**TOWN OF HACKETTSTOWN**

**MINUTES**

**Land Use Board**

**July 25, 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 July 25, 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, Camporini, Stead, Anthony, Graf, Medcraft, DeAngelis

Also Present: Board Engineer Sterbenz and Board Attorney Zakin

Absent: Becker, Stout, Lambo, Wolfrum, Ferarra

Also Absent: Board Planner Bloch

**MINUTES**

Mr. Anthony made a motion to approve the minutes of the regular Land Use Board meeting held on June 27, 2023 as submitted. Mr. Stead seconded the motion.

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

Opposed: None

Abstained: None

**RESOLUTIONS**

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

Mr. Stead made a motion to approve the resolution of approval. Ms. Medcraft seconded the motion.

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

Opposed: None

Abstained: None

**Application #23-05 – ST FRA Stiger, LLC – 305 Stiger Street – B41, L23 – Amended Preliminary Major Site Plan**

Mr. Anthony made a motion to approve the resolution of approval. Mr. Moore seconded the motion.

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

Opposed: None

Abstained: None

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

Mr. DeAngelis made a motion to approve the resolution of approval. Mr. Moore seconded the motion.

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

Opposed: None

Abstained: None

**COMPLETENESS**

**Application #23-08 – 300 Ashley Ave., LLC – 300 Ashley Avenue – B55, L20 – Use Variance**

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

Mr. Sterbenz reported that the application consists of a pre-existing non-conforming four (4) unit apartment building that the applicant would like to expand by adding four more units. The building is located in a single family zone, which requires a use variance.

Mr. Sterbenz recommended the Board deem the application incomplete at this time due to the lack of a consistency determination from the Highlands Council.

Mr. Stead made a motion to deem this application incomplete due to the lack of a consistency determination from the Highlands Council. Ms. Medcraft seconded the motion.

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

Opposed: None

Abstained: None

**Application #23-09- Jiffy Lube International, Inc. – 213 Mountain Avenue – B55, L20 – Preliminary Major Site Plan**

**Application was presented by Damien Del Duca, Esquire of Del Duca Lewis & Berr Law Firm**

Mr. Sterbenz reported that the applicant would like to demolish the existing structure located on the site and construct a Jiffy Lube. Mr. Sterbenz referred to his completeness report dated July 20, 2023 and reported that the deficiency listed on page three regarding the tax certification has been satisfied.

Mr. Del Duca informed the Board the items listed on page 3 (c.) i.-vi. in Mr. Sterbenz’s report are not applicable. Mr. Del Duca stated that a partial waiver is being sought for the location of existing utility structures on the tract and within 200 feet of the boundaries because a utility plan has been submitted showing the existing utilities. Mr. Del Duca reported that the checklist items on page 4 B.2.(c.) i-ix. are not applicable. Mr. Del Duca referred to the waivers outlined in B.3.(b).i.-iii. page 5 in Mr. Sterbenz’s report and requested that the Board grant said waivers.

Mr. Sterbenz stated that he is in agreement with granting the waivers and recommended that the Board deem this application complete at this time.

Mr. DeAngelis made a motion to grant the requested waivers and deem this application complete at this time. Mr. Anthony seconded the motion.

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

Opposed: None

Abstained: None

**Application #23-10 – LTCW, LLC – 300 Mountain Avenue – B129, L16.01 – Use Variance**

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

Mr. Selvaggi informed the Board that the applicant is requesting a use variance to allow the use of signage on this site for advertisement of an off-site business.

Mr. Selvaggi referred to Mr. Sterbenz’s completeness report dated July 18, 2023 and informed the Board that the legible list of owners has been submitted. Mr. Selvaggi requested relief for the depiction of planimetric features within 100 feet of the boundary and the depiction of marshes, ponds, wetlands and land subject to flooding within 100 feet because the site is fully developed. Mr. Selvaggi requested that the Board accept the title search from the year the property was purchased by the applicant in lieu of the 60 year title search.

Mr. Sterbenz informed the Board that the applicant submitted a previous application, in which a 60 year title search was included. Mr. Sterbenz stated that he is in agreement with granting the waivers and recommended that the Board deem this application complete at this time.

Mr. Moore made a motion to grant the requested waivers and deem this application complete. Mr. Anthony seconded the motion.

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

Opposed: None

Abstained: None

**OLD BUSINESS**

Mr. Anthony inquired about the status of the installation of the Verizon cell tower. Mr. Sterbenz reported that resolution items need to be addressed before the applicant can proceed.

Mr. Moore inquired about the status of the 7 Route 57 project. Mr. Sterbenz reported that there has been no activity to date.

Discussion was held regarding referencing Section 706(G) in the Land Development Ordinance requiring a time limitation for variances in future resolutions so there is not an unreasonably long delay between the Board approval and the commencement of construction.

Mr. Moore made a motion to adjourn this meeting at 7:39 PM. Mr. Stead seconded the motion.

All were in favor.

Respectively submitted,

Mary Matusewicz

Board Clerk