

**MEETING MINUTES OF
THE PLANNING BOARD/BOARD OF ADJUSTMENT
OF HIGH BRIDGE BOROUGH**

Meeting Date: August 31, 2020, 2020

Meeting Time: 7:30 P.M.

Meeting Location: Zoom online Planning Board meeting

1. CALL TO ORDER:

This is regular meeting of the Planning/Zoning Board of the Borough of High Bridge. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in the Hunterdon County Democrat and the Express Times on January 9, 2020 and the Notice of agenda for this meeting were posted on the bulletin board in the Borough Hall.

2. FLAG SALUTE: Led by presiding officer.

3. ROLL CALL:

Coleen Conroy, present; Pablo Delgado, present; William Giordano, present; Don Howell, present; John Musnuff, present; Tom Wescoe, present, Chris Zappa, absent; Steve Dhein, present; Michele Lee, absent.

Also present were Board Attorney Caldwell, Borough Engineer Ruschke, Mr. Dickerson from Maser consulting and Planning Board Secretary, Barbara Kinsky. Board alternate Joseph Suozzo sat in on the Board until Board Member Wesco joined.

4. PUBLIC COMMENTS: It is the policy of the Planning Board/Board of Adjustment that all public comments on an issue shall be limited to five (5) minutes per person and no person may make more than one (1) comment per subject. Comments may be made on any subject pertaining to Board issues. Comments pertaining to Public Hearings should be saved for that section of the agenda. No debating between residents. Comments should be addressed to the Chairman and Board members at the public microphone. NONE

5. READING AND APPROVAL OF MINUTES: July 20, 2020

Motion to dispense with the reading of the prior meetings minutes:

Motion: Conroy Second: Musnuff Voice vote: Six ayes, one abstention by Howell. Motion passed.

Motion to approve the July 20, 2020 meeting minutes.

Motion: Giordano, Second: Musnuff Voice Vote: Six ayes, one abstention by Howell. Motion passed.

6. NEW BUSINESS:

Public Hearing of PB-app-02-2019, Block 19.02, Lot 81, 71 Main Street, owner: Benjamin Yu.

Motion to open the Public Hearing: Conroy, Second: Giordano. Voice Vote: seven ayes, motion passed.

Motion to grant preliminary approval for PB-app-02-2019 : _____ Second: _____

Coleen Conroy, _____ Pablo Delgado, _____; William Giordano, _____, Don Howell, _____; John Musnuff, _____; Tom Wescoe, _____, Steve Dhein, _____ .

Questions/comments:

Attorney Caldwell swore in Architect Mr. Christopher Pickell and the applicant Mr. Benjamin Yu. Testimony was given first by Mr. Pickell. He described the project. He explained that the applicant planned to live in the upper floors of the building on 71 Main Street. He also explained that the applicant is intending on creating an apartment in the back of the building and will be using the first-floor space for a pottery studio. The Borough Library will also remain on the premises in its current location. The exterior of the building will be left as is. Mr. Pickell explained the variances requested by the applicant. He stated that the use of having a 4-bedroom apartment would have a positive impact because there are currently residential dwellings in the surrounding properties. He opined that having an owner-occupied building would be beneficial. Mr. Pickell also testified regarding the square footage of the apartment. At this point Board Chairman Dhein asked for clarification regarding the issue with the square footage. Mr. Pickell cited from the letter from Borough Planner Green where she had calculated the square footage of the apartment to be 428 square feet. The Ordinance states that apartments need to be a minimum of 450 square feet. A discussion with the Board ensued regarding the definition of the square footage for the apartment. Attorney Caldwell expressed that the opinion of the Board Planner should be followed until such time as the Ordinance is reviewed and revised by the Board. Next Mr. Pickell spoke to the C variance requiring a loading zone. He explained that the library and the apartments do not require 15 feet by 40 feet loading zone and said that Mr. Yu would talk to the supply delivery for the pottery studio during his testimony. He did state that a loading zone of that size would not be necessary and there is not access for

large trucks in the back of the building due to the narrow entrance. Mr. Pickell also discussed the design waiver regarding lighting and stated that they would be able to meet the Borough's requirements for lighting so this would not be an issue and therefore no design waiver would not be needed as they will have the lighting standards meet the requirements of the Ordinance. Mr. Pickell finished his testimony and was cross examined by the Board and or Board professionals. Mr. Dickerson, who was representing Planner Darlene Green in her absence, asked for further information regarding some of the items in Ms. Green's review letter. Mr. Dickerson inquired about the pedestrian walkway/easement that the site plan did not illustrate. Mr. Pickell said that he has no knowledge of this but would update the site plan once he has the information. The Board Secretary will check on the status of this easement. Mr. Dickerson also inquired about the H/C spot designated in the parking lot. Mr. Pickell explained that these were historic spots and they will be restriped in accordance with ADA standards. Mr. Pickell also spoke to Mr. Dickerson's questions regarding the 7-foot car port. He says that he is aware that the clearance is low, but adequate. Mr. Pickell also spoke to Mr. Dickerson's questions regarding exterior change and stated that there would be 2 decks added to the back and that is the extent of the exterior changes at this time.

Chairman Dhein asked a question regarding handicapped accessibility to the pottery studio. Mr. Pickell explained that this would be addressed in phase two of the project. Engineer Ruschke explained that this would be a decision for the construction code official. Mr. Pickell stated that the proposed ramp is on the current site plan and that they are seeking approval for it now but deferring until they are ready to do so. Board Engineer, Mr. Ruschke asked about signage and the handling of garbage and recycling. Mr. Pickell stated that Mr. Yu would speak to these points.

Mr. Dickerson then asked for clarification regarding addressing of the negative criteria for the D variances. Mr. Pickell responded with his opinion that the noise, lighting, and parking will not increase impacts by having a four-bedroom apartment versus several two-bedroom apartments. Mr. Pickell also stated that they are decreasing the number of cars onsite and decreasing the parking, as well as maintaining residential in an area with existing residential. Mr. Dickerson then asked how this would impact the Master Plan. Mr. Pickell stated that he could not find the Master Plan online, and therefore he did not know. He stated that our ordinances do allow for retail on the first floor and residential on the upper floor of buildings. He does not feel this is a radical change to the Master Plan as Mr. Yu is renovating and revitalizing an older building. Mr. Pickell also testified that the building is below the floor area ratio (FAR) requirements as well as the impervious coverage.

At this point Attorney Caldwell spoke to the Board regarding his concerns that no testimony was being given by a certified planner. He stated that the witness was not qualified to testify as a planner. He stated that there was no testimony regarding the SICA standards or whether a variance meets the statutory criteria. Mr. Caldwell advised the Board that the case should just fail unless the appropriate legal and planning opinions that are necessary to justify this type of variance are presented. He stated that this is the risk that the applicant takes when he does not hire an attorney and does not have the case properly conceptualized. His opinion at the moment is that the applicant does not have sufficient evidence. A discussion ensued regarding the qualifications of the witness and how to proceed with the hearing for this application. Chairman Dhein asked for the witness to certify his credentials with the Board. Mr. Pickell certified his credentials as an architect with the Board and the Board accepted this certification. Attorney Caldwell confirmed with the witness that he is not a Planner and cannot testify as such. Mr. Caldwell also stated that he gives opinions and the Board they will choose to follow or not.

Motion to continue the Public Hearing to a future meeting date to be determined: Howell; Second: Giordano
Voice vote: Seven ayes, motion passed.

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8. DISCUSSION: Additional Meeting for September

The Board discussed and was polled regarding doing an additional September meeting. The Board decided to propose September 28, 2020 to Mr. Yu.

9. ADJOURNMENT: Motion to adjourn: Giordano; Second: Delgado Voice vote: Seven ayes, motion passed.

Next Meeting date: September 21, 2020

Meeting Location: High Bridge Rescue Squad, 95 West Main Street, High Bridge, NJ 08829 or Zoom online meeting

Meeting Time: 7:30 P.M.