

**TOWN OF HACKETTSTOWN
LAND USE BOARD
REGULARLY SCHEDULED MEETING
MINUTES
June 26, 2018**

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; publishing in the Daily Record and New Jersey Herald, official newspapers of the Town of Hackettstown; 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.

All meetings are held at the Hackettstown Municipal Building, 215 Stiger Street, Hackettstown, NJ 07840 at 7:00 p.m., unless otherwise advertised.

CALL TO ORDER

The June 26, 2018 Town of Hackettstown Planning Board Meeting was called to order by Chairman Camporini at 7:05 p.m.

ANNOUNCEMENT OF PROPER NOTICE

FLAG SALUTE

ATTENDANCE

Board Members Present

Camporini; Bristow; Lambo; Burke; Stead; Tierney; Moore; Stout (7:12 p.m.)

Board Members Absent

Weaver

Professionals Present

Mennen; Bloch; Wisniewski

MINUTES - May 22, 2018 Meeting

The motion to approve the May 22, 2018 Meeting Minutes was made by Moore, seconded by Lambo.

In Favor: Bristow; Lambo; Burke; Stead; Moore; Camporini

Abstain: Tierney

Opposed: None

RESOLUTIONS

There were no resolutions.

MASTER PLAN REEXAMINATION

The Board was reminded that Mr. Bloch sent out the survey to the Board Members, and there have been six responses, one of which was Mr. Moore who was inadvertently left out of the e-mail, therefore, there is more time given before the survey results are released. The survey will be discussed at the July Meeting. Mr. Burke reminded the Board he proposed an informal stroll down Main Street, and Mr. Camporini responded yes, with the Sub-Committee, not a quorum of the Board.

Mr. Bristow and Mr. Lambo left the Meeting.

Mr. Mennen explained to the Board the "D" variance laws.

COMPLETENESS

David's Country Inn, Application #18-02, Block 121, Lots 1, 2, 4 & 5 Minor Subdivision/Preliminary & Final Site Plan, Use Variance.

Michael Selvaggi, Attorney (Lavery, Selvaggi, Abromitis & Cohen) representing the Application for Completeness only.

Mr. Selvaggi referred to Paul Sterbenz's report dated June 20, 2018 with regard to the Variance Application Checklist:

- 1a. Applicant **will provide** consent from the owners of Lots 2 and 5 in Block 121 relative to the filing of the application;
- 1b. Applicant is **requesting a waiver** with regard to the features within 100 feet of all site boundaries not shown on the subdivision plan;
- 1c. Applicant **will provide** a certificate from the Tax Collector indicating that tax payments on Lots 1, 2, 4, and 5 in Block 121 are current;
- 1d. Applicant **will provide** a consistency determination from the New Jersey Highlands Council.
- 2a. Applicant **will provide** a sixty (60) year title search for the properties.

Mr. Selvaggi addressed the Subdivision Plan Checklist items listed in Mr. Sterbenz's report:

- 1a. Applicant **will provide** a copy of a signed and sealed boundary survey
- 1b. Applicant **will provide** same information outlined in Comments 1a – 1d under the Variance Application.
- 2a. Applicant requested a temporary **waiver** for a historic impact statement for the purpose of completeness.
- 2b. Applicant **will provide** a sixty (60) year title search;
- 2c. Applicant **requesting a waiver** for the submission of an environmental impact statement, as it is not necessary for the site. Mr. Wisniewski stated Maser Consulting supports this waiver.

Mr. Selvaggi addressed the Preliminary Major Site Plan Checklist items listed in Mr. Sterbenz report:

- 1a. Applicant **will provide** the same information outlined in Comments 1a – 1d under the Variance Application Checklist;
- 1b. Applicant **requesting a waiver** for operational information for the commercial uses on Lots 1 and 2 in Block 121, as the owner will provide this information during testimony.
- 3a –f. The Applicant indicated the items on the Checklist were **not applicable**. Mr. Wisniewski, Maser Consulting, agreed.

Mr. Selvaggi addressed the Final Major Site Plan Checklist items listed in Mr. Sterbenz report:

- 1a. Applicant **will provide** same information outlined in Comments 1a – 1d under the Variance Application Checklist;
- 2a. The Applicant indicated the following checklist item was **not applicable, utility service letters**, as the services are to be removed.

A motion to deem the David's Country Inn Incomplete was made by Stead, with the second being Tierney.

In favor: Moore; Burke; Camporini; Stead; Tierney; Stout

Oppose: None

Abstain: None

At this time, **Mr. Stout** left the meeting as he had a conflict with the Centenary University Application.

Centenary University, Application #18-01, Block 104, Lot 1 - Completeness - Preliminary Major Site Plan/Final Major Site Plan as amended.

Michael Selvaggi of Lavery, Selvaggi, Abromitis & Cohen, present for Application. Mr. Selvaggi stated the only issue with regard to completeness is with the Highlands Consistency Determination, which has been provided to the Board. Mr. Wisniewski stated the Highlands Consistency Determination has been received, and the project is consistent with the Highlands Ordinance.

The motion to approve the application for Completeness was made by Mr. Stead, seconded by Mr. Moore.

In favor: Tierney; Burke; Camporini; Stead; Moore

Oppose: None

Abstain: None

Centenary University, Application #18-01, Block 104, Lot 1 - PUBLIC HEARING - Preliminary Major Site Plan/Final Major Site Plan as amended.

Mr. Selvaggi stated in 2007 during the Lackland Center application, the Tannery Field road improvements were addressed. Mr. Selvaggi stated the University is lacking a prominent sign showing the entrance to the University, and the Board Professionals and University came up with a sign that is consistent with the character of the University, particularly the Lackland Center. Mr. Selvaggi stated a use variance is needed for the sign since it is a stand alone structure under the R12.5 zone.

Mr. Selvaggi introduced Denton Stargel, CFO, Centenary University. Mr. Stargel was sworn in by Mr. Mennen.

Mr. Stargel stated the sign is proposed at the entrance to Centenary University from Grand Avenue, as there is no delineation showing the entrance to Centenary. Mr. Stargel stated he feels the sign should be beneficial to guests of the University, as this is the primary vehicle access to the campus and parking.

Mr. Selvaggi referred to Exhibit A-1 Rendering of Proposed Memorial Sign, which is a 10' x 6' monument sign whose color scheme matches the stoneware on the Lackland Center. Mr. Stargel stated ideally, the University would like to install a ground mounted spotlight to light the sign and make it visible to visitors. Mr. Selvaggi asked if the illumination would be during the night hours, and Mr. Stargel answered yes, the light would only be on until the events at the University are over, approximately 11:00 p.m. the latest. Mr. Selvaggi asked how urgent a need is for the sign, and Mr. Stargel answered the University would like to get the sign installed by the fall.

Mr. Burke asked what was proposed for the 2' x 5' area in the middle of the monument sign, and Mr. Stargel responded this area would be blank.

Chairman Camporini opened the meeting to the public at 8:15 p.m. for questions. There being none the meeting was closed to the public.

Mr. Selvaggi called Drew Disessa, Senior Project Engineer, Panoni & Associates, Common Street, Newark, New Jersey. Mr. Disessa was deemed an expert in the field of Planning and Engineering. Mr. Selvaggi asked if Mr. Disessa prepared the plans, and Mr. Disessa answered yes.

Mr. Disessa was asked to give an overview of the plan by Mr. Selvaggi. Mr. Disessa referred to Sheet 2 of 4 of the application which includes the project site location at the intersection of Grand Avenue and Third Avenue as well as South of Grand to the baseball field. The plan includes the location of the ground mounted sign; the relocation of the entrance of the parking lot; restriping the East side of the parking lot; the milling and paving of the current driveway; two speed tables; advisory signage; and installation of additional lights near the existing driveway.

Mr. Disessa testified the footprint of the sign is 10' x 2', and will not interfere with the site distance, as the sign is proposed to be installed on the southwest corner twelve feet from the curb of Grand and twenty-one feet from Third Avenue. The proposed sign will also be approximately ten feet off the easement on Third Avenue, and ten feet off the row line of Grand Avenue.

Mr. Selvaggi asked Mr. Disessa about the lighting, as there was no electric there currently. Mr. Disessa answered there are street lights along the side of the road, and the electric will likely come off there.

Mr. Selvaggi addressed Mr. Sterbenz report dated June 20, 2018, page 4 of 6, comments 5-8, which addressed the engineering of the site, and asked if Mr. Disessa took exception to these comments. Mr. Disessa answered no, and agreed to make the changes.

Mr. Selvaggi referred to item 4 regarding the special reason for the granting of variance relief since this will be the only structure on the property and needs a use variance. Mr. Disessa stated the positive criteria is the sign will promote the purpose of the MLUL regarding health, safety and welfare. Mr. Disessa stated the health and safety is being addressed by safely entering the University, which is a benefit for the flow of traffic.

Mr. Selvaggi asked Mr. Disessa if the location of the proposed sign is best suited for the property. Mr. Disessa answered yes, as it is proposed in close proximity to the driveway location and is not obstructed. Mr. Disessa further stated due to sight distance, the sign cannot be placed further south, as it would be obstructed with the fence and guide poles. With the relocation of the driveway, the corner is an ideal location for this sign.

Mr. Selvaggi asked Mr. Disessa to articulate the positive and negative criteria for the variance. Mr. Disessa stated with regard to public good, there is no substantial detriment to the public good. Mr. Selvaggi asked Mr. Disessa if this plan was in accordance with the Town's Master Plan, and Mr. Disessa answered yes, the Master Plan Reexamination in 2008 talks about improving the circulation and off-street parking, and this plan promotes this idea.

Mr. Selvaggi asked if the positive criteria outweigh the negative criteria. Mr. Disessa answered yes, the Board should approve the use variance as the application meets statutory criteria.

Mr. Stargel addressed the Board and said he misspoke regarding the sign, and the blank area. Mr. Stargel testified the area in the middle of the sign would be used for posters promoting the performances at the Lackland Center. These posters would be 2'-2' x 5'. The poster within this insert would not be internally illuminated.

Mr. Burke asked if the trees were being preserved with the moving of the driveway. Mr. Disessa answered yes.

Mr. Stead asked about the handicap parking, and it seemed like it is the furthest away from the entrance, and asked if they could be placed at the other end. Mr. Wisniewski responded that handicapped spaces are proposed closer to Grand Avenue as the grades nearer the Tannery Field entrance are not conducive to handicapped access, and individuals could utilize the existing sidewalks to access Tannery Field from the proposed handicapped parking space location.

Mr. Camporini asked if grass would be mowed right up to the proposed sign. Mr. Wisniewski asked if the sign could be higher, with mulch around it and bushes hiding the lights. Mr. Selvaggi answered if the Town says to mulch, the applicant will, however the Town will be mowing and up keeping the lawn. Mr. Camporini asked if the application should be forwarded to the Recreation Commission for approval.

Mr. Mennen stated as a condition of approval the Applicant will amend the plan related to the number of handicapped parking spaces, and the finishes around the sign, including the location.

Mr. Selvaggi asked if a draft resolution can be prepared, and a formal vote be taken in July, while simultaneously endorsing the Resolution and Application at the same time.

Mr. Block asked what was located across from the site on Grand Avenue. Mr. Selvaggi answered industrial and one rental house, which would not be impacted with the lighting, as the shrubs will shield the house.

Mr. Wisniewski asked if all the work would be completed at the same time and not phased. Mr. Selvaggi answered that all the improvements would be completed concurrently, and this could be a condition of approval.

Meeting open to the public at 8:45 p.m. for questions on the application. There being none, the meeting was closed to the public.

Mr. Mennen stated the conditions of Approval for the Application if the Board was inclined to grant an approval as follows: Applicant is requesting relief in the form of a D-Variance as well as a Bulk Variance, and have agreed to address the comments in Mr. Sterbenz review letter, as well as the hours of sign illumination; location and intensity of lights illuminating the sign; applicant agrees to work with Boards professionals as to the location and number of handicapped parking spaces; and work with Board's professionals to identify landscaping and aesthetics around the sign; and the approval is also subject to the receipt of comments from the Town's Recreation Commission, understanding that based on those comments, it may require the reopening of the proceedings of the application.

The motion to approve by Mr. Moore to approve the application with the contingencies set for the by Mr. Mennen, seconded by Mr. Burke.

In Favor: Stead, Camporini, Burke, Tierney, Moore

Oppose: None

Abstain: None

CORRESPONDENCE

There was no correspondence for review.

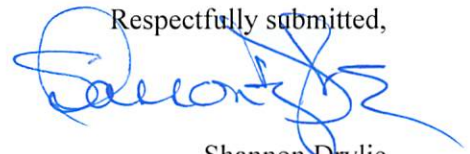
OLD BUSINESS

Mr. Moore asked about smaller plans being submitted with applications for the Board Members. All professionals agreed this must be done by Ordinance. Mr. Camporini stated he would speak to Mr. Lambo prior to the next meeting regarding this.

ADJOURNMENT

There being no further business, the motion to adjourn was made by Mr. Stead, seconded by Mr. Moore. Meeting adjourned at 8:52 p.m.

Respectfully submitted,



Shannon Drylie
Land Use Board Clerk

Motion to approve: Stead

Second: Moore

In Favor: Tierney; Burke; Camporini; Stead; Moore

Oppose: None

Abstain: Weaver; Lambo; Carida; Wolfrum