

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

Meeting Date: January 25, 2021 - **Meeting Time:** 7:30 P.M.

Meeting Location: Zoom virtual meeting

1. CALL TO ORDER:

This is a 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 Democrat and the Express Times on January 21, 2021 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: P = Present, A=Absent

Coleen Conroy, present; Pablo Delgado, present; William Giordano, present; Joseph Suozzo, present;

John Musnuff, present; Tom Wescoe, present; Natalie Ferry, present; Steve Dhein, present, Michele Lee, absent.

There were four members of the public present, Brian Sedlak, Wayne Ingram, William Edleston and Maureen Hagen. Also present were Board Attorney William Caldwell, Board Engineer, Kevin Nollstadt. Board Planner, Darlene Green arrived at 7:45 p.m.

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: January 11, 2021

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

Motion: Suozzo Second: Ferry Voice vote: Eight ayes, motion passed.

Motion to approve the January 11, 2021 meetings minutes.

Motion: Giordano, Second: Ferry Voice Vote: Eight ayes, motion passed.

6. PLANNING BOARD OLD BUSINESS:

Motion to open Public Hearing for PBapp-04-2020: 95&97 Cregar Road, Block 19, lots 16&18: Suozzo

Second: Giordano Voice vote: Eight Ayes, motion passed.

The applicant's Attorney, William Edleston gave a brief overview of the application. He described the project as a lot line adjustment with no improvements proposed. The purpose of this lot line adjustment is to allow the residential structures located on each lot to be totally confined within the lot lines of the newly adjusted lots. There are some bulk variances necessitated in connection with this application. There are existing nonconforming situations for each lot, and there will be some non-conforming situations following the lot line adjustment.

Mr. Edleston then called his first witness, Mr. Wayne Ingram. Mr. Ingram was sworn in by Attorney Caldwell.

Mr. Caldwell stated that because Ingram has testified before the Board numerous times he does not need to state his credentials for the Board. The Board accepted Mr. Ingram as an expert engineer and planner.

Mr. Ingram began his testimony by describing the application. He stated that the purpose of this application is to move 4,000 square feet of lot 16 to lot 18. They are currently in common ownership and have been for years and the consequence of that is that some of the features of lot 18, including the driveway, are over the property line. The front of the deck on the structure is extremely close to the property line. Land that is used more by lot

18 than lot 16 is currently on the other lot. Before the lots are sold, the applicant is trying to normalize the lots and put the land with each lot that uses that part of the parcel. Provisions need to be put in place so that the lots can operate independently. There are some existing nonconforming conditions that exist on the lots. There is a flag lot in the rear. The lot line is proposed to be moved so that there is more front yard. The size of lot 18 increases and becomes more conforming while lot 16 becomes less conforming. The rationale is that this area is not currently utilized by lot 16, as it serves lot 18 with the driveway being located on lot 16. Mr. Ingram believes that this is in line with the C-2 variance. The purpose is to create a desirable visual environment by creating a natural front yard for lot 18, as well as putting the driveway on the appropriate lot. Mr. Ingram stated that he feels there are no detriments to such a variance because they are not changing anything about the site. The site will look the same if approved. There will be no alteration to how the lots operate. The second variance being sought is for accessory structures. Lot 16 currently has three accessory structures, a shed, a gazebo and a garage. These structures will continue to exist in the proposed lots. All the structures have been there for some time and legality and permits are unknown. He feels the three structures are necessary for the lot. He opined that doing this is superior to the alternatives of altering the driveway. Moving the lot line forward allows the driveway to stay as it is presently. Mr. Ingram stated that one easement is being proposed, located at the front of the driveway. The two lots share access to Cregar Road at the front of the lots before they separate. Mr. Ingram proposes a cross access easement across each of the properties. He feels this will benefit each lot in terms of access and maintenance over that shared piece of land. This will be an improvement of the existing condition as it will put a formal decree in place which will legalize that cross access. Mr. Ingram did state that the Board Planner's letter did outline other existing nonconforming conditions, however all of those are existing and not to be changed. The front yard of the rear structure does become conforming if this application were to be granted. There are no changes in impervious surface or site features.

Chairman Dhein asked a question regarding the driveway as it is depicted on the plans. Mr. Ingram explained that the other sheet of plans shows the proposed lot line adjustment and how the driveway is no longer on the other lot.

Mr. Suozzo asked a question regarding the January 5, 2021 letter from Darlene Green, specifically item #11 which refers to the attached deck. Mr. Ingram stated that they were interpreting the deck as an accessory structure, but Ms. Green did not.

Chairman Dhein then asked a question regarding item #4 from the same letter from Ms. Green. Mr. Ingram clarified that this just described the easement that is being proposed for the access to Cregar Road. He also stated that they are amenable to the Board and Board Professionals reviewing the draft deed before recording the deed.

Mr. Musnuff asked Mr. Ingram to confirm that the easement is for access to Cregar road and shortly thereafter the residents would be on their own property. Mr. Ingram confirmed that this was correct, they diverge after the apron. Mr. Musnuff also asked for clarification for the reasoning for moving the lot line. Mr. Ingram stated that by moving the line forward it gives the driveway more space, puts it on the appropriate lot and provides more of a front yard for lot 18. It allows for the rear lot to have the appropriate lot frontage set back lines. The lot line is also set so that the existing accessory structure maintain the proper setback distances so as not to create a situation where those structures become nonconforming in their locations. Mr. Musnuff inquired as to the age of the home and if a formal easement currently exists for the shared driveway. Mr. Ingram stated that no easement exists currently. He then deferred to Ms. Hagen who indicated that the home on the rear lot was built in 1955.

Board Planner, Darlene Green asked a question regarding the driveway and how it appears to still be a bit over the lot line. Mr. Ingram confirmed that the driveway will be entirely on the appropriate lot. It is a gravel driveway, and the angle of the shot affected the drawings. He stated that it was error in drafting. Ms. Green stated that her other concerns were addressed. She stated that the application is straight forward. At this time Mr. Edleston stated that applicant rests.

Public Comments: Brian Sedlak commented that the proposal makes sense if the lots are to be individualized.

Motion to close Public Hearing for PBapp-04-2020: 95&97 Cregar Road, Block 19, lots 16&18: Giordano
Second: Ferry Voice vote: Eight ayes, motion passed.

Motions to approve PBapp-04-2020 Giordano Second: Ferry

Conroy: yes, she feels since all the professionals' questions have been answered. She feels it is appropriate to add that area to lot 18, so that the driveway is no longer shared and makes sense.

Delgado: yes, he feels it is a reasonable request to make lot 18 a more appropriate lot size. He feels the lot line adjustment has been done in a way that is sensible for both lots.

Giordano: yes, he feels the applicant met all the requirements that the professionals requested.

Suozzo: yes, he feels that the applicant addressed all the issue raised by our professionals. He feels the testimony was clear and met the criteria and overall, there is improvement, and it makes the back lot a more appropriate rendering.

Musnuff: yes, he feels both lots are currently non-conforming but after approval the back property becomes more conforming with better front yard setbacks. He also feels it is wise to not have the driveway on the other property, but instead to have a cross access easement instead.

Wescoe: yes, he feels it was admirable of the applicant to clearly identify title of the properties.

Ferry: yes, she feels it was a reasonable request and everything was clarified and clearly stated.

Dhein: yes, he feels it is reasonable request to split the property to allow for the sale of one or two of the lots. Eight ayes, motion passed.

Chairman Dhein asked Mr. Caldwell if the applicant can proceed before the resolution is approved. Mr. Caldwell explained that the next step is to submit the deed with the language for the cross easement and that can be done before the resolution.

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: Suozzo Second: Giordano Voice vote: Eight ayes , motion passes.

Next Meeting Date: February 8, 2021

Meeting Location: Zoom virtual meeting

Meeting Time: 7:30 P.M.