**TOWN OF HACKETTSTOWN**

**MINUTES**

**Land Use Board**

**November 23, 2021 Meeting**

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 November 23, 2021 Meeting of the Town of Hackettstown Land Use Board was called to order by Chairman Camporini at 7:00 p.m.

**FLAG SALUTE**

**ANNOUNCEMENT OF PROPER NOTICE**

**ATTENDANCE**

**Board Members Present**

Moore, Lambo, Wolfrum, Camporini, Stead, Walling

Also Present: Board Engineer Sterbenz, Board Planner Bloch and Board Attorney Mennen

**Board Members Absent**

Becker, Stout, Anthony, Graf

**MINUTES**

Mr. Stead made a motion to approve the minutes of the October 26, 2021 Regular Land Use Board meeting as submitted. Mr. Moore seconded the motion.

In Favor: Moore, Lambo, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: None

**RESOLUTIONS**

**Application #21-11 – ST Fra Willow Grove, LLC – 999 Willow Grove Street – B44, L3.02 – Preliminary and Final Major Site Plan**

Mr. Stead made a motion to approve the Resolution of Approval. Mr. Wolfrum seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: Lambo

**COMPLETENESS**

**Application #21-16 – Sal Toscana – 217-221 Main Street & 223 Main Street – B71, L12 & 12.01 – Minor Site Plan/Bulk Variance**

**Application was presented by Michael Selvaggi, Esquire**

Mr. Sterbenz stated that the following deficiencies need to be addressed and recommended the application be deemed incomplete at this time:

* A sixty year title search needs to be provided
* An updated Certification showing that taxes are current through November 1, 2021 needs to be provided
* Zoning information is to be listed on the site plan
* An application needs to be filed with the Warren County Planning Board
* A submission to the Historic Preservation Commission requesting a Certificate of Appropriateness must be made

Mr. Selvaggi agreed to meet the deficiencies and requested the application be listed on the January 2022 meeting agenda.

Mr. Moore made a motion to deem this application incomplete. Mr. Stead seconded the motion.

In Favor: Moore, Lambo, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: None

**PUBLIC HEARING**

**Application #21-06 – Neuner – 411 West Plane Street – B97, L9 – Minor Subdivision/Bulk Variance**

Mr. Sterbenz informed the Board that Mr. Neuner withdrew his application at this time and will not be moving forward.

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

**Application #21-14 – 109 Grand Avenue Associates – 109 Grand Avenue – B75, L18 & 19 – Minor Site Plan/Use & Bulk Variance (amended)**

**Application was presented by Michael Selvaggi, Esquire**

Mr. Selvaggi stated that a previous application for this site was approved to allow for employee housing and a bridal suite, however due to the construction code, the type of use approved would be considered a hotel. The applicant is seeking to amend the original application and use what would have been the bridal suite area as four more rooms, a lounge, a bathroom and storage for employees and their spouses.

Mr. Frank Mileto was sworn in by Board Attorney Mennen to testify as an architect and planner for the applicant.

Mr. Mileto testified to the following:

* The Construction Code determined the bridal suite in the prior approval to be deemed as a hotel
* In order to keep the prior approval as a hotel, the necessary renovations would include an elevator, an enclosed stairway, the fire rating system would need to be upgraded, all of which would change the characteristics of the historic building
* The amended application still meets all of the positive criteria
* The rooms will be used by employees and their spouses only. No children or general public will be allowed.
* Inspections will be done by local government employees if necessary
* The extra rooms will not create parking issues

Mr. Camporini asked if any of the Board members had any questions at this time.

Ms. Walling inquired about the maximum occupancy for the third floor. Mr. Mileto stated that the twelve rooms with two people per room will only allow 24 people on the third floor, but could hold up to 50.

Mr. Stead inquired about seeking additional off-site parking for the four additional rooms. The applicant agreed to obtain parking permits from the Parking Authority for spaces in the municipal lot if needed.

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. Mennen inquired if there was a revised plan with a revision date that could be referred to. Mr. Selvaggi stated that the plan was prepared by Mr. Mileto with a revision date of September 13, 2021.

Mr. Stead made a motion to approve the application to amend the prior approval. Ms. Walling seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: None

At the request of the Applicant, at the October 26, 2021 meeting the Board directed the Board Attorney to prepare a draft memorializing resolution in advance of tonight’s public hearing.

Mr. Moore made a motion to approve the draft Resolution of Approval with the following changes:

1. To add a condition requiring the applicant to make an effort to acquire off-site parking to accommodate the new four rooms.
2. To add that the prior approval was amended consistent with the architectural drawings prepared by Mr. Mileto dated September 13, 2021.

Mr. Wolfrum seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: None

**Application #21-15 – Keith DeTombeur – 223 Main Street – B71, L12.01 – Section 68**

**Application was presented by Mr. DeTombeur**

Mr. DeTombeur was sworn in by Board Attorney Mennen.

Mr. DeTombeur stated the following:

* He has owned the property for 38 years
* The building has always had four apartments
* The State has recognized it as four apartments since 1983 and was last inspected in March 2021

Mr. DeTombeur introduced Daniel Fiedler to testify as a neighbor of 223 Main Street.

Mr. Fiedler was sworn in by Board Attorney Mennen.

Mr. Fiedler testified to the following:

* His father bought the adjacent property, 227 Main Street, in the late 1940’s
* He grew up on said property
* He always remembers there being apartments at 223 Main Street

Mr. Camporini asked if any of the Board members 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. Moore made a motion to approve the application. Ms. Walling seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Walling

Opposed: None

Abstained: None

**Application #21-08 – G&G Church Properties, LLC – 406 Church Street – B95, L4 – Use Variance**

Mark Maryanski, Esquire representing applicant, requested that the application be carried until a full Board is present. The Board members agreed to carry the application and notice to the December 21, 2021 Land Use Board meeting and requested the Board Secretary to email all Board members to inquire about their attendance prior to the meeting date.

Mr. Lambo returned to the dais at this time.

**NEW BUSINESS**

Jim Lambo informed the Board that Mars began landscaping. Mr. Stead inquired if Mr. Sterbenz could reach out to Mars and ask that their lighting be dimmed after a certain hour to decrease illumination.

Mr. Lambo asked if there was any update on the project on Mountain Avenue behind Wawa. Mr. Sterbenz stated that he has not heard from the applicant, but will reach out to them.

**ADJOURNMENT**

Mr. Moore made a motion to adjourn this meeting at 7:50 PM. Mr. Stead seconded the motion.

All were in favor.

Respectfully submitted,

Mary Matusewicz

Board Secretary