

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
August 22, 2023, AT THE OGDENSBURG  
MUNICIPAL BUILDING, 14 HIGHLAND AVE.  
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:01pm.

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 25, 2023.

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

Absent: Nasisi

Also present: -----

**APPROVAL OF THE MINUTES**

Mr. Kibildis made a motion to approve the meeting minutes for July 25, 2023. Seconded by Mayor Hutnick.

**Upon Roll call Vote:**

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

Nays: None Absent: Nasisi Abstain: Fitzgibbons

**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**

Mr. Marceau commented he was on vacation last week; he will send an email out to Mr. Tessier.

Chairman Honig commented he wasn't expecting anything yet.

**International Maintenance Code [Ordinance review]**

Chairman Honig asked if there was any update. There was no update.

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**Park Grant**

Chairman Honig commented it looks like the park [improvements] are moving along.

Mayor Hutnick commented Riverview the contractor set up do the park fit us in. They had an opening for a week so they switched jobs so they came and do the park. Now they are doing our drains which they also squeezed in. He doesn't have an answer as to when they are coming back to finish the park. He reached out to the engineer for a status update.

Mr. Kibildis explained he received some feedback on the pavement. Mr. Kibildis asked if it was level.

Mayor Hutnick explained the engineer was there the whole time he was on site. The engineer will be on site when they start the lining and fencing.

There was a discussion on the grant, how much the grant was for and having the engineer check on the courts to see if they are level.

Mayor Hutnick commented he will have a meeting with the striping company to see if the courts are lined properly and the pickleball court get all the proper paints and colors.

Chairman Honig commented it will look nice when it is all done.

Mayor Hutnick explained repairs to the playground area that DPW will be working on.

**Zoning Map & zoning ordinance review**

Chairman Honig commented at the last meeting we had discussed the zoning map, not knowing how accurate it is, R-10 next to R-10 zones with a line between them for no distinctive reason. Our goal was to look at some of the residential stuff to figure out what we have, recommendations that were made prior, any adjustments and the [zoning] map. At the last meeting a lot of changes that were recommended was public purpose use. We came to the conclusion at the last meeting to leave public purpose use in all the zones even though the recommendation was to remove it. However, the thing we wanted to address was get a clearer definition as to what public purpose use was as opposed to removing it.

Chairman Honig referred to page four of the handout R-10 zone. We have a lot of R-10; they are scattered. Chairman Honig questioned the use of satellite dish antenna. He wasn't sure if we need that in there.

Mayor Hutnick commented he doesn't think we need it in R-10 and explained.

Mayor Hutnick suggested putting in information about solar panels in R-10. You don't want to deny solar panels period. In must cases in the R-10 with size requirements you can make it roof

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mounted only. When it is ground mounted it becomes an assessor structure and then there are also specific requirements for property lines, location, can you get sun; so, if you isolate that to roof mount you don't even have to have zoning on that because it would go right to construction.

Chairman Honig commented does anybody see the necessity of keeping the satellite dish antenna in an R-10 permitted accessory use. If there is none he will make that propose to remove it; he doesn't see the necessity to keep it in. He will of course double check to see if there is a reason for it.

Chairman Honig commented let talk solar panels; he doesn't remember seeing anything on solar panels.

Mayor Hutnick commented solar and portable generators fall together and explained why.

There was a discussion on solar panels and portable generator, what permits would be needed, ground mounted solar panels vs roof mounted, pulling ordinances from other towns to get ideas, where to place a generator on a property and codes that a generator would go by.

Chairman Honig explained other accessory uses he wanted to bring up was church, parish hall rectory and public utility.

Mayor Hutnick commented you can't spot zone; it is all or nothing. Mayor Hutnick asked do we currently have this activity in an R-10 zone.

Chairman Honig commented not that he is aware of. Chairman Honig explained we have R-10 spread everywhere.

Mayor Hutnick commented under conditional uses you can leave public utility and remove everything else and that's it done. If it is already there it is grandfather in; you have to move from today forward.

Chairman Honig asked is this something we want to address or leave it alone.

Mayor Hutnick commented there are no issues today.

Chairman Honig commented so we are ok with having church separate and parish hall/rectory as a conditional use in an R-10 zone. Which he doesn't think is only in an R-10.

There was a discussion on having a church in residential zoning, if someone buys a house and puts a church in, parking and they would have to do a site plan.

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Chairman Honig asked is there any other questions/comments other than the discrepancies in the mapping on R-10 that anyone saw. In regards to maps our goal was to look at both the map and zoning of what specifically was allowed. Now, his question is; are all the R-10's what we want them to be and where we want them to be; what we expect them to be looking at the map in front of us? Again, we have a lot of R-10 and explained the different locations.

There was a discussion on the different locations of R-10 and property off Center Street.

Chairman Honig referred to the R-15 zone; commenting let's try to get through this zone it's the exact same. We have professional office, home office and office commercial retail. Chairman Honig read the section regarding office commercial retail; property must front Rte. 517. Chairman Honig read the section on conditional uses for professional office and home office.

Chairman Honig asked if there were any comments, questions or concerns on R-15? Again, conditional uses in R-15 is professional office, home office and office commercial retail. Remove satellite dish antenna which we stated under permitted accessory use, the additional permitted accessory use home occupation. Chairman Honig read the section on home occupation. Chairman Honig asked for any comments.

Chairman Honig commented the only thing we are talking about addressing in R-15 is the removal of satellite antenna from all zones and adopting the proposed change in the handout with was the parking.

There was a discussion on parking spaces in the R-15 zone.

Chairman Honig commented R-30 will be our next zone; he would like to get through that. Chairman Honig commented R-30 there was no major change. Chairman Honig commented we will quickly go through R-30; removing assessor uses the same as the other [zones discussed] home occupation, same, church, parish hall/rectory same, we do allow agriculture in an R-30. That would be the only thing we can talk about.

There was a discussion on the acreage requirements, one thing to grow tomatoes another thing to have two cows in your backyard, what would be the advantage of having agriculture in an R-30 and you can't become farm assessed on it.

Chairman Honig asked is there any discussion to keep agriculture as of now? The discussion continued on whether or not to keep agriculture permitted in the zone.

Chairman Honig commented public purpose use is going to stay in everything we are just going to give it a better definition.

Chairman Honig asked on solar panels roof mounted only?

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There was a discussion on why we have a CCR zone. That will be looked at when the Board gets to that zone.

**CORRESPONDENCE**

Chairman Honig explained the correspondence.

- CCO and zoning report for July, 2023.

**BILLS/VOUCHERS**

There were no bills/voucher to approve.

**PUBLIC PORTION**

There was no one present in the public.

**ADJOURN**

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

Chairman Honig adjourned the meeting approximately 8:12pm.

Prepared by  
Robin Hough, RMC/CMR