

**HAMPTON TOWNSHIP
PLANNING BOARD**

Minutes of October 18, 2012

The minutes of this meeting have not been formally approved and are subject to change and or modification at the next regular meeting of the Hampton Township Planning Board.

The meeting of the Hampton Township Planning Board was called to order at 7:30 PM by the Board Secretary.

STATEMENT: Mrs. Whitesell advised that this meeting is being held in compliance with the provisions of P.L. 1975 of the Sunshine Law. Adequate notice of this meeting has been supplied to the Official Newspaper of the Hampton Township Planning Board that being the Sunday and Daily New Jersey Herald and is posted in the usual location of posted notices.

MINUTES: A motion to approve the minutes of the September 20, 2012 meeting was made by Mr. Yetter and 2nd by Mr. Dooley.

ROLL CALL: Mr. Roberts, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Yes; and Mrs. Whitesell, Yes.

OPEN SPACE PRESENTATION

Glenn Schweizer, Chairman of the Open Space Committee gave an introduction and Barbara Davis of the Land Conservancy of New Jersey gave presentation of the overall plan and accomplishments of the Open Space Committee.

Since 2000 NJDEP Green Acres expended \$8,088.019 in the Township, Sussex County Awarded \$ 561,275 for five projects (three of which closed). 2,097 acres have been preserved and are owned by the State of New Jersey since 2000

Since 2000 Sussex County has 24 Farmland project were completed. Sussex County expended \$ 1,403,753.00. the State Agriculture Development Committee expended \$ 3,393.051 and a total of 1,384 Acres of farmland have been preserved.

Hampton Township's Open Space Trust Fund

This fund was approved by the voters in 1998 and established b ordinance in 1999. From 1999 to 2006 funded at \$0.03 adjusted to \$ 0.01 beginning in 2007 with a current balance \$ 955.840. Acquisition expenditures \$ 224,750.

APPLICATIONS:**12-02PB Kenneth Martin – Pet Smart – Block 3501, Lot 30.07, 30.08, 30.09 & 30.10 – Final Site Plan Approval.**

Present for this application was Jeffrey Kantowitz, Attorney for the applicant, Lawrence Bozik, Engineer for the applicant, Steven Martin and Kenneth Martin, property owners and Mark Lenze, project manager.

Mr. Morgenstern review his letter of October 4, 2012 in regards to completeness of the project. His general comments include the following:

1. Determine whether the application complete
2. Determine whether the conditions of preliminary site plan Resolutions have been met.
3. Determine whether the improvements shown on the preliminary site lan and in the Resolution have been installed.
4. Determine whether all easements, deeds and documents have been obtained and filed
5. If any improvements have not been installed, consider permitting the applicant to submit a performance guarantee for these additional improvements.
6. A deadline for the installation of the uninstalled improvements could be set.
7. Direct Applicant's Engineer and Township Engineer to submit an estimated of the appropriate amount of the performance guarantee.
8. Decide whether to recommend the issuance of a temporary certificate of occupancy until the improvements are in or whether to recommend the issuance of a final certificate of occupancy.

Mr. Simmons reviewed his letter of October 12, 2012 on completeness of the project as of October 11th.

Resolution Condition # 1 – Provide copy of the NJDEP approval for connection to the existing sewage treatment plant. - Exhibit A1 provided by Engineer

Resolution Condition # 2 – Provide updated exterior lighting plan/verify lighting in the field. – Will be done next week

Resolution Condition # 3 – Note the time for exterior lighting to be extinguished. 11 PM except for security lights – Applicant asked for a later time during the holiday season beginning November 1 to December 31 – One hour later.

Resolution Condition # 4 – Submit the completed storm drainage plan (Maintenance Manual) – Exhibit A2 provided by the Engineer

Resolution Condition # 8 – Paint the rear and north sides of the Pet Smart Building prior to the issuance of a certificate of occupancy – Applicant states that it has a clear coat of waterproof sealer – paint in the Spring.

Resolution Condition # 10 – Add the setback dimension from the rear property line to the Pet Smart Building – will add

Resolution Condition # 11

- a. As-Built storm drainage system to be reviewed and confirmed
- b. Provided copy of written approval of fire line and all relocated fire connections from the Fire Subcode Official
- c. Provide copy of written approval of sanitary sewer connection from Sussex County Health Dept. and NJDEP
- d. The configuration of the as-built outlet structure to be reviewed and the gating and poured concrete invert to be confirmed.
- e. Provide written certification on parking lot light foundations, building-mounted lights and loading dock retaining walls and railings. Exhibit A-3 & A-4
- f. Provide copies of the following final approvals.
 1. Sussex County Planning Board – Exhibit A-5
 2. Sussex County Soil Conservation – Provided 10/11/12
 3. Sussex County Health Department – Waiver, Sewer and Animal Related issues
 4. Hampton Twp Construction Official – Building & ADA Requirements
 5. Hampton Twp. Fire Subcode Official
 6. NJDOT – Access permit modification – A-6

Resolution Condition # 13 - Provide a date when all improvements shall be complete
12/31/13

AS-BUILT SURVEY

1. As of October 11, 2012 proposed building “A” and the 16,167 Sq. Ft. retail building to the north of Pet Smart have not been constructed – those improvements have not been constructed
2. Storm drainage grades for the drainage run from the trench drain in the Pet Smart loading dock to the Type “E” inlet result in a flatter slope than shown on the original site plan and the as-built plan shows 8” PVC instead of ductile iron pipe. There was water in the trench drain on the day of inspection. Applicant’s Engineer should verify the capacity of this drain run and the drain cleaned/repaired as necessary to make it functional.
3. Parking Lot Lights, plan shows additional lights – needs to be checked to see that an adequate level of light exists.

- a. Aisle area in front of Marshall's and in front of Home Goods
4. Check the outlet structure at the end of the 36" RCCP in the detention basin does not match the original configurations approved by this office. Applicants Engineer to review with Mr. Pellow's office.
5. Following items to be added to the As-Built Survey:
 - a. Watermain and Service line materials, curb box & gate valve off the 12" main
 - b. Landscaping
 - c. Signage for Pet Smart Store
6. Stormwater management plan to be filed in the County Clerk's Office & book and page shown on the As-built plan
7. Applicant's Engineer to provide all certifications and completion forms that may have been required by any permits obtained for this project.
8. Applicant's Engineer to provide written certification that the facility was constructed in accordance with the approved preliminary site plan
9. Copies of the load tickets for bituminous stabilized base and bituminous concrete surface course to be provided.

BONDING as of this date October 11th 2012 the amount to be bonded for is a total of \$ 86,148. A new amount may be established closer to the issuance of the Certificate of Occupancy .

A motion to deem application complete with waivers was made by Mr. Dooley and 2nd by Mr. Yetter.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Abstained and Mrs. Whitesell, Yes.

A motion to extend the light off time to 11PM from November 1 to January 31 for holiday sales was made by Mr. Dooley and 2nd by Mr. Roberts.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, No and Mrs. Whitesell, Yes.

A motion to Grant Final Site Plan Approval was made by Mr. Yetter and 2nd by Mr. Dooley.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Abstained; and Mrs. Whitesell, Yes.

A motion to adopt the Resolution effective tonight because the tenant would like to open before the Holiday Season begins was made by Mr. Dooley and 2nd by Mr. Roerts.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Abstained; and Mrs. Whitesell, Yes.

12-08PB Cage Investors – Minor Subdivision – Block 3501, Lot 44

Present on behalf of the applicant was Attorney Michael Lavery and Engineer Frank Matarazzo. Mr. Morgenstern reviewed his report on completeness.

General Comments

1. The applicant has revised the map completely and now has only 2 lots one in the Highway Commercial and the other in the residential zone.
2. Proposed Lot A will contain 54.664 acres in the R-3 Zone and has road frontage of 171.76 ft. while the zone require 250 ft. road frontage.
3. There is a residential house on that lot with accessory buildings.
4. There is no construction proposed at this.
5. According to the Hampton Twp. Master Plan they have an requested easement thru that property to connect Rt. 519 and Rt. 206 the applicant proposes to grant that easement at sometime in the future . Also on the Master Plan there was road right a ways proposed to go North and South in that area that is not shown on this map.
6. The applicant has obtained a LOI with respect to the wetlands from the DEP dated January 1, 2012. There are no Wetlands shown on this map.

VARIANCE – The following variance is needed for frontage, 171.16 ft. existing and 250 ft. required.

MINOR SUBDIVISION CHECK LIST –

Applicant has not shown any setbacks for the proposed subdivision, or soil logs and percolation tests and has not provided information on how they comply with the Affordable Housing Act.

Applicant has not made an Application to the Sussex County Planning Board for this subdivision.

Applicant should provide the information on the Ownership Disclosure Statement identifying all the individuals or shareholders in each of the disclosed entities. Great Expectations USA, CPC Legacy Trust and APC IV Legacy Trust.

A motion to deem application **INCOMPLETE** was made by Mr. Goytil and 2nd by Mr. Dooley. Applicant to make application to the SC Planning Board and furnish the Ownership Disclosure Statement complete.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Yes; and Mrs. Whitesell, Yes.

12-09PB Barbagallo – Minor Site Plan – Block 3603, Lot 1.02 – Garage Sale Warehouse

Present for this application was Attorney Richard Valenti of Morris, Downing & Sherred and owner Dominick Barbagallo. Mr. Barbagallo had presented a copy of the most site plan for this property to show adequate parking for building and the existing signage. He explained that he had been before this Board last year to get approval for a trial of the yard sale business disposing of family goods since all had downsized. The results from that was not to bad and that maybe they would do it on a regular basis. The building is 6000 Sq. Ft. Signs were discussed. Mr. Barbagallo was asked to make a Minor Site Plan Application with a variance and notice for the next meeting. He was granted permission to stay open until this approved with the following conditions: No more than 2 signs, 1 open flag and no outside display.

A motion to grant the request was made by Mr. Goytil and 2nd by Mr. Yetter.

ROLL CALL: Mr. Roberts Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Yes; and Mrs. Whitesell, Yes.

A memo was received from Committeeman Hansen in regards to the Emergency Exit at Hampton Commons not being maintained and someone having a garden in the space. Mr. Goytil stated that the Planning Board Resolution for that project stated that area was to be for Emergency Access and was to be maintained as part of the overall development. The Board secretary to write to the Hampton Commons Association to clear area immediately and maintain as they there other common grounds.

A motion to have the secretary write Hampton Commons was made by Mr. Goytil and 2nd by Mr. Dooley.

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Yes; and Mrs. Whitesell, Yes.

BILLS:

Harold E. Pellow & Assoc. – General	90.00
Harold E. Pellow & Assoc. – McDonald’s USA	1,065.00
Harold E. Pellow & Assoc. – Cage Minor Subdivision	797.51
Harold E. Pellow & Assoc. - KAI Dealership	315.00
Harold E. Pellow & Assoc. – Ephemeral Realty	630.00
Harold E. Pellow & Assoc. – Lowe’s	120.00

Harold E. Pellow & Assoc. – McGuire Chevrolet	510.00
Sussex County MUA – Lowe’s	7,380.50
Dolan & Dolan – General	293.00
Dolan & Dolan – McDonald’s USA	112.00
Dolan & Dolan – Ephemeral Realty	349.50

A motion to pay the bills as presented was made by Mr. Yetter and 2nd by Mr. Dooley

ROLL CALL: Mr. Roberts, Yes; Mrs. Rosko, Yes; Mr. Yetter, Yes; Mr. Dooley, Yes; Mr. Goytil, Yes; and Mrs. Whitesell, Yes.

ADJOURNMENT

A motion to adjourn at 10:35 PM was made by Mr. Goytil and 2nd by Mr. Dooley with all member present in Favor and None Opposed.

Respectfully submitted;

Mary Whitesell

Mary Whitesell
Secretary