

BOROUGH OF HAMBURG
LAND USE BOARD Minutes – Reorganization and Regular

January 11, 2016, 7:00 p.m.

Call to Order: In accordance with the open Public Meeting Act, with regard to notices, the regularly scheduled meeting of the Land Use Board is hereby called to order.

Chairman Adams invited all those present to participate in the flag salute.

Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Chairman Adams leads Oaths of Allegiance for the following members:

Mr. Adams issues Oaths of Allegiance for the following members:

John Haig, Class II Member (upon his arrival at 7:40 pm)
Thomas Watts, Class IV Member

Roll call: John Haig, Daniel Hall, Guy Harby, Richard Krasnomowitz, Mayor Marino, Jeanette Tempe, Thomas Watts, and Robert Adams. Also present was Ken Nelson, Board Planner.

Reorganization:

Motion for **Chairman:** Robert Adams.
Motion by Mayor Marino, second by Tempe with all others in favor.

Motion for **Vice Chair:** Thomas Watts.
Motion by Chairman Adams, second by Mayor Marino with all others in favor.

Motion for **Secretary** appointment: Wendy Brick.
Motion by Chairman Adams, second Mayor Marino with all others in favor.

Motion for **Attorney** appointment: Glenn Kienz, Esq. of Weiner Lesniak, LLP.
Motion by Chairman Adams, second by Watts with all others in favor.

Motion for **Planner** appointment: Ken Nelson of Nelson Consulting Group
Motion by Watts, second by Harby with all others in favor.

Motion for **Engineer** appointment: John Ruschke of Mott MacDonald
Motion by Chairman Adams, second by Watts with all others in favor.

Motion for Approval of **Meeting Dates and Time:** All Meetings begin at 7:00 pm.

Monday 1/11/16	Monday 7/11/16
Monday 2/08/16	Monday 8/08/16
Monday 3/14/16	Monday 9/12/16

Monday 4/11/16
Monday 5/09/16
Monday 6/13/16

Monday 10/12/16
Monday 11/14/16
Monday 12/12/16
Monday 1/16/17 – re-organization

Motion by Chairman Adams, second by Watts with all others in favor.

Motion for the Land Use Board **Official Newspaper**: New Jersey Herald and the Sunday New Jersey Herald

Motion by Chairman Adams, second by Harby with all others in favor.

Motion for approval of the following Resolutions and Agreements: Ratifying and Authorizing the Award of a Contract for Professional Services to Glenn C. Kienz, Esq of the Law Firm Weiner Lesniak, LLP.

Motion by Chairman Adams, second by Harby with all others in favor.

Motion to accept Agreement between the Land Use Board of the Borough of Hamburg and Glenn C. Kienz, Esq of the Law Firm Weiner Lesniak, LLP.

Motion by Chairman Adams, second by Harby with all others in favor.

Motion for approval of 2015 Annual Report.

Motion by Chairman Adams, second by Mayor Marino with all others in favor.

APPLICANT	BLOCK & LOT	TYPE OF APPLICATION		STATUS
Hamburg Farms	Block 29 Lots 4 & 5	Subdivision Approval with Ancillary Variance Relief	LU01-15	Granted 1/12/15, Memorialized 3/9/15
KP Kip and Jay, LLC	Block 14 Lots 11 & 13	Preliminary and Final Site Plan	LU02-15	Granted 3/9/15, Memorialized 4/13/15
Kaytes Realty	Block 17 Lot 20	Amended Final Site Plan	LU 03-15	Withdrawn Memorialized 12/14/15
Estate of Piechowski	Block 13 Lot 11	Certificate of Pre- Existing Non- Confirming Use	LU 04-15	Granted 8/10/15, Memorialized 9/14/15
Ramage/Brown	Blk 20 Lots 39, 39.01 and 39.02	Minor Sub. Lot Line Adj.	LU 03-14	Granted 4/13/15, Memorialized 6/8/15

Motion for Approval of **December 14, 2015 Minutes**. Motion was made by Harby, second by Tempe with all others in favor.

Motion for approval of Bills/Vouchers:

- a. Nelson Consulting - \$172.50 – Sussex County Open Space Plan
Motion by Mayor Marino, second by Harby with all others in favor.

Correspondence:

- a. Correspondence from Board Secretary to Linda Peoples, Esq. dated 1/5/16 re: escrow for Estate of Piechowski.
- b. Correspondence from Weiner Lesniak LLP re: In the matter of the Borough of Hamburg Complaint for Declaratory Judgment Demonstrating Municipal Compliance with Constitutional Mount Laurel Obligation.
- c. Correspondence dated 12/23/15 from Attorney Horlacher re: Piechowski escrow.
- d. Correspondence dated 12/22/15 from Hatch Mott MacDonald re: Kit & Jay LLC.
- e. Correspondence dated 12/15/15 from Weiner Lesniak LLP re: In the matter of the Borough of Hamburg Complaint for Declaratory Judgment Demonstrating Municipal Compliance with Constitutional Mount Laurel Obligation.
- f. Correspondence dated 12/14/15 from Hatch Mott MacDonald to Robert Jackson re: The Fairways at Wallkill River
- g. Correspondence dated 12/10/15 from Borough of Franklin to Sussex County Planning Board re: Franklin Borough Ordinance #13-2015 amending Chapter 161
- h. Project Application for Proposed Front Entry Renovations at Hamburg School (map and application dated 11/23/15)

Resolutions: None

Old/New Business:

- A. Hamburg Borough Housing Plan Element and Fair Share Plan
- Memo from Ken Nelson regarding the Hamburg Affordable Housing Obligation

Discussion regarding Hamburg's present and past affordable housing obligations as determined by the December 22, 2015 report of Econsult. Mr. Nelson provided a summary of the Borough's efforts to date included the 2008 Housing Plan which was never submitted. Options were discussed including receiving credit for two existing group homes and rehabilitating existing units.

Mayor Marino requested clarification as to which formula Econsult used to determine the housing obligation. Discussion continued as to whether or not the Borough could receive credit without controls based on the current market and existing housing which may meet the imposed obligations.

Watts questioned whether the Borough could challenge the decision.

The Borough has reached out to Econsult to clarify the Borough's determined obligation which is nearly 500% higher than the prior obligation.

Chairman's Agenda: None.

Public Portion: No public in attendance.

Adjourn: Haig motioned to adjourn at 7:46 pm. Seconded by Tempe. All were in favor.

Respectfully submitted by:

A handwritten signature in blue ink that reads "Wendy Brick". The signature is written in a cursive, flowing style.

Wendy Brick
Secretary to the Land Use Board