

**BLAIRSTOWN TOWNSHIP
LAND USE BOARD
January 16, 2017**

MINUTES

The Blairstown Township Land Use Board met in a regular session on Monday, January 16, 2017, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Barbara Green, David Keller, Nick Mohr, Rosalie Murray, Mike Repasky, Joanne Van Valkenburg, Cynthia Dalton, Jim Sikkes, Debra Waldron, Dominic Daleo, Steven Sikkes, Anthony Iurato and Wickliffe Mott. Also present were: Board Engineer, Ted Rodman, and Board Attorney, Roger Thomas. Board Secretary, Marion Spriggs, was absent.

SALUTE TO THE FLAG: was recited.

THE SUNSHINE STATEMENT: was read.

Meeting was called to order by Roger Thomas who stated:

“Adequate notice of this meeting of the Blairstown Township Land Use Board has been provided in accordance with the Open Public Meetings Act (Chapter 231.P.L. 1975)”.

ADMINISTRATION OF OATHS:

Roger Thomas administered the Oaths of Office to Board members: Debra Waldron, Rosalie Murray, Nicholas Mohr, (Giovanna) Joanne Van Valkenburg, Cynthia Dalton, Dominic Daleo, Steven Sikkes, Anthony Iurato, and Wickliffe Mott.

ROLL CALL: was taken.

REORGANIZATION:

At this time, Roger Thomas called for nominations for the 2017 Chairperson.

Debra Waldron was nominated as Chairwoman by J. Sikkes and seconded by VanValkenburg.

There were no further nominations made for Chairperson.

Action: The nomination for Debra Waldron to serve as Chairwoman, was duly made by Mr. J. Sikkes, seconded by Mrs. Van Valkenburg. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

Chairwoman Waldron assumed the Chair, and called for nominations for the 2017 Vice Chairperson.

Jim Sikkes was nominated as Vice Chairperson by Mrs. Waldron and seconded by Mrs. Green.

There were no further nominations made for Vice Chairperson.

Action: The nomination for Jim Sikkes to serve as Vice Chairperson, was duly made by Mrs. Waldron, seconded by Mrs. Green. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

At this time Chairwoman Waldron, called for the following nominations:

Action: The nomination for Roger Thomas, Esq., Dolan & Dolan, to serve as Board Attorney, was duly made by Mrs. Waldron, seconded by Mr. J. Sikkes. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

Action: The nomination for Ted Rodman, Rodman Associates, to serve as Board Engineer, was duly made by Mrs. Waldron, seconded by Mrs. Green. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

Action: The nomination for Marion Spriggs to serve as Board Clerk, was duly made by Mrs. Waldron, seconded by Mr. J. Sikkes. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

Action: The nomination for Barbara Green to serve as Board Secretary, was duly made by Mrs. Waldron, seconded by Mr. J. Sikkes. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott – yes.

There was no nomination for **Land Use Board Planner.** Chairwoman Waldron explained the Board has no need at this time.

Resolution Complying with the Open Public Meetings Act

This Resolution will include adoption of the Schedule of Meetings and designation of The New Jersey Herald and Star Ledger as official newspapers, complying with the Open Public Meetings Act.

Action: A motion was duly made by Mrs. Waldron, seconded by Mrs. VanValkenburg, and unanimously approved, with no abstentions, to adopt the Schedule of Meetings and designate The New Jersey Herald and Star Ledger as official newspapers, complying with the Open Public Meetings Act.

LAND USE BOARD DEADLINE DATES:

Chairwoman Waldron declared that submission of information supporting applications must arrive at Town Hall **10 calendar days prior to meetings.** She explained this is an effort to give the Board members enough time to review the documents and requested this notice be read at each meeting.

MINUTES OF PREVIOUS MEETINGS: (As distributed prior to the meeting date).

Minutes of the December 19, 2016 Regular Meeting of the Land Use Board were approved, as written.

Action: A motion was duly made by Mrs. Murray seconded by Mrs. Dalton to approve the Minutes of the December 19, 2016 Regular Meeting of the Land Use Board, as written. Roll call vote: Green, Mohr, Murray, Van Valkenburg, Dalton, Waldron and Daleo –yes. Keller, Repasky, and J. Sikkes abstained.

RESOLUTIONS:

LB#08-16 Little Hill Fdn., Inc., Blk.1202, Lot 3.02 – Stillwater Rd., Min. Site Pl. & Blk. Var.

Chairwoman Waldron noted that a condition should be added stating this approval shall not run with the land but will be specific to this applicant. Roger Thomas noted this will be added as Condition #4.

Mrs. Green pointed out the Applicant said they would look into, and get back to the LUB, with info regarding what kind of a back-up security system would be in place during emergencies.

Roger Thomas agreed to add this as Condition #5, stipulating that the Township Engineer would be the recipient of this info.

Action: A motion was duly made by Mr. Keller seconded by Mr. Daleo to approve the Resolution with the aforesaid amendments for **LB#08-16 Little Hill Fdn., Inc.,** Blk.1202, Lot 3.02 – Stillwater Rd., Min. Site Pl. & Blk. Var. Roll call vote: Green, Keller, Mohr, Murray, Waldron and Daleo – yes. Repasky, VanValkenburg, Dalton and J. Sikkes – abstained.

COMPLETENESS:

None

PUBLIC HEARING:

LB#07-16 James Reiger, Blk.1505, Lot 1 – 51 Vail Rd., Min. Site Plan & Use Var.

Mrs. Green, Mrs. Dalton and Mrs. VanValkenburg and Mr. Iurato were recused for this application.

Michael Lavery, Esq. from Lavery, Selvaggi, Abromitis & Cohen, Hackettstown, represented the Applicant. He noted this is the old Gray Hills Auto Restoration facility @ 51 Vail Rd. Mr. Reiger currently has a millwork facility @ 42 Vail Rd. Mr. Reiger is looking to move down the street.

Mr. James Kyle, PP, Kyle Planning & Design, Hopewell, NJ was sworn in. He presented a brief overview of project.

The following exhibits were marked:

Exhibit A-1 – 2015 Aerial Photo & Tax Parcel Base Map.

Exhibit A-2 – Survey. Roger Thomas indicated this was submitted with the application.

Mr. Kyle said it is located in the VN zoning district. It is 47,000 sq. ft. It has an existing building on it. It is about 7,700 sq. ft. of footprint. It has 1 and 2 story portions. He said there is about 14,500 sq. ft. of useable space inside.

He explained the proposed existing building, its proposed use, and the surrounding area. He said there is no intention to improve the site at this point.

Ted Rodman's report of 11/17/16 was discussed. In particular pg. 3 comments were discussed.

James Reiger, the Applicant, Polkville Rd., Columbia, NJ, was sworn in.

He stated he has operated at 42 Vail Rd. for 4 to 5 years. He plans to continue producing cabinets, furniture and molding. Cabinets are built there and delivered, so there is little or no foot traffic. He has 2 employees currently. Hours of operation are 6a to 5p – closed Sundays. They keep the varnishes and paints in a regulation, fireproof cabinet. Deliveries are once or twice a month by a box truck or small tractor-trailer. There will be no outside storage. He is moving because he can't buy his existing building.

Lighting was discussed. A night light test will be performed. Ted Rodman will impose restrictions as a condition.

Plantings will be cleaned up. Mr. Mohr requested the plantings be limited in height and limited in type to prevent fire from being up against the building.

Ted Rodman asked that the errors on the drawing be corrected (Item #9). Mr. Lavery noted they would've been corrected but their surveyor, Daniel E. Yuhas, passed away unexpectedly. Chairwoman Waldron requested the LUB be provided a copy when the corrections have been done.

The existing apartment will remain vacant. Ted Rodman noted this approval would not include the apartment.

Mr. Keller questioned the functionality of the septic system. Mr. Reiger responded he did not want to test it, to find out he can't move there. He plans to test it, upon approval. It would be a condition of approval by the Warren County Health Dept.

Mr. Kyle presented positive vs. negative criteria, as required for a Use Variance.

Positive criteria:

- Site is particularly suited to the proposed use.
- Building has higher ceiling which is suited to the proposed onsite equipment.
- Sufficient access from Vail Road.
- Sufficient parking.
- Location is zoned for mixed use and is compatible with other uses there.
- Sufficient buffering to adjacent residential use.
- Promotes efficient use of land – reoccupying an existing building, not used for 15 years

Negative criteria:

Impact to surrounding properties

- There is a low number of employees
- 2 deliveries a month
- 2 outbound deliveries a month going to customers
- Very few visits to site

No work on Sundays

This building was used 15 years ago with 6 - 8 employees. At that time cars were brought to the site for restoration.

Activity proposed will be less intense than what was there previously.

Waldron expressed concern for the noise in this residential area. She asked that while working, doors be closed, and no construction outside the building. These should be conditions of approval.

There were no questions from the Board.

This portion of the Hearing was opened to the Public. There were no questions or comments.

Roger Thomas summarized, if approval is to be granted, the following be conditions:

Existing landscaping in the front of the building needs to be cleared up in away to assure there not be a fire hazard to the front of the building.

No outside storage.

The existing apartment will be abandoned.

Maximum of 8 employees, excluding the Applicant.

There will be a night light test.

Lighted hours will be 5:30 am (as needed, seasonal) to 7pm (as needed, seasonal).

Authorization for security light with a motion sensor. Location etc. - subject to Ted Rodman.

Waive paving on site.

Ted Rodman's Report 11/17/16 Comment #9 – be a condition.

Doors during business activity will be closed.

All construction activity will be inside the building.

Action: A motion was duly made by Mrs. Murray and seconded by Mr. Daleo, to approve **LB#07-16 James Reiger**, Blk.1505, Lot 1 – 51 Vail Rd., Min. Site Plan & Use Var. with the aforesaid conditions. Roll call vote: Keller, Mohr, Murray, Repasky, Sikkes, Waldron, Daleo and S. Sikkes – yes.

LB#09-16 DAHA Dato Properties, LLC, Blk.505, Lot 1.01 – 309 Rt. 94, Prel. & Fin. Major Site Pl.

Mrs. VanValkenburg and Mr. Iurato were recused for this application.

Attorney Keiling represented the Applicant.

Damon Dato, Applicant, Blairstown, NJ, John Hansen, PE, PP, Ferriero Engineering, Inc., Chester, NJ, and Shawn Baldwin, Builder, Blairstown, NJ were sworn in.

Attorney Keiling explained this property was purchased about 1 ½ yrs. ago. This was formerly The Slicing Solutions property which was built in 2007. It is about 10,000 sq. ft. They are looking to expand an additional 4,020 sq. ft. which will contain raw material, reels, paper which goes in between. 25,000 to 30,000 reels are used per year. 200 reels would fill up the entire area back there. They are big and bulky with a lot of volume.

Damon Dato explained they are a metal stamping company which does tool & die work. They buy coils of copper, brass and stainless steel which go through a press with interchangeable dies to produce 750 to 800 million pieces a year. Then they are shipped out in rolls to various customers. They are used in automotive electronics everywhere. The majority of the sales are from the automotive industry.

The products are produced on reels which are big, bulky and heavy. Since they take up a lot of space, as the requirement is growing, so is their need for storage. Operation of the fork lift results in a constant struggle for space.

The following exhibits were marked:

Exhibit A-1 which is a Sample part.

Exhibit A-2 Photo of 1 skid of raw material

Exhibit A-3 Photo of presses on side and barrels of scrap metal being sold
(denoting lack of space)

Exhibit A-4 View of the existing building currently, from the road
(Proposed addition would be going to the right hand side of the existing building)

Exhibit A-5 - Color Rendering

Exhibit A-6 Ltr. 1/3/17 from Richard Miller, PP, Warren Cty. Plan Dept. Re: exemption from review

Harold Finch, Blairstown Landscaper, trimmed the shrubbery initially. He recommended they be removed due to their age. They were removed. The area will be replanted.

There will be no new additions of employees, so the septic system is adequate and was tested at the time of purchase. There are 16 employees.

There are 21 parking spaces. Rarely are customers on site. Maybe a semi-annual visit for 4 to 6 hours will occur.

Chairwoman Waldron asked if there has been a change in the production at the building.

Mr. Dato explained they don't use a lot of cutting oils. No degreasing solvents are used. Safety Clean comes in every 6 months to clean the die wash area. Local Waste Service Company removes the compressor waste water. He assured that none of that would affect the property.

This portion of the Hearing was opened to the Public. There were no questions or comments.

Shawn Baldwin, Building Contractor, described Exhibit A-5, a color rendering, which matches the existing building. He explained the existing wall behind the barrels will be cut 8' x 8' to access the proposed additional space. The only added exterior door will be a man door, for safety. Construction materials will be the same as exist now.

This portion of the Hearing was opened to the Public. There were no questions or comments.

John Hansen, PE, PP, Ferriero Engineering, Inc. addressed the bulk variance. He explained the plans, which were revised 1/5/17. He noted this is in the GCI zone. He stated the addition would be for storage only. There are no environmental concerns. The only outside agency approval that must be granted is from the Warren County Planning Bd., which issued a letter (Exhibit A-6) of exemption. They addressed Warren Cty. Soil Conservation District's minor comments.

Mike Repasky noted on the Site Plan the Stormwater Management Basin Top of Berm elevation 388' needs to be corrected to 358'.

If volume increases, i.e. strokes per strip, Mr. Dato noted that does not mean additional employees will be added. Mr. Keiling pointed out that would possibly mean moving some of the machines over to the storage facility. Mr. Dato countered, any potential expansion is planned in the existing footprint.

Chairwoman Waldron questioned if there was a limitation on number of employees. Mr. Keiling responded the septic is equipped for 21.

Hours of operation will be 5:30am to 11p – 5 days a week. The majority of workers are there from 5:30a to 3:00p. There are shift workers that come in. Occasionally there is a 6 – 8 hour shift on a Saturday.

Mr. Hansen noted they are also requesting a (c) variance for a side yard setback of 51.0 ft. from the required 60 ft. Mr. Hansen categorized this variance as a hardship case.

Positive criteria:

The property has a unique shape with existing property lines.
It supports purpose G of the MLUL location wise.

Negative criteria:

No substantial detriment to the Zone Plan, Zoning Ordinance or the Public good.

Mr. Keiling noted for the record, this is a 5 acre site.

This portion of the Hearing was opened to the Public. There were no questions or comments.

Chairwoman Waldron confirmed that any new landscaping will match the existing landscaping in front of the building.

Ted Rodman asked that the proposed additional lighting on the westerly side of the building be shown on the drawing and the night light test be done.

Roger Thomas summarized, if approval is to be granted, the following be conditions:

Formal and informal landscaping plan be reviewed by Mr. Rodman.

Ted Rodman's Report 1/13/17 – Comments - Items 2, 6, 7, 8, and 9 should be conditions.

Lighting be reviewed by Mr. Rodman as part of the night light test. Proposed additional lighting on westerly side of building, for security purposes, be reviewed by him.

Action: A motion was duly made by Mr. Sikkes and seconded by Mr. Keller, to approve **LB#09-16 DAHA Dato Properties, LLC**, Blk.505, Lot 1.01 – 309 Rt. 94, Prel. & Fin. Major Site Pl. & C Variance with the aforesaid conditions. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Sikkes, Waldron and Daleo – yes. Dalton abstained.

CORRESPONDENCE:

NJ Planner - Nov/Dec 2016

12/30/16 Resignation e-mail from Frank Anderson, LUB Alt. #1 member.

OTHER BUSINESS:

LB#05-12 NWRHS – Solar Panels – *Follow up* to R. Thomas’ letter of 10/18/16 to Twp. Comm.

Chairwoman Waldron asked Roger Thomas to follow-up on the above letter.

COAH

Joanne V. revealed the Township is trying to eliminate the “overlay”. Roger Thomas stated that is relevant, as the LUB took action on the Settlement Agreement, which was deferred.

Roger Thomas noted he reached out to Kevin Benbrook, Esq. and is awaiting his response.

He advised the LUB to do nothing until the Plan is modified. At that time, the LUB will need to review and approve it.

Fair Share Housing – Settlement Agreement – update

The same information is applicable. (See COAH).

Darst #ZB04-10 / LB03-15 (2nd Amended)

R. Thomas Ltr. 12/19/16 to Ursula Leo, Esq.

Roger Thomas revealed that letter noted, He, Debra Waldron, Ted Rodman, and David Diehl, Zoning Officer still felt there were a number of matters still not in compliance.

He said, Mr. Diehl was going to proceed with appropriate action.

Roger Thomas offered to call David Diehl, hopefully tomorrow.

Chairwoman Waldron asked to be contacted this week re: same.

NWRHS LB#05-12 Solar Panels - *Buffer maintenance*

Chairwoman Waldron asked to be notified by Roger Thomas re: status of the above issue.

D. Diehl MEMO 12/19/16 response to R. Thomas Memo of 11/11/16

Design Standard Committee

Chairwoman Waldron noted this was addressed at the last Twp. Comm. Mtg. with regard to the sewers in the Township, for example.

She explained if this were to go through, there is a concern with the possibility of a developer removing historic buildings. In order to preserve them, there needs to be a design standard to protect them. Without it, there is nothing to protect the downtown village neighborhood changing from quaint, to modern.

Rosalie Murray, will act as Chairwoman. Anthony Iurato and Wickliffe Mott volunteered to be on this committee.

Roger Thomas added 3 are more than enough people.

Rosalie Murray will try to obtain information from Paul Avery who acted, in the past, as liaison to the Ordinance Review Committee. (Former Mayor and ORC member, Bill Seal, reported the ideas resultant of the ORC's meetings were passed along to Paul Avery for review to Township Committee. Bill Seal declared nothing further was conveyed back to the ORC.)

Chairwoman Waldron asked Mrs. Murray to provide a copy to the LUB.

Mrs. Murray declared the volunteers will get together, set a meeting date, outline a schedule of things to be done, and bring a report to the LUB every month.

Chairwoman Waldron stressed this is intended to maintain the rural character of the area, not change it. This would act as an example to new businesses.

She stated this would be an amendment to Chapter 19 Land Use Ordinance.

Burning Outdoor Ordinance – (continued)

Nick Mohr has information he wishes to share at the 2/20/17 LUB meeting.

NEW BUSINESS:

None

PUBLIC PORTION:

There were no members of the Public present.

VOUCHERS: Professional services rendered.

Action: Upon a motion duly made by Mr. Keller, seconded by Mrs. Green, escrow vouchers, as attached to these minutes, were approved. Roll call vote: Green, Keller, Mohr, Murray, Repasky, Van Valkenburg, Dalton, Sikkes, Waldron, Daleo, S. Sikkes, Iurato and Mott– yes.

ADJOURNMENT:

Chairwoman Waldron asked the Board for a motion to adjourn.

Action: On a motion duly made by Mr. Mohr, seconded by Mr. Repasky, and unanimously carried, the meeting was adjourned at 9:24 pm.

Respectfully submitted,

Marion C. Spriggs, Board Secretary