

**TOWN OF HACKETTSTOWN  
LAND USE BOARD  
REGULARLY SCHEDULED MEETING  
AGENDA  
July 24, 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 July 24, 2018 Land Use Board Meeting was called to order at 7:00 p.m. by Chairman Camporini.

**ANNOUNCEMENT OF PROPER NOTICE**

The Announcement of Proper Notice was ready by Patricia Zotti, interim Clerk.

**FLAG SALUTE**

**ATTENDANCE**

**Board Members Present**

Camporini; Burke; Stead; Moore; Weaver; Stout

**Board Members Absent**

Bristow; Lambo (8:25); Tierney

**Professionals**

Mennen; Sterbenz; Bloch

**MINUTES**

June 26, 2018 Meeting Minutes deferred to August 28, 2018 Meeting.

Mr. Stout left the meeting room for the Centenary University proceedings.

**RESOLUTIONS**

**Centenary University, Application #18-01, Block 104, Lot 1** – memorializing the granting of submission waivers and declaration of completeness relative to installing a ground mounted identification sign and safety improvements to Third Avenue within the Tannery Field property owned by the Town of Hackettstown.

Mr. Mennen stated the resolution had been sent to Mr. Sterbenz, as well as the applicant's attorney, Michael Selvaggi. Mr. Mennen stated Mr. Selvaggi raised a questions regarding page 13, item 57, condition H, related to the landscaping around the sign, which indicated there would be a bed around the sign with plantings to the satisfaction of the Board's engineer, which was agreed by the Applicant. Mr. Mennen stated Mr. Selvaggi indicated he thought it would be a mulch bed around the sign rather than landscaping. Mr. Mennen stated he had a discussion with Mr. Sterbenz and they agreed it would be a bed of plantings. Mr. Camporini stated he was the member who brought this up, and felt the monument should be raised and approximately two feet around the sign would be mulch, and where the lights would be installed low bushes would to be planted to hide the lights. Michael Lavery stated he spoke with Mr. Selvaggi prior to the meeting, and the issue is the client was concerned the plantings would eventually overgrow the sign, and does not feel this will be a problem. Mr. Burke asked for the Applicant to speak with Mr.

Yapaola of the Recreation Committee as they are the department who would be maintaining the area around the sign.

The motion to approve the Resolution of Approval memorializing the granting of submission waivers and declaration of completeness relative to installing a ground mounted identification sign and safety improvements to Third Avenue within the Tannery Field property owned by the Town of Hackettstown was made by Moore, seconded by Burke.

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

**Oppose:** None

**Abstain:** Weaver

**Centenary University, Application #18-01, Block 104, Lot 1 – Preliminary and Final Major Site Plan/Use Variance/Bulk Variance**

The motion to approve the Resolution of Approval memorializing the granting of preliminary and final major site plan, use variance, and bulk variance approvals to Centenary University for the installation of a ground mounted identification sign for the University and construction of safety improvements to Third Avenue within the Town's Tannery Field property was made by Moore, seconded by Burke.

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

**Oppose:** None

**Abstain:** Weaver

Mr. Stout returned to the meeting room.

**David's Country Inn, Application #18-02, Block 121, Lots 1, 2, 4 & 5** Resolution granting submission waivers and Declaration of Incompleteness for use variance, bulk variance, minor subdivision, and preliminary and final major site plan approvals.

Mr. Mennen stated submission waivers were granted per Mr. Sterbenz's report, and some waivers could not be waived, therefore the application could not be deemed complete.

The motion to memorialize the Resolution granting submission waivers, and deeming the application Incomplete was made by Moore, seconded by Burke.

**In Favor:** Stout; Moore; Burke; Stead; Camporini

**Oppose:** None

**Abstain:** Weaver (conflict)

**APPLICATIONS**

**David's Country Inn, Application #18-02, Block 121, Lots 1, 2, 4 & 5** Request for use variance, bulk variance, minor subdivision, and preliminary and final major site plan approvals (Completeness and possible Public Hearing)

Mr. Weaver recused himself from the application, as his daughter works for David's Country Inn.

Michael Lavery of Lavery, Selvaggi, Abromitis & Cohen present for Application asked to discuss with his client the meanings of only having five members present to vote on the Application.

Mr. Camporini stated he attended the last council meeting and explained the situation with D variances and the members who need to step down from applications, and the four alternate seats being filled. Mr. Camporini asked for members to forward to the Mayor anyone names of people who are interested in sitting on the Board. Mr. Camporini also stated he spoke to the Mayor regarding scaled sizes of plans submitted for Board Member review.

Mr. Lavery returned to the meeting and asked if the Board knew if by the August 28, 2018 meeting all members will be present, and if the four alternate member appointments will be made. The Board explained they did not know at this time, however, the Council is aware of the issue.

Mr. Burke asked if the application were to be denied due to the need of five affirmative votes, could the applicant resubmit. Mr. Mennen explained to the Board the rules regarding resubmissions, and also quorum regulations of a Land Use Board.

Mr. Lavery asked the Board to carry the application to the August 28, 2018 Meeting.

Mr. Sterbenz stated the Board recommends the Board deem the application complete, as he has reviewed his report and the five items the Board indicated had to be addressed have all been submitted.

Mr. Camporini asked if the Board had any questions of comments, there being none, Mr. Camporini asked if there was a motion. The motion to deem the application Complete was made by Mr. Stout, seconded by Mr. Moore.

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

**Oppose:** None

**Abstain:** None

#### **NEW BUSINESS**

Mr. Camporini stated Mr. Lambo could not hear the applications on the Agenda, and asked to be contacted when the Board would be discussing the Master Plan. Mr. Sterbenz called Mr. Lambo.

While the Board waited for Mr. Lambo, Mr. Burke stated the banners in Town are not being enforced. Mr. Stout stated the Zoning Official has ten hours per week in the office, and with all of his other duties, and other issues that need to be addressed, there just isn't enough time. Mr. Stout added this has been an issue for years. Mr. Burke stated there has to be a way to enforce the Ordinance, and asked who will enforce the additional changes to the Master Plan.

Mr. Weaver asked if Board Members could enforce the Master Plan. Mr. Mennen answered a common citizen can impose a complaint, however, it is easier if a municipal officer deals with the complaints. Mr. Mennen does not recommend the Board Members enforce the Ordinances.

Mr. Stead asked if someone else could be deputized to enforce the Zoning of the Town. Mr. Mennen answered the Council would make that decision, but they should be able to do that.

Mr. Sterbenz stated the Ordinance regarding the Zoning Officer duties and enforcement is located in Section 1002 of the Master Plan.

Mr. Stead recommended to send a letter to the Governing Body and address the serious zoning violations, and also regarding the lack of enforcement. Mr. Block stated could be a recommendation to the Council for a property maintenance enforcement officer and that position could also handle some Zoning.

Mr. Camporini asked Mr. Sterbenz to write a letter to the Council expressing the Board's concerns regarding the enforcement of Zoning. Mr. Sterbenz stated he would prepare and draft letter to the Council and forward it to the Board Members.

Mr. Lambo entered the meeting at 8:25 p.m.

## MASTER PLAN REEXAMINATION REVISITED

Mr. Camporini stated all Board Members completed the survey and asked Mr. Block to review the survey. Mr. Block stated the survey was prepared by reviewing all the past issues with the Master Plan, as well as the new reexamination report. Mr. Block stated there were 33 questions, and each question had three parts: police; how important issue was to individual; and comment. Mr. Block stated he put together all the responses, and they are prioritized in order of how the items were ranked by the Members. Mr. Block stated the first was the property maintenance issue and overwhelmingly all members, except one, were in agreement. Mr. Block stated the next important issues was the downtown Main Street, and whether the BID's vision was appropriate allowing for four and five story buildings. Mr. Block stated there was a mixed response, however, the Members were slightly in favor of the BID's vision. Mr. Block stated the Board would need to decide how to proceed, and if the Board felt since the majority. Mr. Block stated all the survey results will be incorporated into the Master Plan Reexamination, and a draft will be returned to the Board for consideration or review. Mr. Sterbenz agreed with Mr. Block and stated after the review, a public hearing would be held.

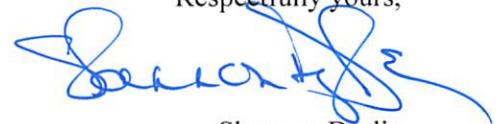
Mr. Mennen asked if comments would be in August, and then a public hearing in September. Mr. Sterbenz answered David's Country Inn's public hearing will possibly be in August, unless there is not enough alternate members to the Board.

Chairman Camporini opened the meeting to the public. There being no comments the meeting was closed to the public.

## ADJOURNMENT

There being no further business, a motion was made by Moore, seconded by Stead, to adjourn the July 24, 2018 Land Use Board Meeting at 8:52 p.m. All members present in favor of adjournment.

Respectfully yours,



Shannon Drylie  
Land Use Board Clerk

Motion to approve: Stead;

Second: Moore

In favor: Burke; Camporini; Stead; Moore

Oppose: NONE

Abstain: Weaver; Ceerida; Workum; Lumbro