**TOWN OF HACKETTSTOWN**

**MINUTES**

**Land Use Board**

**May 24, 2022 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 May 24, 2022 Meeting of the Town of Hackettstown Land Use Board was called to order by Chairman Camporini at 7:00 p.m.

**FLAG SALUTE**

**ATTENDANCE**

**Board Members Present**

Moore, Wolfrum, Camporini, Stead, Graf, Medcraft

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

**Board Members Absent**

Becker, Stout, Lambo, Anthony

**MINUTES**

Mr. Wolfrum made a motion to approve the minutes of the regular Land Use Board meeting held on April 26, 2022 as submitted. Mr. Stead seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Graf, Medcraft

Opposed: None

Abstained: None

**INTERPRETATION**

Mr. Sterbenz informed the Board that the applicant withdrew the application.

**RESOLUTIONS**

**Application #21-20 – 2016 Mountain Hackettstown, LLC – 301 Mountain Avenue –B125, L9.01 – Extension of Time**

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

In Favor: Moore, Wolfrum, Camporini, Stead, Graf, Medcraft

Opposed: None

Abstained: None

**COMPLETENESS**

**Application #22-04 – 7 Route 57, LLC – B129, L23, 24 & 25 – Section 36 Variance & Preliminary & Final Site Plan/Use Variance**

Mr. Sterbenz informed the Board that the applicant has addressed the deficiencies that were in his report dated April 19, 2022 and recommended the application be deemed complete at this time.

Mr. Stead made a motion to deem this application complete. Mr. Wolfrum seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Graf, Medcraft

Opposed: None

Abstained: None

**PUBLIC HEARING**

**Application #21-18 – Performance Fleet Maintenance, LLC – 859 Willow Grove Street, B44, L3 – Preliminary & Final Major Site Plan/Use Variance**

Application was presented by Michael Selvaggi, Esquire

Mr. Selvaggi introduced Steve Cattani, Engineer for the application.

Mr. Cattani presented Exhibit A3 titled, Colorized Rendering of the Site Plan with a revision date of May 24, 2022, which shows the following:

* The impervious coverage in the northwestern corner has been removed and seeded
* The proposed paved area
* Updated lighting to include permanent light fixtures around the perimeter of the area
* 186 parking spaces

Mr. Camporini inquired about the maintenance and length of time the portable toilets will be located in the parking area.

Brendan Durkin, president of Performance Fleet, LLC explained that the portable toilets will be maintained and replaced if they are damaged in any way.

Mr. Camporini asked if any other Board Members had any questions at this time. No Board Members had any questions at this time.

Mr. Sterbenz suggested that consideration be made for a permanent bathroom and permanent lighting to be on the site if the current lease goes beyond 2023 and becomes a permanent use.

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. Selvaggi introduced Patrick Downey, Dynamic Traffic, 1904 Main Street, Lake Como, NJ, and was sworn in by Board Attorney Mennen to testify as a traffic expert.

Mr. Downey testified to the following:

* There will be no changes to the site access
* There will be ninety (90) vehicles entering and exiting the parking area in the morning and in the evening
* This site will generate little to no traffic impact on the main roadways
* The DSP waves begin after 9:00 AM and return when their deliveries are complete in the evening
* The lot size and aisle widths are compliant with the ordinance

Mr. Camporini asked if any Board Members had any questions at this time.

No Board Members 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. Selvaggi introduced John McDonough who was sworn in by Mr. Mennen as a professional Planner.

Mr. McDonough presented Exhibit A4, a four page document showing aerial photos of the north, south, east and west views of the property.

Mr. McDonough testified to the following:

* This is a single tax lot
* The lot is over twelve (12) acres
* The lot is non-residential
* Parking area will be a principal use
* The site is suitable for this use
* There is good connectivity to the regional road network
* The size of the lot can accommodate the use

Mr. Camporini asked if any Board Members had any questions at this time.

No Board Members had any questions at this time.

Mr. Bloch stated that the applicant meets the criteria for the Use Variance.

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. Sterbenz suggested the applicant attend a pre-construction meeting, post bonds and issue revised plans by July 31, 2022 and to have the construction completed by September 30, 2022. The applicant indicated that it would comply with the timeline recommended by the Board Engineer.

Mr. Stead made a motion to approve the application with the conditions that there will be no vehicle maintenance on the site, 186 parking spaces will be available at the site, two portable toilets on the site will be placed to the satisfaction of the Board Engineer, the need for permanent bathroom facilities and a permanent light fixture to replace the temporary ones if the lease is extended past 2023 and the time requirement to be met for resolution and construction compliance outlined by Mr. Sterbenz. Mr. Wolfrum seconded the motion.

In Favor: Moore, Wolfrum, Camporini, Stead, Graf, Medcraft

Opposed: None

Abstained: None

**Application #22-04 – 7 Route 57, LLC – B129, L23, 24 & 25 – Section 36 Variance/Preliminary & Final Site Plan/Use Variance**

Application was presented by Michael Selvaggi, Esquire

Mr. Selvaggi introduced John Hansen to testify as a professional Engineer and Planner to the project. Mr. Hansen was sworn in by Board Attorney Mennen.

Mr. Hansen presented exhibit A1 titled, Woodland Apartments, dated May 2, 2022, which shows a colorized rendering of the proposed improvements over an existing aerial photo showing lots 23, 24 and 25.

Mr. Hansen testified to the following:

* Lot 23 consisting of .44 acres, and lot 24 consisting of .77 acres, has no frontage on Route 57
* Utilities for the structures go through the access driveway through Lot 23 and connect to Route 57
* There are no wetlands, steep slopes or floodplains on any of the properties
* There is shallow carbonate rock in the area
* Apartments will be accessed through lot 25
* An island will be installed at the entrance of Lot 25 and a curbed landscape island will be installed north of the warehouse building
* There will be a two way 24 foot paved driveway
* There will be 37 parking spaces, 15 percent will be charging station ready and will comply with ADA standards
* An eight square foot sign will be installed with ground mounted lighting at the site entrance
* There will be a bio retention basin near Route 57
* Lot 25 is served by underground drywells and there are no sinkholes
* There will be no additional lighting on Lot 25. Lots 23 and 24 will have black shoebox type lighting, 25 feet in height with no impact to neighbors. These lots will also have building mounted lighting
* There will be foundation plantings and ornamental trees planted
* Dumpsters and recycling bins will be placed on the northern part of the site and enclosed by a 12x20 foot fence
* A ninety (90) square foot sign will be placed at the entrance with brick pillars on the bottom of the sign with landscaping
* Lot 25 will have a total of 130 parking stalls

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

Mr. Moore inquired about the requirement of a traffic study to be done at the Route 57 exit.

Mr. Bloch asked Mr. Hansen to confirm the parking setbacks, the trash enclosure setbacks and the patio setback. Mr. Bloch inquired about moving the retention basin to the back of the property and moving the building closer to Route 57. Mr. Bloch inquired about fire truck and school bus access to the apartment building.

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

Jamie DeAngelis, 70 Lawrence Drive, Hackettstown, inquired if there are any plans to install a fence along the back of the property line, about the distance from the property line to the structure and if there will be pest control when the existing building is demolished.

Mr. Hansen stated they will look into installing a fence if needed, the distance is thirty (30) feet and there will be pest control when the building is demolished.

There being no further questions from the public, discussion returned to the Board.

Mr. Sterbenz expressed the need to meet Mr. Hansen in the field prior to the next Land Use Board meeting.

Mr. Selvaggi introduced Kenneth Fox, Fox Architectural Design, 546 State Route 10, Ledgewood, NJ. Mr. Fox was sworn in by Board Attorney Mennen to testify as a professional architect.

Mr. Fox presented Exhibit A2 titled Rendering of the Building from the entrance driveway dated May 24, 2022 which shows materials, colors and size.

Mr. Fox testified to the following:

* There will be gabled roofing
* Each apartment will have an intended balcony or patio
* There will be two levels with ten (10) units on each floor
* There will be sixteen (16) one bedroom units and four (4) two bedroom units
* The bottom level of the building is stone and the remainder of the building is vinyl
* A basement with gate divided storage areas will be in the front half of the building and there will be a crawlspace in the rear of the building
* There will be washers and dryers in each unit
* There will not be an elevator in the unit
* There will be four (4) affordable units consisting of two one bedroom apartments and two two bedroom apartments

Mr. Fox presented Exhibit A3 titled First and Second Floor Plan showing a proposed three bedroom unit.

The applicant agreed to have the units consist of one three bedroom, three two bedroom and the remainder as one bedroom apartments to address Mr. Bloch’s comments.

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

No Board members had any questions at this time.

Board Planner Bloch inquired where the wall packs would be located. Mr. Bloch inquired why there is a proposed crawlspace in the basement area, what the finish of the basement would be and the height of the basement would be.

Mr. Fox stated that the crawlspace was designed for affordability, the ceiling would be an eight foot sheetrocked ceiling.

Mr. Camporini inquired if the soil that is going to be removed from the lot will be trucked off of the site.

Mr. Fox stated the dirt will be trucked off site.

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.

There being no further testimony at this time, Mr. Selvaggi asked that the application be carried to the July 26, 2022 Land Use Board meeting and that there be no additional notice.

**NEW BUSINESS**

Mr. Sterbenz informed the Board that there will be completeness review on the residential portion of the WAWA redevelopment project at the June meeting.

Mr. Mennen informed the Board that he will need to step down from the Board Attorney position effective immediately due to the fact that he has been nominated to be a Judge of the Superior Court. He informed the Board that Alan Zakin, Esquire will be available to cover the June and July meetings until a permanent appointment can be made.

**ADJOURNMENT**

Mr. Moore made a motion to adjourn this meeting at 9:34 PM. Mr. Stead seconded the motion.

All were in favor.

Respectfully submitted,

Mary Matusewicz

Board Clerk