

BOROUGH OF HAMPTON
PLANNING /ZONING BOARD OF ADJUSTMENT

PLANNING/ ZONING BOARD OF ADJUSTMENT MEETING

AUGUST 2, 2021

Chairman, Jeff Minchin, called the Zoom meeting of the Hampton Planning/Zoning Board of Adjustment meeting to order at 8:03 p.m. This meeting has been advertised in compliance with the Open Public Meetings Act in the Hunterdon County Democrat. A copy of this notice has been posted and is on file in the Office of the Municipal Clerk.

1. Flag Salute:

Roll Call: Present:	Pam Bailey	Rob Celentano
	Andrew Hurley (8:10)	Chris Masin
	Jeff Minchin	Chad Nathanson
Not Present:	Randy Newman	Todd Shaner

Budget Updates were tabled to the next Planning Board Meeting. Rob Celentano will reach out to Linda Leidner regarding Planning Board Budget for Calendar Year 2021. Table to next meeting

Master Plan Updates were discussed and determined that they will have Joe start off where they left off in December 2021. Planning Board Engineer, Joe Vuich to give recommendations to Master Plan with any new ordinances or any revisions to old ordinances, research other towns on focus on consistency with other communities on their Municipal Land Use ordinances and zoning and come back with recommendations to Planning Board in September regarding same. Planning Board looking into Integrating RS/IS Zones, as well as looking into improvements to areas such as improvements in lighting, curbs, and walkways. Joe Vuich will give us a memo of what other surrounding towns are working on to update their Master Plan as well. The Master Plan Committee consists of Jeff Minchin, Andrew Hurley, Rob Celentano and Pam Bailey. Table to next meeting. In the middle of Joe, Vuich, Engineer speaking, Planning Board Member, Andrew Hurley came into the Planning Board Meeting at approximately 8:10 p.m.

Motion was made by Andrew Hurley and seconded by Chris Masin to accept the Planning Board Minutes dated April 5, 2021. Roll Call Vote: All Ayes, Motion Carried.

Motion was made by Pam Bailey and seconded by Andrew Hurley to accept the Correspondence List. Roll Call Vote: All Ayes, Motion Carried.

Motion was made by Chris Masin and seconded by Chad Nathanson to approve the following bills and claims:

Bills from Law Office of Steven P. Gruenberg, Esq., Matter #20045, and Invoice # 1862 in the amounts of \$105.00 (Hicks Paving/July 6, 2021).

Bill from Law Office of Steven P. Gruenberg, Esq., Matter #19003, and Invoice #1861 in the amount of \$315.00 (General/July 6, 2021).

Bill from Law Office of Steven P. Gruenberg, Esq., Matter #20045, and Invoice #1969 in the amounts of \$150.00 (Hicks Paving/August 1, 2021).

Bill from Law Office of Steven P. Gruenberg, Esq., Matter #19003, and Invoice #1918 in the amounts of \$150.00 (General/August 1, 2021).

Bills from Beth McManus from Kyle McManus Associates, LLC, and Invoice #2827 in the amount of \$407.00 (General/July 16, 2021)

Finelli Consulting Engineering, Project #HAHP00042, and Invoice #33416 in the amounts of \$62.50 (Hicks Paving/July 30, 2021).

Finelli Consulting Engineering, Project #HAHP00060, and Invoice #33415 in the amounts of \$437.50 (General/July 30, 2021)/Related to several months of meeting

Roll Call Vote: All Ayes, Motion Carried.

At this time begin Public Hearing and Discussions for Amended Site Plan Approval for Hicks Paving, LLC. Alan Lowcher, Esq., who is filling in for our regular Planning Board Attorney, Steven P. Gruenberg, Esq. asked for any Planning Board Members who are Council to recuse themselves from this hearing. Rob Celentano stepped down from the meeting.

Mike Selvaggi, Esq., who represents Hicks Paving introduced himself and stated that the Resolution approved February 2019 did not allow water, septic or sewer on site and is here to see if can modify to allow water on site. Mr. Lowcher stated to Planning Board that Hicks Paving is seeking Relief from Conditions of Approval from Resolution from February 2019. Mr. Lowcher also stated that Mr. Gruenberg reviewed all of Hicks Paving Documents such as Notice of Hearing and Proof of Service and that the Planning Board has jurisdiction to proceed with the Public Hearing tonight.

Mr. Lowcher sworn in Sam Hicks 3rd. who is employed by Hicks Paving LLC and is familiar with the previous application and aware of the conditions listed on the Resolution. They overlooked the condition of not allowing water due to new grass and shrubbery needed to be put in on the property and was needed for safety reasons as well. Hicks's Paving had to relocate fire hydrant and put in with help of water official and person they hired Tom Bartlett. Do not intend to use water for truck washing, maintenance, or any other reason. Do not intend to lead it to installing any type of septic system and plan on putting a Port-a-John on premises. Reviewed the previous Resolution of what was not allowed and that the only additional condition looking for is water for outside purpose only. No intention of running water inside of the building.

Mr. Lowcher stated the purpose of meeting tonight is seeking an Amendment to Site Plan and Relief from Condition F of the Site Plan (February 2019) Use Variance Approval and to allow water usage/no septic on the property. Pam Bailey stated you can purchase an Industrial free standing eye wash station, therefore no need to have water for this reason. Pam Bailey provided a map which is being listed as Exhibit E1 outlining Hicks Property (google maps) onto road to Musconetcong River which is federally protected scenic/wild river and is on the council from Hampton. Hampton Borough gets water from Musconetcong and concern about them using water improperly on the property. Planning Board members feel have no assurances from applicant that they will not use water for other things other than water plants and grass and affecting impervious services around the property. Joe Vuich reiterated what is stated in the initial resolution of February 2021 and Planning Board only allowing water approval with additional considerations such as only allowed for exterior of building with 3 lines and submitting to quarterly bills be monitored and tracked to substantiate the use and support of the property, along with a free-

standing sign telling staff of the use of water allowed on the property. Been using the water all summer, 2020 with watering of the grass and shrubbery.

Planning Board Members have trust issues with applicant as they have added things to their property in past that was not part of their Resolutions on said property. Also, the fact that they took it upon themselves to had 3 water lines to the property. Water line is 200 feet from the property and one that is 10 feet away from the building. Would like to see where these are located with photographs of same.

Sam Hicks, Jr. is sworn in by Alan Lowcher, Esq. He said it is an oversight with water usage. Wants it for safety reason such as fire due to having Pole Building with Million Dollars' worth of equipment without water being next to the building or save a life. Mr. Lowcher reviewed resolution with conditions and none of reasons were brought up about needing water in past. Mr. Selvaggi would be inclined to show location of 3 water lines, monitoring the water usage and storm water management system.

Some suggestions to conditions of water usage are as follows:

1. Provide quarterly water bills to show water usage with using more than 10 percent of normal water usage would trigger an inquiry to same.
2. No interior water line to the building.
3. Reduce the water lines spickets to one (1).
4. Signage regarding the usage of the water for lawn and maintenance only with no truck washing allowed on the premises.
5. All other conditions of the Resolution of February 4, 2019 would remain in place and enforced accept as modified of any results of hearing tonight.

Joe Vuich felt that these suggestions/conditions would be allowed and tied into the CO. Can now open the meeting to the public. Close the public comment. Water lines was put in since July, 2020 per Mr. Hicks. Jeff Minchin stated that if we limited to one line would it meet the applicant's needs. Mr. Hicks stated that if limited to one that they would want to be closer to the building.

Mr. Lowcher articulated a potential motion for limited relief with site plan approval limited to change one part of Condition F of the Resolution that was adopted on February 4, 2019, stating no water and septic on site to remove the condition against water on site subject to the following possible conditions as follows:

1. Submitting quarterly water bills to show water usage compared to historical water bills greater than 10 percent that would trigger the Board to require obtaining jurisdiction if there is a violation that is noted on the premises.
2. Three (3) water line spickets reduced to One (1) water line spicket.
3. Signage regarding usage of the water for lawn and maintenance only with no truck washing allowed on the premises with the language being subject to the approval of the Planning Board Engineer and Attorney.
4. All other conditions of the Resolution adopted on February 4, 2019, would remain in place, and enforced as will the location of the one (1) water line spicket
5. Install an infiltration measure basin (catches oil/water) on premises.
6. Condition to have the previous water lines installed by Hicks Paving to be dug up and inspected for approval as no permits were given for same and approved by the Planning Board Engineer.

Planning Board Engineer stated Existing Storm Water Management system is comparable to rain usage for the area, but other measures can be brought on site if approved said motion and find that the applicant is not in compliance with what was approved tonight.

A Motion was made by Chris Masin to accept the Motion as articulated by Mr. Lowcher. Nobody from Planning Board seconded this motion. Therefore, the Chairman, Jeff Minchin asked if there were any other motions.

Motion was made by Chad Nathanson and seconded by Andrew Hurley to deny the relief for request of Condition F as stated in the Resolution adopted on February 4, 2019, denying approval of water lines to be installed on the premises. All Ayes, except for Chris Masin. Motion Carried.

At this time, Rob Celentano returned to the Planning Board Meeting.

Public Comment was given by Mr. Saharic who is here on behalf of his son, who is known as Father Michael Saharic of St. Anne's Church. Parking lot is a mess and looking to get it paved. Driveway by cemetery gate goes to grass area and was torn in (10 x 12 ft wide blacktop strip). Moved the curb and extend the new area along with a stoned area used for parking and wanted to have it blacktopped. Farmer concerned about runoff into the cornfield. Wanted to take out part of a stone wall and put in a swale in the grassy area to help with runoff of water so water goes into the cemetery instead of the farmer's field. Lot of work that has been done already had been done through Hicks Paving. What needs to be done to comply with the Land Use Codes and the Impervious Surfaces and making sure the farmer's field not going to be flooded by the runoff of water, so it goes into the grassy area of the cemetery. Planning Board advised that St. Anne's Church would have to apply for a Minor Site Plan Application. Would also need to provide us with a full or partial Survey of the Site as well as it relates to the farmer's property for runoff of water. Based on the checklist on Minor Site Plan might be able to request a waiver on certain areas of the Minor Site Plan per Joe Vuich, Planning Board Engineer. Need to address it first, before can determine where waivers may be accepted by the Planning Board. Public Comment now closed to the Public. Voice Vote: All Ayes

Motion made by Andrew Hurley and Seconded by Chad Nathanson to adjourn the Planning Board meeting at 9:28 p.m. Voice Vote: All Ayes, Motion Carried.

Respectfully Submitted

Sherry Minchin
Planning Board Secretary