

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

**Meeting Date:** September 21, 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 September 17, 2020 and the Notice of and 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, absent; John Musnuff, present; Tom Wescoe, present; Chris Zappa, absent; Steve Dhein, present; Michele Lee, absent.

Also present were Board Attorney William Caldwell, Board engineer, Samantha Anello and Board Secretary Barbara Kinsky. Board Alternate Joseph Suozzo joined the Board because of absent members. Let the record also reflect that there were no members of public or press in attendance at this meeting.

**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:** August 31, 2020

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

Motion: Giordano Second: Suozzo Voice vote: Six ayes, motion passed.

Motion to approve the August 31, 2020 meeting minutes.

Motion: Giordano Second: Suozzo Voice vote: Six ayes, motion passed.

**6. NEW BUSINESS:**

Board member Pablo Delgado recused himself from his Board member position as it was a conflict of interest due to the fact that his application was on the agenda for a Public hearing. The Board does still have a quorum after Mr. Delgado recused himself. Mr. Delgado did consent to moving forward with less than a full Board present.

Public Hearing of PB-app-01-2020, Block 7, Lot 5, 78 Main Street, owner: Pablo Delgado.

Motion to open the Public Hearing: Giordano Second: Musnuff Voice vote: Six ayes, Motion passed.

Attorney Caldwell swore in Mr. Delgado to testify. Mr. Delgado is the applicant and owner of the property. Mr. Delgado began his testimony with a description of his project. He explained that the variance he applied for is seeking relief from the requirement that a driveway must be 44 feet from an intersection. Mr. Delgado stated that when he purchased property in 2017, the driveway was already in use and not until the renewal of the second phase of the street scape project on Main Street, did the Borough engineers discover that this driveway had never been officially permitted. The fact that the sidewalks would need to be recessed to accommodate the driveway caused Mr. Delgado to initiate this process of getting a permit for the driveway. As a first step, Mr. Delgado reached out to the County to obtain a permit since Main Street is part of the county route 513. Mr. Delgado did get approval from the County. Mr. Delgado was then made aware of the distance restriction and the need to apply for variance relief from the Board of Adjustment. Mr. Delgado also summarized the communications between the Town engineer, Bill Burr and the Bord Engineer, John Ruschke. According to Mr. Delgado the town engineer was satisfied with the dimensions and slope of the driveway and was waiting for Board approval of the variance so that he can work the driveway into the Street Scape design.

Chairman Dhein asked Board engineer Samamtha Anello if she had any questions of concerns regarding this application. Ms. Anello stated that confirmation was obtained from Maser Consulting that the driveway was being taken into consideration with the Street Scape design. She also stated that the crosswalk near the location of the driveway would be eliminated and

therefore the ADA ramp that would no longer be in existence which eliminated a safety concern. Ms. Anello then requested that Mr. Delgado state for the record why he opted not to consider constructing a driveway from Center Street. Mr. Delgado stated that the grade on Center street is 10 feet lower than the grade of the back of his property and this would impact the slope of the driveway and make it very steep. He also stated that there are several trees on the backside of the property that would need to be removed. For these reasons he has not considered this as an option.

Chairman Dhein asked for questions and concerns from Board members. Mr. Suozzo asked Mr. Delgado to elaborate why Center Street is not feasible. Mr. Delgado responded that the driveway would be quite steep and not feasible especially considering the issue with slope. Mr. Delgado also mentioned a retaining wall that would need to be redesigned. Mr. Delgado believes that the town owns the retaining wall but is not certain of ownership. Mr Suozzo then asked a question regarding the County permit. He noted that the County permit indicated a requirement that the driveway apron be a minimum of 25 feet deep and 27 feet wide, but the site plan Mr. Delgado submitted indicated the driveway apron to be 22 feet deep and 27 feet wide. Mr Suozzo inquired how this would be addressed by Mr. Delgado. Mr. Delgado replied by saying that he believes the sidewalk is included in the County measurement and that the County issued his permit based on the site plan dimensions that he submitted.

Chairman Dhein asked Mr Delgado to testify to the size and activity on Center street. Mr. Delgado replied that although Center Street is a two-way Street, the street is very narrow. He stated that the street does not get much traffic, mostly residents and local traffic.

Board Member Musnuff expressed a concern regarding the possibility of the property being used for retail and suggested that the in and out usage of the driveway could increase, which could cause a safety issue. He suggested that the Board limit the usage to tenants. Chairman Dhein asked the applicant if he would agree to the usage being for tenants only. Mr. Delgado stated that he prefers no restrictions but would be amenable to this restriction. Mr. Delgado asked the Board if they would agree to also allowing employees to park there should the property be used for a retail or commercial use.

Mr. Musnuff asked Mr. Delgado if his property backed up to Mill Street and if so, was that option investigated. Mr. Delgado affirmed that the property does border Mill Street, but due to the steep nature of the street he did not consider this a viable alternative. Mr. Caldwell stated that certainly the County would have investigated all other possible options and if they approved the project, they most likely considered and eliminated these other choices.

Mr. Wescoe asked if the driveway receives approval for tenants only, how will the public know this. Mr. Caldwell stated that the Board could require the applicant to put up a sign indicating that parking is restricted to tenants only, but this could be done at a later date.

Chairman Dhein asked how soon he would need the Resolution, should it pass. Board Secretary, Barbara Kinsky stated that she would reach out to the Borough Engineer and Administrator, Bonnie Fleming and would inform the applicant of their response.

Motion to close the Public Hearing: Giordano Second: Musnuff Voice vote: Six ayes, Motion passed.

Motion to approve driveway within 40 feet of the intersection under the condition that no commercial parking is permitted: Giordano Second: Conroy

Coleen Conroy, aye; Pablo Delgado, recused ; William Giordano, aye , Don Howell, absent, John Musnuff, aye; Tom Wescoe, aye; Steve Dhein, aye; Joseph Suozzo, aye. Six ayes, motion passed.

**7. PUBLIC COMMENTS:** It is the policy of the Planning Board/Board of Adjustment that all public comments on an issue shall be limited to one (1) minute 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

**8. ADJOURNMENT:** Motion to adjourn: Musnuff; Second: Suozzo Voice vote: Six ayes, motion passed.

**Next Meeting date:** September 28, 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.

RESOLUTION

BOROUGH OF HIGH BRIDGE

COUNTY OF HUNTERDON

STATE OF NEW JERSEY

NUMBER: PB08-2020

Adopted:

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IN RE APPLICATION OF PABLO DELGADO FOR INSTALLATION  
OF A DRIVEWAY ON PROPERTY KNOWN AS BLOCK 7, LOT 5.

WHEREAS, the applicant has applied for relief to allow the installation of a driveway within forty (40) feet of an intersection; and

WHEREAS, the County of Hunterdon Department of Engineering has concurrent jurisdiction over the driveway as it opens onto County Route 513; and

WHEREAS, the County of Hunterdon has previously approved the application; and

WHEREAS, based on the testimony of the applicant the Board makes the following findings of fact and conclusions of law:

1. The property is currently improved with a residence and commercial use.

2. The property also fronts on two other municipal streets.

3. The physical circumstances of the property involving steep slope make it physically impossible to install a driveway that would provide for safe and efficient vehicular access to the site.

4. The current driveway is large enough to provide space for three vehicles.

5. Those vehicles have to back-out onto the County Road since there is inadequate space for turn-around on the property.

6. Although the driveway is currently within forty (40) feet of the intersection such condition does not currently pose a threat to the health, safety and welfare of the occupants of the property or members of the public assuming that all drivers would exercise due circumspection in the operation of their vehicles.

7. Notwithstanding the foregoing, the utilization of the driveway should not be allowed to be intensified such that entry/egress to the driveway provides more than low intensity use i.e. access only for the occupants of the structure

8. Accordingly, in order to assure as much as possible the safety of the occupants and members of the public the approval of the driveway within forty (40) feet of an intersection should be restricted to non-commercial use of the driveway.

9. The applicant shall include in any lease agreement this restriction.

10. Based on the foregoing the Board finds that the application is conditionally approved.