**TOWN OF HACKETTSTOWN**

**LAND USE BOARD SPECIAL MEETING**

**Held VIA ZOOM MEETING**

**May 27, 2020**

**7:00 p.m.**

**MINUTES**

**CALL TO ORDER**

The May 27, 2020 Special Meeting of the Town of Hackettstown Land Use Board was called to order by Chairman Camporini at 7:00 p.m.

**ANNOUNCEMENT OF PROPER NOTICE**

**FLAG SALUTE**

**ATTENDANCE**

**Board Members Present**

Sherman; Moore; Stout; Lambo; Walling; Beker; Wolfrum; Camporini; Stead

**Board Members Absent**

Bristow; Kunz; Tierney

**Also Present**

Mennen

**PUBLIC HEARING**

**Beck, App#19-17, Block 61, Lot 8 – Section 68 Certification**

Mr. Mennen advised the Board the applicant was granted Section 68 Approval, and that he had prepared a resolution to memorialize the certification. However, Board Members had questions, and sought clarification prior to memorializing the resolution. Mr. Beck is present at the meeting to clarify any issues the Board may have.

Chairman Camporini asked the Board if there were any questions. Ms. Walling asked Mr. Beck how many bedrooms are in each unit. Mr. Beck answered it is listed as a total of seven bedrooms, however it is seven or eight depending upon how it is counted. Mr. Beck stated the following:

105 Franklin – Lower Level/Basement – Kitchen and bedroom; First Floor – one bedroom, one bathroom, living room; Second Floor – three bedrooms, one bathroom

107 Franklin Street – Lower Level/Basement – Bedroom, bathroom, utility room; First Floor – Kitchen, Living Room, Dining Room; Second Floor 3 bedrooms, one bathroom.

Mr. Mennen advised the Board that they had not made specific findings to the number of bedrooms previously, and the number of bedrooms were otherwise the authority of the Health Department, Construction Department, or other departments.

Chairman Camporini asked what the Board’s next step should be. Mr. Mennen stated if the Board so chooses, the resolution could have the number of bedrooms removed, and the date of this public hearing added reaffirming the Board’s findings as the subject property has been qualified as a preexisting non-conforming two-family structure.

Chairman Camporini asked if there was a motion from the Board. The motion to approve the resolution was made by Mr. Lambo, seconded by Mr. Moore.

**In Favor:**

Sherman; Moore; Stout; Lambo; Walling; Becker; Wolfrum; Camporini; Stead

**Opposed:**

None

**Abstain:**

None

**DeTombeur, App #20-01, Block 32, Lot 5 – Section 68 Certification**

Michael B. Lavery, Attorney, of Lavery, Selvaggi, Abromitis & Cohen, present for application.

Mr. Lavery stated the subject property is 112 West Valley View Avenue, Block 32, Lot 5. A letter has been provided to the Board with the application dated January 24, 1989 and was signed by Richard Harrison, former Zoning Official, stating the property is considered a two-family residence by virtue of the “grandfather clause”.

Mr. Lavery asked for Mr. DeTombeur to be sworn in. Mr. Mennen swore in Mr. DeTombeur. Mr. DeTombeur testified he purchased the property in September 2000, and the property has consistently been used as a two-family since his purchase, and has separate utility bills, heating units, etc.

Chairman Camporini asked if there were any questions from the Board, there were none. Chairman Camporini asked if there were any questions from the public. There being none, the meeting was closed to the public.

A motion to grant the Section 68 Certification of the pre-existing non-conforming two-family structure was made by Mr. Lambo, seconded by Mr. Stout.

**In Favor:**

Moore; Walling; Becker; Wolfrum; Camporini; Stout; Lambo; Sherman

**Opposed:**

None

**Abstain:**

None

**Cannon, App #20-02, Block 89, Lot 9 – Section 68 Certification**

Brian Cannon, Owner present for Application

Jane Cannon, Owner, present for Application.

Mr. Mennen swore in the Applicants.

Mr. Cannon stated submitted with the application were copies of a water bill from 1964 indicating there were two units, as well as a letter from William Schaedel, former Zoning Officer, dated July 15, 1998 stating the property located at 307 Church Street is a ‘legal grandfather approved two-family house’.

Mr. Moore stated if the Board accepted a letter from an Official for the Town stating the structure is a legal two-family for a previous application, it has set a precedence. Mr. Stout stated he knew this property has been rented as a two-family dwelling for years.

Chairman Camporini asked if there were any questions from the Board. There being none, Chairman Camporini opened the meeting to the public for questions. There being none, the meeting was closed to the public.

Chairman Camporini asked if a Board Member would like to make a motion. Mr. Stout made the motion to grant the Section 68 Certification of the pre-existing non-conforming two-family structure with Mr. Moore being the second.

**In Favor:**

Lambo; Walling; Becker; Wolfrum; Camporini; Stead; Sherman; Moore; Stout

**Opposed:**

None

**Abstain:**

None

**102 Landing Road LLC, App #20-03, Block 30 Lot 8 – Section 68 Certification**

Daniel L. McCarthy III, Attorney, present for application.

Bernard Goodman, Principal Managing Member, 102 Landing Road LLC, present for application.

Mr. Mennen swore in Mr. Goodman.

Mr. McCarthy stated the property was purchased in 2008 as a two-family dwelling. Submitted with the application was a Deed submitted from 1968 with a survey attached dated 1962 which both show a two-story frame duplex, as well as a water meter card from HMUA dated 1966 and prayer showing two separate services.

Mr. McCarthy asked Mr. Goodman if when the property was purchased in October 2008, was it a two-family? Mr. Goodman answered yes. Mr. Goodman was asked to describe the layout of the structure. Mr. Goodman stated there were two separate entrances, two kitchens; two baths; three bedrooms each, two dining rooms and two living rooms.

Chairman Camporini asked if there were any questions from the Board Members. There being none, the meeting was opened to the public. There being no comments or questions from the public, the meeting was closed to the public.

Chairman Camporini asked if there was a motion from the Board. The motion to grant the Section 68 Certification of the pre-existing non-conforming two-family structure was made by Ms. Walling, seconded by Mr. Lambo.

**In Favor:**

Becker; Wolfrum; Camporini; Stead; Sherman; Moore; Stout; Lambo; Walling

**Opposed:**

None

**Abstain:**

None

**102 Landing Road LLC, App #20-04, Block 30, Lot 9 – Section 68 Certification**

Mr. Mennen asked about the second application for 69-71 Main Street. Mr. McCarthy stated submitted with the application was as an excerpt from the Sanborn Maps date 1923 showing the property with two addresses, and the dwelling as a mirror-image two family. Also submitted were 1965 property deeds stating the property is a two-family, property record cards from the Town Tax Assessor, as well as utility services cards from the HMUA showing two different services from June 1964.

Chairman Camporini asked if there were any questions from the Board, there being none, the meeting was opened to the public. As there were no questions from the public, the meeting was closed to the public.

Chairman Camporini asked if there was a motion from the Board. A motion to grant the Section 68 Certification of the pre-existing non-conforming two-family structure was made by Mr. Moore, seconded by Mr. Wolfrum.

**In Favor:**

Lambo; Walling; Becker; Wolfrum; Camporini; Stead; Sherman; Moore; Stout

**Opposed:**

None

**Abstain:**

None

**ADJOURNMENT**

There being no further business, the motion to adjourn was made by Mr. Moore at 8:00 p.m., with the second being Mr. Stout. All members present in favor of adjournment.

Respectfully submitted,

Shannon Drylie

Land Use Board Clerk

**Motion to Approve:** Moore

**Second:** Wolfrum

**In Favor:** Sherman; Lambo; Becker; Walling; Camporini; Stead; Wolfrum; Moore

**Opposed:** None

**Abstained:** Tierney