**TOWN OF HACKETTSTOWN**

**LAND USE BOARD REORGANIZATION MEETING**

**JANUARY 28, 2020**

**MINUTES**

**CALL TO ORDER**

The January 28, 2020 Reorganization Meeting of the Town of Hackettstown Land Use Board was called to order by the Clerk at 7:00 p.m.

**ANNOUNCEMENT OF PROPER NOTICE**

**FLAG SALUTE**

**SWEARING IN OF NEW MEMBERS**

The following members were sworn in by Mr. Mennen:

Bristow; Sherman; Walling; Becker; Kunz; Stout

**ATTENDANCE**

**Board Members Present**

Camporini; Stead; Bristow; Sherman; Tierney; Stout; Lambo; Moore; Walling; Wolfrum; Becker; Kunz

**Board Members Absent**

None

**Also Present**

Sterbenz; Mennen

**NOMINATION OF CHAIRMAN**

The Clerk asked if there was a motion for Chairman. A motion was made by Stead, seconded by Bristow, to nominate Al Camporini as Chairman. There being no other nominations, the nominations were closed by a motion from Moore. The vote is recorded as follows:

**In Favor:** Kunz; Moore; Tierney; Stout; Lambo; Walling; Wolfrum; Becker; Sherman; Stead; Bristow; Camporini

**Oppose:** None

**Abstain:** None

Chairman Camporini took over the meeting.

**NOMINATION OF VICE CHAIRMAN**

A motion was made by Moore, seconded by Bristow, to nominate Bob Stead as Vice Chairman. There being no other nominations, the nominations were closed by a motion from Lambo. The vote is recorded as follows:

**In Favor:** Tierney, Stout; Walling; Lambo; Wolfrum; Becker; Sherman; Bristow; Camporini; Kunz; Moore; Stead

**APPOINTMENT OF CLERK**

The motion to appoint Shannon Drylie as Clerk was made by Stead, seconded by Lambo. All members present in favor of appointment.

**APPOINTMENT OF PROFESSIONALS**

The motion to appoint Paul Sterbenz, Maser Consulting, as Land Use Board Engineer made by Moore, seconded by Wolfrum. All members present in favor of appointment.

The motion to appoint William Mennen as Land Use Board Attorney made by Moore, seconded by Tierney. All members present in favor of appointment.

The motion to appoint Daniel Bloch, Maser Consulting, as Land Use Board Planner made by Moore, seconded by Tierney. All members present in favor of appointment.

**SWEARING IN OF PROFESSIONALS**

Mr. Mennen swore in Mr. Sterbenz.

**ADOPTION OF SCHEDULED MEETING DATES & TIMES**

Motion to adopt the 2020 Calendar of the Town of Hackettstown Land Use Board made by Stead, seconded by Moore. All members present in favor.

**OFFICIAL NEWSPAPERS**

Motion made by Stead, seconded by Bristow to designate the New Jersey Herald and Daily Record the official newspapers of the Town of Hackettstown Land Use Board. All members present in favor.

**FINANCIAL OVERSITE COMMITTEE**

Stead and Bristow appointed as the Financial Oversite Committee by the Chair.

**ADOPTION OF ROBERTS RULES OF ORDER AS OPERATING PROCEDURES**

Motion made by Moore, seconded by Stout, to adopt Roberts Rules of Order as the operating procedures of the Town of Hackettstown Land Use Board, with the addition of the rule that no new applications or new testimony will be accepted after 10:00 p.m. at any meeting.

**AUTHORIZATION OF PROFESSIONAL CONTRACTS**

The motion to authorize the Chair and Clerk to sign the professional contracts made by Stead, seconded by Walling. All members present in favor.

**MINUTES**

**November 25, 2019 Land Use Board Meeting**

Motion to approve the November 25, 2019 Land Use Board Meeting Minutes made by Bristow; seconded by Moore.

**In Favor:**

Stead; Lambo; Wolfrum; Camporini; Bristow; Moore

**Oppose:**

None

**Abstain:**

Kunz; Tierney; Stout; Walling; Becker; Sherman

**December 17, 2019 Land Use Board Meeting**

Motion to approve the December 17, 2019 Land Use Board Meeting Minutes made by Lambo, seconded by Stead.

**In Favor:** Tierney; Stout; Sherman; Camporini; Stead; Bristow

**Oppose:** None

**Abstain:** Kunz; Moore; Walling; Wolfrum; Becker

**RESOLUTIONS**

**Housing Element and Fair Share Plan Amendment Adoption**

Motion to approve the Housing Element and Fair Share Plan Amendment made by Lambo, seconded by Stead.

**In Favor:** Bristow; Tierney; Stout; Wolfrum; Sherman; Camporini; Stead; Lambo

**Oppose:** None

**Abstain:** Walling; Kunz; Becker; Moore

**Mile High LLC, Block 59, Lot 14 – Section 68 Certification**

Motion to approve the Section 68 Certification Resolution for Mile High LLC made by Bristow, seconded by Stout.

**In Favor:** Stead; Tierney; Lambo; Wolfrum; Sherman; Camporini; Bristow; Stout

**Oppose:** None

**Abstain:** Becker; Walling; Kunz; Moore

**COMPLETENESS**

Mars Inc., App #19-08, Block 4, Lot(s) 1 & 4 – Preliminary & Final Site Plan

Mr. Sterbenz stated that on December 17, 2019, the Board granted Mr. Sterbenz authorization to review the Mars application for Completeness purposes. Mr. Sterbenz stated that he acted, and that now the applicant has addressed the deficiencies on the application and the application has now been deemed complete as of January 8, 2020. Mr. Sterbenz added that action must be taken within 120 days from January 8, 2020, however, the applicant is not ready to present tonight, and they will be present for the February 25, 2020 meeting.

**COMPLETENESS/ PUBLIC HEARING**

**Burke, App. #19-14, Block 88, Lot 8 – Section 68 Certification (memo from David Diehl, Zoning Official, submitted)**

Shawn Burke, 313 West Moore Street, Hackettstown, present for application.

Alice Burke, 313 West Moore Street, Hackettstown, present for application.

Mr. Mennen swore in the applicants.

Mr. Burke stated they purchased the property in 1996. The property consists of a 3-story home, with an apartment over the top of the detached garage. Mr. Burke referred to the exhibits submitted with the application, specifically the phone records from 1951, which shows separate phone lines for the residence, apartment within the structure, as well as the apartment over the garage. Mr. Burke also referred to real estate listing from July 1977, which lists the property as the main structure having an accessory apartment, as well as an apartment over the detached garage.

The motion to grant the Section 68 Certification, finding the multi-family use predates the Ordinance from the 1965 Zone Change approving the pre-existing non-conforming two family home in the main structure, with an accessory apartment over the detached garage, made by Moore, seconded by Tierney.

**In Favor:** Stead; Bristow; Sherman; Kunz; Stout; Lambo; Walling; Wolfrum; Becker; Camporini; Moore; Tierney

**Oppose:** None

**Abstain:** None

**Beck, App#19-17, Block 61, Lot 8 – Section 68 Certification (memo from David Diehl, Zoning Official, submitted)**

Douglas Beck, 105-107 Franklin Street, Hackettstown present for application.

Mr. Beck was sworn in by Mr. Mennen.

Mr. Beck stated the property has been rented out for the past fifteen to twenty years. Mr. Beck stated the structure was built in 1873 as a ‘side by side’. Mr. Beck testified the sides are mirror images, consisting of three bedrooms, a kitchen and living areas, and the dimensions of the rooms remain the same from the 1887 Sanborn maps. Mr. Beck stated in 1887, the property was listed as 103 Franklin Street, however, according to the 1892 Sanborn maps submitted, the property address changed to 105-107 Franklin Street.

There was discussion regarding Mr. Diehl’s memorandum specifically relating to the third-floor bedrooms, and Mr. Beck responded he does not advertise the 3rd floor as sleeping rooms. Mr. Mennen asked if Mr. Beck would agree with limits set in the resolution of approval, if the Board should approve, that there be no bedrooms on the third floor. Mr. Beck agreed.

A motion was made by Stout to grant the Section 68 Certification finding the structure predates the 1965 Zoning Change and approving the pre-existing non-conforming two-family structure, seconded by Sherman.

**In Favor:** Stead; Bristow; Kunz; Moore; Tierney; Stout; Lambo; Walling; Wolfrum; Becker; Sherman; Camporini

**Oppose:** None

**Abstain:** None

**CORRESPONDENCE**

**The following correspondence was reviewed:**

 Federal Communications Commission: Notice of New Monopole Tower and Compound Application,100 Bilby Road

Paulus, Sokolowski and Sartor, LLC re: Freshwater Wetlands General Permit/JCP&L Vegetative Maintenance

New Jersey Planner November/December 2019 Edition

**NEW BUSINESS**

There was no new business for discussion.

**PUBLIC COMMENT**

There was no public comment.

**ADJOURNMENT**

Motion to adjourn made by Moore at 7:59 p.m., seconded by Tierney. All members present in favor of adjournment.

Respectfully submitted,

Shannon Drylie

Clerk

**Motion to approve:** Lambo

**Second:** Stout

**In Favor:** Sherman; Moore; Wolfrum; Camporini; Stead; Lambo; Stout

**Oppose:** None

**Abstain:** Walling; Becker; Kunz