Lot 3.02

Application for Preliminary Major Subdivision Approval

Mr. Azar and Mr. McClellan were both sworn in at the March meeting. Mr. Wood recuses himself from hearing the application.

Mr. McClellan presented the previously proposed plan and a conceptual sketch of a revised plan dated June 13th, 2008 which depicts a 20 foot paved roadway into a cul-de-sac.

Mr. McClellan addressed the items in CMX's report dated July 22, 2008. All of the General items have been agreeable to all. Discussion of the design waivers started with the installation of the utility lines via overhead lines or underground. After hearing the testimony from Mr. McClellan, the Board decided not to grant the waiver and the applicant will install the utility lines underground.

The Board granted the applicant a waiver to allow no curbing after Mr. McClellan's testimony that the curbing would keep the water on the pavement longer and not allow for proper drainage. It was noted that the NJDEP will need to approve this plan. The cul-de-sac will be a public right-of-way. Also granted was a waiver so that no sidewalks need to be installed. A waiver to eliminate street lighting was denied and the applicant will provide two street lights. One will be located at the beginning of the cul-de-sac on Brooks Flat Road and the other will be located in the cul-de-sac.

Under Technical Items, Item 1. indicates that the Environmental Impact Statement states "that no stormwater detention is proposed on site." The applicant will provide Mr. Buczynski with the current plans showing the stormwater detention basin and amend the Statement to reflect that this is a major subdivision.

Discussion on the other Technical Items resulted in the agreement that the applicant will plant trees on the street, either "October Glory", a maple tree species, or similar type. Mr. McClellan indicated that he will research to find trees with shallow roots that are water friendly. The Board determined that six or seven trees with a 3" caliper will be planted.

In addition, dry wells will be installed to collect the roof runoff. Applicant will comply with Items 2 through 7. For Items 8 and 9, a Property Maintenance Agreement and a Maintenance Manual will be provided to the three homeowners. Copies will be kept at the Borough Hall. Applicant will also comply with Items 10, 11 and 12.

Mr. Buczynski recommended that the Board propose a deadline for the revised plans. Mr. McClellan stated that the revised plans should be finalized in ninety (90) days. The Board requested the applicant to submit a copy of the plans to be sent to the DEP.

A motion was made by Sund to open to the public, second by Fierro with all others in favor.

Mr. Kervatt stated that the Fire Dept. will want to know if the crossing will be designed to support their heavy truck and equipment.

A motion was made by Fierro to close to the public, second by Andrews with all others in favor.

A motion was made to approve the AA-1 application with conditions by Fierro, second by Sekelsky with all others in favor.

4. APPROVAL OF BILLS/VOUCHERS

1. Dated 7/31/08 from CMX for Logan Homes Major - \$468.75
2. Dated 7/31/08 from CMX for Eric Wood - \$62.50
3. Dated 7/31/08 from CMX for Sterling Hill Mine - \$562.50
4. Dated 9/08/08 from Laddey, Clark & Ryan for General - \$525.00
5. Dated 9/08/08 from Laddey, Clark & Ryan for Morse - \$23.40
6. Dated 9/08/08 from Laddey, Clark & Ryan for New Cingular Wireless - \$202.80
7. Dated 9/08/08 from Fred J. Suljic, P.P. for New Cingular Wireless - \$150.00

**** Original Bills/Vouchers available for review. All Bills/Vouchers subject to approval by CFO prior to payment. ****

A motion is made by Andrews second by Fierro to approve the bills/vouchers for payment with all others in favor.

5. ADJOURN

A motion is made at 9:25 PM by Fierro, second by Wood to adjourn with all in favor.

Respectfully Submitted by:

Blanche Stuckey
Land Use Board Administrator

Date of Approval