

**BOROUGH OF HAMBURG  
LAND USE BOARD  
MEETING MINUTES  
SEPTEMBER 11, 2023**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Chairman Dan Hall in accordance with the Open Public Meeting Act, with regard to notices.

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

Chairman Hall read the 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.

Those in attendance were Pattie Brown, George Endres, Christopher Feliciano, Chairman Dan Hall, Mayor Richard Krasnomowitz, William Oehler, Glenn David Roberts, Vice Chair Jeannette Tempe and Sam Villagomez. Glenn Kienz, Esq. and Erica Vigliorolo, P.E. and Ken Nelson, P.P. were in attendance.

**MINUTES:** Tempe made a motion to approve the minutes of Minutes of August 14, 2023, second by Brown with all others in favor, including Endres, Feliciano, Hall, Krasnomowitz, Oehler, Roberts and Tempe. Villagomez abstained.

**BILLS/VOUCHERS:** Glenn Kienz, Esq. indicated that there were no invoices submitted for this month. Brown made a motion to approve the bills/vouchers for payment, second by Tempe with all others in favor including Endres, Feliciano, Hall, Krasnomowitz, Oehler and Villagomez.

- A. The Nelson Consulting Group – \$162.00 – Daoftre Capital Group (Escrow 195)
- B. The Nelson Consulting Group - \$689.00 – Ordinance Amendments

**CORRESPONDENCE:** No Board comment on the correspondence.

- A. 8/10/2023 County of Sussex Ordinance – Road Opening and Access Permits
- B. 7/27/2023 County of Sussex Ordinance – Establishing County Roads as Through Streets

**RESOLUTION:**

**Daoftre Capital Group, LLC  
Application No. LU 22-01  
49 Gingerbread Castle Road (Block 11 Lot 33)**

Ms. Tempe made a motion to memorialize the Resolution Granting Preliminary and Final Site Plan with variances, second by Brown with all other in favor including Endres, Feliciano, Hall, Krasnomowitz, Oehler and Roberts. Villagomez abstained.

**OLD BUSINESS/NEW BUSINESS:**

- A. The Woods at Hamburg**  
**Application No. LU 23-02**  
**98 Route 23 (Block 36 Lot 2)**  
*Application for Preliminary and Final Site Plan Approval and "C" (bulk) and "D" (Use) Variance approvals*

The applicant requested that the application be carried to the October 9, 2023 Board meeting due to a scheduling issue.

A motion is made by Tempe, second by Brown with all others in favor to carry the application to the October 9, 2023 with no further notice required.

- B. Cynthia Monico**  
**Application No. Lu 23-01**  
**240 Route 23 (Block 14 Lot 1)**  
*Application for "D" (Use) and "C" (Bulk) variances*
- Application filed 5/19/2023 by Dolan & Dolan
  - Architectural plans (6 sheets) prepared by Lester Katz, NCARB dated 3/14/2023
  - Sussex County tax parcel
  - Google Earth images of subject property (4 photos)
  - Photos of subject property (7 photos)
  - Sussex County Planning Board application
  - Mott MacDonald report dated 6/22/2023
  - Correspondence dated 6/27/2023 from Dolan & Dolan to Mott MacDonald
  - Correspondence dated 6/27/2023 from Dolan & Dolan re: Board of Public Works
  - The Nelson Consulting Group report dated 6/27/2023
  - Memo 7/16/2023 from BPW to Mayor and Council re: EDU
  - Correspondence dated 8/28/2023 from Dolan & Dolan re: Affidavit of Service
  - Correspondence dated 9/11/2023 from Dolan and Dolan to Mott MacDonald

At 7:05 p.m., William Haggerty, Esq. appears on behalf of the applicant. Mr. Haggerty discusses the condition of the current dwelling and property and the applicant's interest in building a two-family home. He discusses the variances required.

At 7:07 p.m., Mayor Krasnomowitz and Endres step down from the dais.

Cynthia Monico, property owner, is sworn in. She indicates that the foundation is not in a safe condition.

Mr. Haggerty discusses Exhibit A1 which consists of four color photographs: (1) photo of the property showing the traffic light at the corner of Route 23 and Route 517 at the border of Franklin and Hamburg (Google Street View dated November 2021); (2) photo of

frontage of current residence depicting condition of property (Google Street View dated November 2021); (3) photo of view of property from Limekiln Road (Google Street View dated September 2019); and (4) photo of Limekiln Road (Google Street View dated September 2019). These photos were not submitted with the original application and are distributed to the Board.

Ms. Monico She indicates that she had considered a commercial property but there are many vacancies and thought the larger demand would be for residential rentals.

At 7:16 p.m., Guillermo M. Cieza is sworn in. He is a licensed contractor. Mr. Cieza will be building the new dwelling.

Mr. Haggerty discusses the property which is accessed by Limekiln Road. There will not be parking in the front of the property. The applicant proposes two apartments with three bedrooms each. There are 2 EDUS assigned. The property had one and was granted an additional EDU by the Board of Public Works. Sheet AO of the plans depicts the gravel parking lot. Six cars will be accommodated on the property by parking in the garage and the driveway. A sidewalk will be added which will help with drainage.

At 7:21 p.m., Ken Nelson discusses his report. He questions why they are seeking a two-family dwelling on an undersized lot which is more suitable for a single-family home.

Ms. Monico indicates that there is trend for renting rather than home ownership. The rear of the property potentially could be fenced in for safety depending upon the property grading.

Mr. Nelson questions the number of bedrooms in each unit.

Ms. Monico indicates that three bedrooms will allow more space for families. She references the recent completion of the two-bedroom apartments on Route 23 in Franklin.

Mr. Nelson comments that the garage space is proposed for parking vehicles but could be used for storage by the residents and questions how the vehicles could be accommodated on the site.

Mr. Haggerty references the size of the structures in the area.

Discussion continues on the nearby structures and their size and use as single family residences.

Mr. Cieza adds that the third bedroom could be used as a home office.

Mr. Kienz questions the total square footage.

Mr. Cieza indicates that the stairs in each unit take up some of the 1,767 square feet proposed for each unit. Storage for the residents will be located on the lower level behind the garage. The water heater and other systems will be located in each unit.

Chairman Hall questions the grading of the property. Nelson adds the grading will be addressed in the site plan.

Mr. Kienz discusses the property which is a corner lot with two front yards requiring a variance. The calculations on the plans will need to be reviewed.

Mr. Nelson discusses the site plan requirement. Mr. Kienz indicates that is not required for a residential property by statute but a more detailed plot plan could be required.

Erica Vigliorolo, P.E. of Mott MacDonald is sworn in. She discusses the need for a more detailed plan depicting parking spaces, setbacks, stormwater management, limit of disturbance and silt fence. She indicates that there is a Category 1 waterway within 300 feet of the property.

Mr. Haggerty questions the paving of the parking area.

Paved parking would be required.

Tempe discusses the need to install a sidewalk on the property in the front by Route 23 and possibly around the corner by Limekiln Road.

Mr. Cieza proposes paving stones rather than a sidewalk.

Mr. Nelson questions the installation of the sidewalk in the right of way of Route 23. He questions whether the grading will lead a retaining wall requirement.

Ms. Vigliorolo mentions the water connections and their need to be reviewed.

Board discussion for the need for a more detailed plot plan, a limited Environmental Impact Statement and architectural design with a smaller footprint.

Mr. Hall questions the impervious coverage.

Ms. Brown discusses the properties surrounding this property including commercial and single family homes.

Mr. Villagomez and Ms. Brown agree that the proposed two-story dwelling is very large for a small property and the location on the corner property on the highway.

At 7:56 p.m., a motion is made by Tempe, second by Brown with all others in favor to open to the public.

No public comment.

At 7:56 p.m., a motion is made by Oehler, second by Brown to close the meeting to the public with all others in favor.

At 7:57 p.m., a motion was made to carry the Monico application to October 9, 2023 with no further notice required.

**CHAIRMAN'S AGENDA:**

*- Board Planner*

Chairman Hall and Mayor Krasnomowitz acknowledge the resignation of Ken Nelson and thank him for his service.

Mr. Nelson will continue possibly through the end of the year or until a replacement has been found.

Mayor Krasnomowitz would like Mr. Nelson to be available for the ordinance review.

Ms. Brown questions whether The Woods application or similar types of applications are reviewed by the Fire Official. Mayor Krasnomowitz indicates that the engineer reviews the application. Mr. Oehler indicates that he spent hours reviewing the application.

**ADJOURN:**

A motion is made by Chairman Hall, second by Brown at 8:05 p.m. to adjourn with all in favor.

Respectfully submitted,



Wendy Brick  
Secretary to the Land Use Board