

**TOWN OF HACKETTSTOWN  
REGULARLY SCHEDULED MEETING  
September 22, 2020**

**AGENDA**

Adequate notice of the time, place and manner of this remote public Land Use Board Meeting, being conducted via teleconference, including the means by which the public may observe and participate, has been provided in accordance with the Open Public Meetings Act by: (1) posting said notice on the municipal building bulletin board and front window of the municipal building; (2) emailing said notice to the press and all others who have requested it; (3) posting on the official Town website; and (4) transmission to residents via nixle notification.

**CALL TO ORDER**

The September 22, 2020 Town of Hackettstown Land Use Board Meeting was called to order by Chairman Camporini at 7:01 p.m.

**ANNOUNCEMENT OF PROPER NOTICE**

The Clerk read the announcement of proper notice.

**FLAG SALUTE**

**ATTENDANCE**

**Present:** Sherman; Stout; Walling; Becker; Wolfrum; Camporini; Stead; Lambo

**Absent:** Tierney; Moore; Bristow

**Also Present:** Sterbenz; Mennen

**Chairman Camporini made a statement for the record indicating the Hackettstown Livestock Auction would not be heard at this meeting.**

**MINUTES**

**August 25, 2020 Land Use Board Meeting**

Motion to approve the August 25, 2020 Land Use Board Meeting Minutes made by Lambo, with the second being Stout.

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

**Opposed:** None

**Abstain:** None

**RESOLUTIONS**

**Living Trust of Todd Simonse and M. Kelly Lemon, App #20-07, Block 73, Lot 6 -Section 68 Certification**

Motion to approve the Section 68 Certification Resolution made by Walling, with the second being Becker.

**In favor:** Stout; Lambo, Wolfrum, Stead, Camporini, Sherman; Walling; Becker

**Opposed:** None

**Abstain:** None

**Victoria Mews/Jade, Block 21, Lot 18.01 – Amendment to Resolution of Approval Site Plan/Subdivision**

Mr. Sterbenz stated there will be a pre-construction meeting on October 15, 2020 and stated the applicant has not addressed some of the items in the Resolution. The Board requested the following language be required in the Resolution, “the Applicant shall attend a preconstruction meeting as required by Condition “kk” of the February 28, 2017 memorializing resolution. As a part of that preconstruction meeting, the Applicant shall prepare and provide an interim rendering to depict what the site will look like at the conclusion of Phase 2A.”

Motion to approve the Amendment to the Resolution of Approval for the Site Plan/Subdivision, with the added language made by Sherman, the second being Walling.

**In Favor:** Stout; Becker; Wolfrum; Stead; Walling; Sherman

**Opposed:** None

**Abstain:** Lambo; Camporini

#### **PUBLIC HEARING – Section 68 Certification**

Saltzman, App. #20-11, Block 95, Lot 2 – Section 68 Certification

Daniel McCarthy III, Attorney, present for application.

Mr. McCarthy asked for Barrie Saltzman, owner of Block 92 Lot 2, to be sworn in by Mr. Mennen.

Mr. McCarthy asked Ms. Saltzman if there are buildings on the property. Ms. Saltzman answered there are two dwellings on the property. The main house is three floors with a basement, and a two-car garage with a small studio apartment, approximately 400 square feet. Ms. Saltzman testified she lives in the main house.

Ms. Saltzman testified there are two separate water bills, two separate sewer bills and two separate electric bills. Ms. Saltzman stated submitted with the application were water line drawings from HMUA dated 5/31/68, as well as 6/19/68. Ms. Saltzman stated these drawings predate the ordinance change. Ms. Saltzman also stated submitted with the application were property tax cards from 1982 to present that recognize the apartment over the garage.

Mr. Stout stated his grandparents were the original owners of the property in 1919, and the apartment over the garage was his parents first apartment when they married in 1950.

There being no further testimony, Chairman Camporini opened the meeting to the public. There being no comment, the meeting was closed to the public.

The motion to approve the Section 68 Certification of a pre-existing non-conforming two-family dwelling was made by Lambo, seconded by Sherman.

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

**Oppose:** None

**Abstain:** None

Mr. Mennen addressed the Board and stated Mr. Selvaggi, Attorney for the Hackettstown Livestock Auction, has asked the notice to be carried to the next meeting. Mr. Mennen stated ordinarily, when the Board gets a request to carry notice, the Board will consider it, however Mr. Selvaggi provided notice, and the notice was deficient, and they have now agreed to re-notice. Mr. Sterbenz added the Board deemed the

application incomplete at the July meeting, and there has not been information submitted from the applicant that the Board required. Mr. Sterbenz stated at this time the application remains incomplete.

### **COMPLETENESS**

PK Petroleum, App #20-10, Block 125, Lot 25.01 – Preliminary & Final Major Site Plan/Bulk Variance

Mr. Sterbenz stated the property is an existing service station on Route 57. The applicant is seeking to remodel the station and have a convenience store occupy space which is part of an existing maintenance garage. Mr. Sterbenz added service stations in the HC (Highway Commercial) District are conditionally allowed, however there are various conditions in Section 601C of the Land Development Ordinance that are not being met. The application needs the following:

- D3 Variance.
- D1 Variance as convenience stores are not allowed.
- Preliminary and Final Site Plan Checklist
- Various other items are not provided or are not lacking detail.

Mr. Sterbenz recommended the application be deemed incomplete.

The motion to deem the application incomplete was made by Stout, with the second being Stead.

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

**Oppose:** None

**Abstain:** None

### **PUBLIC COMMENT**

There were no comments from the public.

Mr. Lambo asked why McDonalds did not have to come before the Board for their renovation. Mr. Sterbenz answered an application was made to the Zoning Official for a site plan waiver and McDonald's proved they were eligible for the waiver. Mr. Sterbenz added the Town Council did develop a site plan waiver ordinance which is working well, and the intent is to help applicants from having to spend money and time on an application.

### **ADJOURNMENT**

The motion to adjourn the September 22, 2020 Town of Hackettstown Land Use Board Meeting was made by Lambo, seconded by Sherman at 7:40 p.m.

Respectfully submitted,  
Shannon Drylie  
Land Use Board Clerk

Motion to Approve: Becker

Second: Lambo

In Favor: Sherman; Stout; Walling; Wolfrum; Camporini; Stead; Lambo; Becker

Oppose: None

Abstain: Moore; Tierney

