

**MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
FEBRUARY 1, 2016**

The reorganization and agenda/business meeting of the Hope Township Planning Board was held on Monday, February 1, 2016. Attorney Roger Thomas called the meeting to order at 7:30 p.m. and he announced that notice of the meeting was given in compliance with the “Open Public Meetings Act – This meeting has been advertised in accordance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.” He then led the Board in the pledge to the flag.

Swearing in of Board Members:

Attorney Thomas administered the oath of office to John Koonz, Christopher John Kruk, and Brian LaBar.

Roll Call:

Members present: Marvin Fish, Neil Rosenberg, Chris Maier, Steve Larena, Betsy Peterson, John Koonz, Brian LaBar, Christopher John Kruk, and Robert May.

Members absent: Mayor Timothy McDonough and Tom Toohey

Also Present: Attorney Roger Thomas, Engineer Ted Rodman, and Secretary Alfia Schemm.

Reorganization:

Election of Chairman

Attorney Thomas called for a nomination for Chairman. Mr. Rosenberg made the motion to nominate Marvin Fish for Chairman. Motion seconded by Mr. Larena. With there being no further nominations, the nominations were closed. In a roll call vote, all were in favor of nominating Marvin Fish as Chairman, except for Chairman Fish, who abstained.

Election of Vice Chairman

Chairman Fish called for a nomination for Vice Chairman. Ms. Peterson made the motion to nominate Neil Rosenberg as Vice Chairman. Motion seconded by Mr. Koonz. With there being no further nominations, the nominations were closed. In a roll call vote, all were in favor of nominating Neil Rosenberg as Vice Chairman, except for Mr. Rosenberg, who abstained.

Appointment of Board Professionals:

Mr. LaBar made the motion to retain Dolan & Dolan, Roger Thomas Esq., as the Board Attorney. Motion seconded by Mr. Rosenberg. In a roll call vote, all were in favor.

Mr. Rosenberg made the motion to retain Rodman and Associates, Ted Rodman P.E., as the Board Engineer. Motion seconded by Mr. May. In a roll call vote, all were in favor.

Mr. Rosenberg made the motion to retain Heyer, Gruel and Associates, Fred Heyer, as the Board Planner. Motion seconded by Mr. LaBar. In a roll call vote, all were in favor.

Appointment of Board Secretary

Mr. Koonz made the motion to appoint Alfia Schemm as Board Secretary. Motion seconded by Mr. Rosenberg. In a roll call vote, all were in favor.

Designation of Meeting Dates, Time, Place & Adoption of the Official Newspaper Agenda-Business-Work Meeting; Adoption of "Rules Governing Internal Affairs-Board Bylaws"; and Adoption of Professionals Resolution

- February 1, 2016
- March 7, 2016
- April 4, 2016
- May 2, 2016
- June 6, 2016
- July 4, 2016
- August 1, 2016
- September 12, 2016
- October 3, 2016
- November 7, 2016
- December 5, 2016

The meetings will commence at 7:30 p.m., at the Hope Township Municipal Building, 407 Hope-Great Meadows Road, Hope Township, Warren County, New Jersey. Designation of the Star Gazette as the Official Newspaper for publication of legal notices for the Board and the secondary paper as the Express Times, same as the governing body.

The Board discussed the meeting scheduled for July 4th and whether they wished to maintain that date or eliminate the date. The Board agreed to eliminate the date and revisit an alternate meeting date if one is needed at that time.

Mr. Koonz made the motion to adopt the Meeting Date, Time, and Place as amended; Adoption of the Official Newspaper; and Adopt the Rules Governing Internal Affairs-Board Bylaws, and the Adoption of the Professionals Resolution. Motion seconded by Mr. Rosenberg. In a voice vote, all were in favor.

Correspondence:

- 10-28-15 Township of Knowlton, **Re: Ordinance 15-09**
- 12-22-15 Township of Frelinghuysen, **Re: Ordinance 2015-16**

Chairman Fish reviewed the correspondence with the Board and he asked if the Knowlton Township Ordinance would be relevant in Hope. Board Engineer Rodman stated that he feels that the Knowlton Ordinance is not relevant to Hope.

Approval of Minutes:

The minutes of August 4, 2015 were distributed prior to the Board meeting.

Mr. May made the motion to adopt the minutes. Motion seconded by Mr. LaBar. In a voice vote, all were in favor, except for Mr. Maier, who was not present at the August meeting and he abstained.

The minutes of October 5, 2015 were distributed prior to the Board meeting.

Mr. Larena made the motion to adopt the minutes. Motion seconded by Mr. Kruk. In a voice vote, all were in favor, except for Mr. Koonz, Mr. Rosenberg, Ms. Peterson, Mr. Maier, and Mr. LaBar, who were not present at the October meeting and they abstained.

The minutes of November 2, 2015 were distributed prior to the Board meeting.

Mr. Larena made the motion to adopt the minutes. Motion seconded by Mr. Rosenberg. In a voice vote, all were in favor.

Old Business:**#14-001 St. John the Baptist Serbian Orthodox Church, Preliminary and Final Major Site Plan, Block 4000, Lot 500-Completeness**

Steven Schepis, Esq. was present on behalf of the Applicant and he stated that he thinks that they have addressed many of the comments and concerns that have been raised at the prior hearings. He stated that plan revisions and additional information have been submitted and he provided a brief overview of the history of the application.

Reza Hashemi acknowledged that he was still under oath. The following was submitted and marked as an Exhibit:

A-10 Revised Plans-8 sheets, dated November 22, 2015

He reviewed the comments that were made at the last hearing in regards to the location of the cemetery. The following was submitted and marked as an Exhibit:

A-11 Warren County Soil Survey, Sheet 15, dated April 1979

He described the types of soils at the subject location based on the Warren County information and he reviewed the process that they went through when they were investigating the site for a septic system. The following was submitted and marked as an Exhibit:

A-12 USDA Soil Survey Map

He reviewed the soils illustrated on the USDA map and he then displayed sheet A-3 of the plan set. He stated that soil tests were done at the site to locate the bedrock and water table. He described the findings of the 20 soil tests that were performed on the property and he concluded that he feels that the proposed site is the best location and best suitable for the proposed cemetery. He stated that they generated a new drawing, Sheet 7 of 8, titled Line of Sight Analysis. He stated that they are proposing two rows of Norway Spruce (36 in total, 6 to 8 feet tall) to obstruct/screen the line of sight to the adjacent properties. He referenced Board Engineer Rodman's October 1st, 2015 drainage report and the January 28, 2016 report. He addressed the drainage and the proposed swales and drywells. He continued to review the proposal and the Applicants went on review the January 28, 2016 report. Attorney Schepis stated that the State Statute exempts religious organizations from the bonding requirements and other procedural aspects. The following was submitted and marked as Exhibit:

A-13 Letter dated 12-23-15 from Attorney Schepis, Re: Cemetery Act

Attorney Schepis then addressed the letter that he prepared addressing the comments and concerns that were raised during the hearings. The following was submitted and marked as an Exhibit:

A-14 Letter dated 12-23-15, from Attorney Schepis, Re: Response to questions raised at prior meetings

Engineer Hashemi continued to review the January 28, 2016 report. Board Attorney Thomas asked that the soil test results be sent to Board Engineer Rodman. He also asked that the drawings reflect that the burial vaults are sealed. Fire Department review was discussed and Attorney Schepis stated that they are amenable to any comments or concerns that may be raised by the Fire Department. The Applicants then discussed the option to fence the entire 8 acres. It was stated that the proposed galvanized chain link fence will be silver. Engineer Hashemi went on to describe the proposed Landscaping Plan and the Applicants continued to review the January 28th report. Board Attorney Thomas asked if Attorney Schepis can send a letter to the NJ Cemetery Board, requesting that they sign the letter, which confirms their position on the proposal.

Attorney Schepis stated that they will remove the existing trailer in the Spring and he asked if the existing shed can remain until the proposed Barn is built. It was noted that the proposed Barn will be constructed within two years and the c/o of the Barn will be tied to the shed being removed. Chairman Fish stated that the Zoning Officer's memo does not specifically state that the conditions of prior Resolutions have been complied with and he is requesting that he provide that. Both Board Attorney Thomas and Attorney Schepis stated that the Zoning Officer does have the authority to address any open conditions of prior approvals. The Board reviewed the maintenance responsibility, ownership, and operation of the proposed cemetery. It was stated that a binding agreement/guarantee should be provided, with not only the Church, but also with the Diocese. Attorney Schepis stated that a licensed land surveyor will prepare a Plan, which they can provide, that will create the cemetery plots and then cemetery deeds will be issued. Chairman Fish reviewed the questions that he had forwarded to Attorney Schepis, which were discussed with the Applicants and the Board. The cemetery use is not limited to the members of the Hope parish, the incidental use of the cemetery is not limited to the Hope Parish, and that the cemetery is limited to people baptized in the Orthodox faith. It was noted that the plots cannot be transferred on the open market and that the form of deed should be reviewed by Board Attorney Thomas so that it is part of the Board's file. Ms. Peterson questioned an alternate cemetery location. Engineer Hashemi stated that in his opinion the proposed location is close to the parking lot and chapel, it is secluded and tucked away, and impacts only one neighbor. He stated that the other location is a smaller area, is close to road, would require a front yard variance, is far from the parking lot, and impacts more neighbors. Ms. Peterson asked if there was any impact to the neighbor's well. Engineer Hashemi stated that it would not affect the neighbor as the neighbor is located at the high point.

The hearing was opened to the public for questions of Engineer Hashemi.

Douglas Tighe questioned shifting the cemetery. Engineer Hashemi described the soils and the elevations.

Anthony Alter also questioned shifting the cemetery, which Engineer Hashemi continued to address.

Douglas Tighe continued to question whether the cemetery could be shifted. Engineer Hashemi stated that in his professional opinion, the proposed location is the best location.

With there being no further public questions, the hearing was closed to the public.

Alex Kuridza was sworn in and the following was submitted and marked as an Exhibit:
A-15 Sight Line Visibility Exhibit

Mr. Kuridza stated that he had arranged to meet with Mr. Alter and he erected a mock up headstone marker on November 4, 2015 and took photographs from the church site and from Mr. Alter's property, which he went on to describe. He stated that the mock up headstone marker could not be seen from Mr. Alter's home.

The hearing was opened to the public for questions of Mr. Kuridza.

Mr. Alter stated that he took his own photo in November of 2015 and he stated that he can see the mocked up head stone from his home.

Mr. Kuridza questioned the scale of the Alter photograph.

The hearing was then opened to the public for comments and concerns.

Mr. Alter was sworn in and he stated that he took his photograph with his tablet. Mr. Kuridza testified to where his photos were taken and he questioned where the Alter photograph was taken. Mr. Alter then stated his concerns with the location of the proposed cemetery. He stated that he observed the land being cleared years ago in preparation for the cemetery. He stated that trees and stumps were removed and there was cut and fill done. He also stated a concern about the right of way becoming a main access.

Douglas Tighe was sworn in and he stated his concern over the right of way becoming a thoroughfare. He also stated that he observed alterations being done on the site.

Chairman Fish asked if anyone else from the public had any further comments and concerns. With there being no further comments, the hearing was closed to the public.

Mr. Kruk asked if the right of way could be used. Board Attorney Thomas stated that it could not, without getting a Board approval/permission.

Ms. Peterson questioned shifting the proposed cemetery towards the chapel. Engineer Hashemi stated his concern with the ledge. He reviewed again that the edge of the proposed cemetery is 350 feet away from the Alter home and it is being screened. He stated again that in his opinion the proposed location is the best location. He stated that any expansion could be a different complimentary use such as a memorial chapel or memorial. Mr. Maier questioned the lot coverage. Mr. Koonz questioned moving the cemetery and whether additional test pits could be done to determine if the cemetery could be moved. Attorney Schepis stated that he spoke with his client and they are willing to move the cemetery another 50 feet, so it would now be 400 feet from Mr. Alter's home. The following was submitted and marked as an Exhibit:

A-16 Marked copy of the Sheet 4 of 8

Engineer Hashemi described the proposed change from 350 feet to 400 feet to Mr. Alter's home.

Attorney Schepis thanked the Board for their time and consideration. He commented on Mr. Alter's photograph. The photograph was marked as an Exhibit:

O-1 Alter Photograph

Attorney Schepis stated that in comparing the photographs taken by Mr. Kuridza and Mr. Alter, there are some anomalies. He stated that they agreed to screening and he stated that the cemetery location selected should satisfy any concerns. He asked that the Board grant the one variance and he asked that the Board approve the conditional modified application as presented and discussed.

Mr. Alter displayed the photograph that was taken on his tablet. Mr. Larena questioned Mr. Alter on the photograph.

The hearing was then closed to the public.

Mr. Koonz stated that he feels that the offer of the additional 50 feet accommodates the concerns that were raised.

Board Attorney Thomas stated that any approval would be conditioned upon Board Engineer Rodman's report of January 28, 2016: #9a, #10, #11, #12, #15, #20, #21 through #26, that the landscape plan would remain in place even if they were to expand in the future, that there would be no concurrent soccer games and funerals, that the existing shed will be removed and replaced with the proposed Barn within 2 years, the satisfaction of prior conditions of approval, an agreement with the diocese and parish regarding the responsibility and maintenance and support of the cemetery, a plot plan prepared by a Surveyor to be submitted to the Board, plot deeds to be reviewed by the Board Attorney, cemetery would be limited to the members of the Orthodox faith, increase the distance from the Alter home from 350 feet to 400 feet, the option to fence in the entire 8.62 acres, the acknowledgment that the common driveway could not be used without prior approval, and the letter to be sent to the Sate Cemetery Board.

Mr. Larena made the motion to approve the application as outlined by Board Attorney Thomas. Motion seconded by Mr. May. Discussion on the motion: Mr. Koonz, Mr. LaBar, Ms. Peterson, and Mr. Rosenberg will sign the certification that they have listened to the audio of hearings missed. In a roll call vote, all were in favor, except for Mr. Maier, who did not hear all of the testimony and is not eligible to vote on the matter.

#15-002 Robert and Jason May, Block 1100, Lot 400

Board Attorney Thomas reviewed the request for an extension on the May application. He stated that the additional time is needed to perfect the deeds, as the Applicant was delayed by the County. He recommended an extension to April 1st, 2016.

Mr. Koonz made the motion to grant the extension. Motion seconded by Mr. Maier. In a roll call vote, all were in favor, except for Mr. May, who abstained.

Other

Board Attorney Thomas gave a brief update on Affordable Housing discussion.

Bills:

Dolan & Dolan

Re: St. John the Baptist Serbian Church	857.74
Re: May	355.50
Re: May	85.32
Re: St. John the Baptist Serbian Church	166.69
Re: Winter	44.63
Re: General	74.63
Re: May	91.94
Re: St. John the Baptist Serbian Church	336.06

Rodman Associates

Re: General	95.25
Re: Winter	63.50
Re: St. John the Baptist Serbian Church	285.75
Re: General	31.75

NJPO

Re: Board Membership	185.00
Re: Mandatory Education	160.00

Mr. Rosenberg made the motion to approve the vouchers. Motion seconded by Mr. Koonz. In a roll call vote, all were in favor, except for May, who abstained.

Open to the Public:

Chairman Fish opened the meeting to the public. With there being no public comment, the meeting was closed to the public.

Adjournment:

With there being no further business a motion was made and seconded to adjourn the meeting.

Respectfully Submitted:

Alfia Schemm
Board Secretary
3/31/16