

**BOROUGH OF HAMBURG
LAND USE BOARD MEETING MINUTES OF JULY 8, 2019**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Vice Chairman Thomas Watts in accordance with the Open Public Meeting Act, with regard to notices then delayed by an issue with the recording device.

Mr. Watts invited all those present to participate in the flag salute.

Mr. Watts read the Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Those in attendance were George Alakpa, John Haig, Dan Hall, Guy Harby, Jeannette Tempe, Sam Villagomez and Thomas Watts. Absent: Rich Krasnomowitz and Mayor Marino. Board professionals in attendance: Glenn Kienz, Esq., Ken Nelson, P.P. and Samantha Anello, PE for John Ruschke, PE.

MINUTES:

Haig made a motion to approve the minutes of June 10, 2019, second by Harby with all others in favor.

BILLS/VOUCHERS:

- a. The Nelson Consulting Group - \$462.50 – North Jersey Advertising/Hamburg Outdoor escrow #189
- b. The Nelson Consulting Group - \$462.50 – Falcon Ridge HOA escrow #191
- c. The Nelson Consulting Group - \$312.50 – 55 Gingerbread Castle Road escrow #190
- d. Weiner Law Group - \$451.00 – General
- e. Weiner Law Group - \$238.00 – North Jersey Advertising/Hamburg Outdoor escrow #189
- f. Mott MacDonald - \$968.00 – North Jersey Advertising/Hamburg Outdoor escrow #189
- g. Mott MacDonald - \$130.00 – Vallilla escrow #188

Tempe made a motion to approve payment of the bills/vouchers. Second by Villagomez with all others in favor. Aye: Hall, Krasnomowitz, Mayor Marino, Tempe, Watts and Alakpa. Nay: None.

CORRESPONDENCE:

- Resolution of Borough Council for Refund of Escrow Account SJZ, LLC dated July 1, 2019
- Correspondence dated 7/2/19 requesting adjournment to 8/12/19 meeting
- Correspondence dated 6/6/19 requesting adjournment to 7/8/19 meeting.

There were no comments from the Board on the correspondence.

RESOLUTIONS: None.

NEW/UNFINISHED BUSINESS:

A. North Jersey Advertising
151 Route 23 (Block 22 Lot 28.01)
Application No. LU 19-01
Application for Site Plan and Use Variance

Bernd Hefele, Esq. ("Hefele") appears on behalf of the applicant. Attorney Kienz indicates that this is in an informal work session and not a hearing.

Hefele discusses the productive meeting with the Board professionals and updates the Board on the modifications that are being proposed including stone pillars similar in design to those located at the Wheatsworth Mills replacing the proposed monopole and the reduction of the size of the proposed sign from 10 feet x 20 feet to 9 feet x 18 feet. The height of the sign will be reduced as a result of the new design to 16 feet from the ground with the pillars extending an additional 1.5 feet. There will be grass in front of the sign.

Since the location of the sign has been moved from the original application, the applicant is again in the permit process with the New Jersey Department of Transportation ("NJDOT"). Once the permit has been approved, the applicant will submit revised plans to the Board and continue the application process.

Haig questions the setback and incline. Hefele indicates the sign is setback 20 feet and the ground will be leveled so there will no longer be an incline.

Watts questions whether the "v" configuration is still proposed. Hefele confirms that it is and that there will be three pillars.

Tempe questions the maintenance of the property. Hefele indicates that the applicant has a crew that maintains his properties.

Harby questions the width of the pillars. Hefele indicates that the pillars will be 3 feet wide.

Attorney Kienz reminds the Board that this is an informal presentation.

Nelson suggests bringing a three dimensional sign for the hearing.

Hefele compares the proposed sign to the sign at the entrance of Lake Mohawk in Sparta.

Tempe questions whether property owners were notified of this application since she has concerns about the sign's lighting. Hefele confirms that the property owners were notified and that the sign is well suited for the area.

Watts requests clarification as to the location of the cameras. The cameras will be located on the corners of the sign according to Hefele.

At 7:23 p.m. Kienz states the application is carried to the August 12, 2019 meeting with no further notice required.

NEW BUSINESS:

A. James Vallila
130 Route 23 (Block 12, Lot 6)
Application No. LU 19-03
Application for "C" and "D" Variances

At 7:25 p.m., Debra Caruso, secretary to James Vallila ("Caruso") and Peter Kalafut, Project Manager ("Kalafut") are sworn in for the record.

Attorney Kienz confirms that the applicant's representatives have received the reports from the Board's professionals and he reads the July 8, 2019 correspondence from James Vallila providing permission for Caruso and Kalafut to proceed with testifying on his behalf.

Kalafut states that the existing residence will be demolished and two residential units with garages below them are being proposed in its place. No offices are being proposed.

Samantha Anello, PE, indicates that the plans have not been revised since the original submission.

Nelson questions the completeness due to the site map.

Attorney Kienz clarifies that the application is for use variances not site plan. However, if approved, revised plans would need to be submitted.

Attorney Kienz asks the applicant to provide testimony as to why the proposed use is beneficial.

Kalafut indicates that the residence located on the property has been vacant. The proposed use will be more aesthetically pleasing.

Anello indicates that the proposed improvements to the driveway, parking spaces and retaining wall are within the right of way.

Caruso informs the Board that Vallila owns the adjacent property and his business is located there.

Nelson discusses the residential use within the zone. The proposed use could be an over utilization of the property. The dimensions of the property need to be better explained.

Attorney Kienz states that the merging of the properties could reduce the required variances and bring the use into compliance with the Borough's ordinance.

Anello references the report and the drainage impact.

Kalafut discusses Lot 5 which is accessible only from King Cole Road. There are six parking spaces with handicapped spot.

At 7:51 p.m., the Board notes that there is no public in attendance.

Haig expresses his concerns about the distance from Route 23 to the proposed residence.

Nelson indicates that there should be testimony from the applicant as to why this property should be approved for a two family dwelling. He questions the proposed square footage of the units as compared to the existing structure.

Attorney Kienz indicates that it is not typical to stop the time for decision. However, the applicant may wish to meet with the Board professionals prior to requesting a decision of the Board members.

Haig requests a clearer vision as to what is being proposed including the dimensions of the structure.

A motion is made by Tempe, second by Haig to carry the application to the August 12, 2019 meeting with no further notice required in order to allow the applicant to meet with the Board professionals with Hall, Harby, Villagomez, Alakpa and Chairman Watts in favor.

PROFESSIONALS REPORT:

Nelson mentions he was recently contacted by the owner of the former Merry Go Round. It is suggested that the property owner should meet with the Board professionals to discuss the proposed use of the property.

PUBLIC COMMENT:

A motion is made at 8:04 p.m. by Haig, second by Tempe to open the meeting to the public with all others in favor. There is no public present.

A motion is made at 8:04 p.m. by Haig, second by Villagomez to close the meeting to the public with all others in favor.

CHAIRMAN'S AGENDA:

Watts suggests that the Board discuss a billboard sign ordinance.

ADJOURN:

A motion is made to close to the public at 8:05 p.m. by Tempe, second by Watts with all others in favor.

Respectfully submitted,



Wendy Brick
Secretary to the Land Use Board