**TOWN OF HACKETTSTOWN**

**MINUTES**

**Land Use Board**

**June 27, 2023**

Adequate notice of this regular public meeting has been provided in accordance with the Open Public Meetings Act by posting notice on the bulletin board in the Municipal Building; by publishing in the New Jersey Herald and Daily Record, the official newspapers of the Town of Hackettstown; by posting notice on the website of the Town of Hackettstown; filing said notice with the Town Clerk of Hackettstown; as well as furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act. As advertised, action may be taken at this meeting.

**CALL TO ORDER**

The June 27, 2023 Meeting of the Town of Hackettstown Land Use Board was called to order by Chairman Camporini at 7:00 p.m.

**ATTENDANCE**

Present: Moore, Lambo, Wolfrum, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis, Ferarra

Also Present: Adam Wisniewski (filling in for Board Engineer Sterbenz) and Board Attorney Zakin

Absent: Becker, Stout

Also Absent: Board Engineer Sterbenz and Board Planner Bloch

**MINUTES**

Mr. Lambo made a motion to approve the minutes of the regular Land Use Board meeting held on May 23, 2023 as submitted. Mr. Moore seconded the motion.

In Favor: Moore, Lambo, Wolfrum, Camporini, Stead, Anthony, Graf, Ferarra

Opposed: None

Abstained: Medcraft, DeAngelis

**OLD BUSINESS**

**Russo HT Urban Renewal, LLC – Bilby Road – B45, L1.01 & 2 – Amendment of Resolution of Approval of Site Plan Approval.**

Christopher Minks, Esquire, 570 Commerce Boulevard, Carlsadt, NJ 07072 spoke on behalf of the applicant.

Mr. Minks inquired if Condition N of the resolution #R21-08 that was approved at the March 22, 2023 Land Use Board meeting could be amended to allow them to begin limited construction on site, which would include clearing of the site, soil movement, establishment of soil erosion and sediment controls, rough grading and removal of any existing fill or materials and the installation of stormwater improvements. No vertical construction will be allowed with this amendment and a letter will be prepared by Mr. Minks with the terms of the agreement and co-signed by Board Engineer Sterbenz.

Mr. Camporini asked if anyone from the Board had any questions at this time. No one had any questions at this time.

Mr. Camporini asked if anyone from the public had any questions at this time. No one from the public had any questions at this time.

Mr. Lambo made a motion to approve the amendment to Condition N of Resolution #R21-08 to allow limited construction on the property. Ms. Medcraft seconded the motion.

In favor: Moore, Lambo, Wolfrum, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis, Ferarra

Opposed: None

Abstained: None

**PUBLIC HEARING**

Mr. Lambo stepped down from the dais at this time.

**Application #23-07 – Guy Swackhamer – 434-436 Sharp Street – B52, L1 – Section 68**

**Application was presented by Michael Selvaggi, Esquire of Lavery, Selvaggi, Abromitis & Cohen, PC, Hackettstown, NJ**

Mr. Selvaggi stated that a Sanborn map from the 1920’s was provided as proof the home was a two family through that time, tax rolls through 1964 providing establishing evidence that the home was a two family through that time as backed up by Hackettstown Municipal Utilities Authority (HMUA) records.

Mr. Selvaggi introduced Guy Swackhamer, 9 Meadow Lane, Hackettstown, NJ 07840, who sworn in by Board Attorney Zakin to testify as a fact witness.

Mr. Swackhamer testified that he purchased the home as a two-family home in 1986, the survey from 1986 shows the dwelling as a two family dwelling, and the footprint of the house now matches the Sanborn map that was presented from the 1920’s.

Mr. Camporini asked if anyone from the Board had any questions at this time. No one had any questions at this time.

Mr. Camporini asked if anyone from the public had any questions at this time. No one had any questions at this time.

Mr. Stead made a motion to approve the Section 68. Ms. Ferarra seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis, Ferarra

Opposed: None

Abstain: None

Mr. Lambo returned to the dais at this time.

**Application #23-05 – ST FRA Stiger, LLC – 305 Stiger Street – Amended Preliminary Major Site Plan**

**Application was presented by Michael Selvaggi, Esquire of Lavery, Selvaggi, Abromitis & Cohen, PC, Hackettstown, NJ**

Mr. Selvaggi introduced Gabrielle Gornelli, PE, 1 Evertrust Plaza, Suite 901, Jersey City, NJ 07302, who was sworn by Board Attorney Zakin and was qualified by the Board to testify as a professional Civil Engineer.

Ms. Gornelli referred to the American Land Title Association (ALTA) Survey, which is the existing site plan showing the following:

* The vacant site
* The existing gravel driveway into the property
* The current parking area and driveway to the back of the building
* The surrounding wetlands areas
* A 300 foot riparian buffer zone

Ms. Gornelli presented exhibit A-1 entitled a colorized Landscape Plan, dated April 12, 2023, showing the proposed thirty-five space parking lot located to the east of the driveway, a sidewalk from the parking lot to the existing sidewalk, and landscape improvements.

Ms. Gornelli stated that there is a 25 ft. setback requirement which encroaches the riparian buffer zone, the applicant is increasing impervious coverage by 0.24 acres and will meet the Stormwater requirements.

Mr. Camporini inquired as to where the storm water will drain to. Ms. Gornelli responded that there will be no new runoff water. The water will be infiltrating into the soil and that a soil percolation test will be done to be sure the soil can handle the runoff.

Mr. Selvaggi introduced representative of the Applicant, Carmine Maribello of Saddleback Realty, 23 Kulick Road, Fairfield NJ who was sworn in by Board Attorney Zakin to testify as a fact witness.

Mr. Maribello testified to the following:

Hackettstown Sheetmetal used the back building on the lot

The two back buildings identified as metal barns on the plans will be removed

The current location of the sign on the property can be moved to any area of the property

Mr. Camporini asked if anyone from the Board had any questions at this time.

Ms. Ferarra inquired about the need to keep the gravel driveway. Ms. Gornelli responded that a portion of the gravel driveway will be removed and the portion that is remaining will provide access for deliveries.

Ms. Medcraft inquired if the parking spaces will be rented out or if they will be used for building patrons only. It was confirmed that only people using the building will be using the parking spaces.

Mr. DeAngelis inquired about parking lot lighting. Ms. Gornelli stated that there will be lighting and it will meet the ordinance requirements.

Mr. Maribello explained that the fill on the property came from the location across the street and that no soil will be imported for this project.

Board Attorney Zakin inquired about which buildings will have tenants. Mr. Maribello stated that both buildings will be rented but that the front building will be used only for storage for the benefit of tenants. Board Attorney Zakin also asked for confirmation that if the designated use of the building requires a variance, and more parking spaces are required, that the applicant would be willing to reappear before the Board for approval. The Applicant agreed to this as a condition.

Mr. Selvaggi referred to Mr. Sterbenz’s technical report dated June 20, 2023. The applicant agreed to comply with all of the items in the report and stated that there will be a deed restriction on the property when a stormwater management program is agreed upon.

Mr. Camporini asked if anyone from the public had any questions or comments at this time. No one from the public had any questions at this time.

Mr. Lambo made a motion to approve the site plan application to construct a 35-space parking lot and all improvements associated with the construction, a bulk variance for the parking lot and bulk variance for a 10-foot signage setback. The applicant agrees to the conditions in Mr. Sterbenz letter dated June 20, 2023 as well as the condition to return to the Board if the use of the building requires more parking spaces, the condition of removing the two rear buildings and the condition that two buildings will be rented with one building used as storage only and no rentals of the proposed parking spaces. Mr. Moore seconded the motion.

In Favor: Moore, Lambo, Wolfrum, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis, Ferarra

Opposed: None

Abstained: None

**Application #23-06 – Jason B. Forest – 310 Grand Avenue – B86, L7 – Bulk Variance**

**Application was presented by Jason Forest, homeowner of 310 Grand Avenue, Hackettstown, NJ**

Board Attorney Zakin swore in Mr. Forest to testify as the owner of the home.

Mr. Forest stated that he is seeking a C2 Variance to increase his attic space from 2.5 stories to 2.73 stories for extra bedrooms space.

Mr. Forest introduced Casper Huizenga, 21 Skytop Rd., Long Valley, NJ, who was sworn in by Board Attorney Zakin and qualified by the Board to testify as a professional architect for the project.

Mr. Huizenga testified to the following:

* Three dormers will be added across the front of the home
* There will be a larger shed dormer off the back of the home to accommodate a bedroom and bathroom
* There will be an 8 ft drop to the sunroom roof below in case of emergency
* The sprinkler system has not been designed yet, but will agree to submit specs as a condition of approval
* A fire ladder will be installed as a condition of approval
* That the building would remain a single-family residential home.

Mr. Camporini asked if anyone from the Board had any questions at this time. No one had any questions.

Mr. Camporini asked if anyone from the public had any questions at this time. No one had any questions at this time.

Mr. Huizenga stated that the design is in good keeping with the neighborhood. Mr. Forest stated that the neighborhood is accommodating and is a good neighborhood for families and this addition will keep the home more in keeping with the purpose of the zone. Mr. Forest also stated that he feels there is no negative criteria to this project, there will be no increase to the parking area, all materials used will match the existing home and that he agrees with all of the conditions in Mr. Sterbenz technical review dated June 9, 2023. Acting Engineer, Mr. Wisniewski agreed that the benefits of the application substantially outweigh the detriment and that it would not substantially impair the intent and purpose of the zone plan and the zoning ordinance.

Mr. DeAngelis made a motion to approve the application as discussed with the conditions of the submission of a sprinkler system design and the installation of a fire ladder. Mr. Anthony seconded the motion.

In Favor: Moore, Lambo, Wolfrum, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis, Ferarra

Opposed: None

Abstained: None

NEW BUSINESS

Mr. Lambo inquired about setting a time limit after an approval of future applications so projects would not be delayed for years after approval.

PUBLIC COMMENT

Ms. Ferarra commented about flooding on Stiger Street by the Clarke residents.

ADJOURNMENT

Mr. Moore made a motion to adjourn this meeting at 8:42 PM. Ms. Ferarra seconded the motion.

All were in favor.

Respectfully submitted,

Mary Matusewicz

Board Clerk