

CALL TO ORDER

Mr. Taylor called the meeting to order at 7:30 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, Sections 4 & 13.

FLAG SALUTE:

Ms. Leo swore in Ms. Tamarith Deller and Mr. Mark Andersen as alternate members of the Board.

ROLL CALL: Members Present: Hughes, O’Leary, Leuthe, Van Sickle, Aikens, Potter, Madewell, Deller, Andersen, Taylor.

Members Excused: Suljic.

Members Absent: None.

Also Present: Ursula Leo, Esq.
Nevitt Duveneck, PE

MINUTES: January 17, 2019, January 24, 2019

A motion to approve the minutes of the January 17, 2019 meeting with the noted corrections was made by Mr. Leuthe. It was seconded by Mr. O’Leary and passed with a roll call vote. Ayes: Hughes, O’Leary, Leuthe, Taylor, Van Sickle, Aikens, Potter, Madewell.

A motion to approve the minutes of the January 24, 2019 meeting was made by Ms. Van Sickle. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Hughes, O’Leary, Leuthe, Van Sickle, Aikens, Potter, Madewell, Taylor.

Mr. Hughes advised the Board that the Township Committee is handing out survey cards to see if there is interest from businesses along Routes 15 & 94 to hook up to Elizabethtown gas. He said the Municipal Building would be hooked up to the gas line.

Mr. Hughes said there has been a problem with soil being trucked into Lafayette. The Township Committee is considering an ordinance to regulate the importation of soil. He said the concern is the soil could be contaminated. The Zoning Officer has been monitoring the situation.

Mr. Hughes said there is a developer interested in moving their business to the former Schering/Merck site. They are pursuing a wastewater permit. They may be interested in a Technical Review Committee meeting.

Mr. Hughes said the updates for the zoning map have been sent to Finelli Consulting so they can be added to the map. The Board Secretary confirmed all changes through the end of 2018 have been sent in.

COMPLETENESS / HEARINGS / CONCEPT:

1.) H Street, LLC B: 10 L: 3.01 PSP18-10, FSP18-11, VAR18-12

Mr. Hughes and Mr. O’Leary stepped down from the Board for this hearing due to the request for a use variance.

Mr. Glenn Kienz, Esq. said he was representing the applicant.

Mr. Duveneck went over his report with the Board. He recommended the application be deemed complete. A motion to deem the application complete was made by Mr. Leuthe. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Leuthe, Van Sickle, Aikens, Potter, Madewell, Deller, Andersen, Taylor.

Mr. Kienz asked if the notice was in order to which Ms. Leo said yes. Mr. Kienz said the applicant wants to move their existing business in Lafayette to new and bigger location. He said they are seeking preliminary and final site plan and three variances.

Ms. Leo swore in Mr. Owen Dykstra, PE, and Mr. Brian Fagersten, owner and Mr. Jason Dunn, PP. Mr. Dunn gave his qualifications, which were accepted by the Board. Mr. Dykstra gave his qualifications, which were accepted by the Board.

Mr. Fagersten, President of Sparwick Contracting said they repair and build bridges and repair roads. He said they have been in Lafayette since 2001. They have 25-35 employees with seven full-time in the office and the rest are in the field. Their jobs are long-term jobsites and the workers go directly to the jobsite. Two drivers will come in the morning. Mr. Fagersten said they were looking to increase the office staff and the number of offices needed and it made financial sense to purchase the subject property and move the business as opposed to an addition on the existing site. He wants to keep his business in Lafayette. Mr. Fagersten said the majority of the equipment stored onsite are small tools, jackhammers, excavators, construction supplies, generators and traffic control equipment. The majority of the equipment is at the jobsite and the yard has only about 20% of the equipment that does not get used on a regular basis. He said they have one mechanic onsite for small repairs. Large repairs are sent out. They have a crane onsite and when fully extended it has a boom of 120 feet. It transports at 12 foot high. He explained how the crane gets moved. It stays retracted in the yard.

Mr. Fagersten said Sparwick Contracting has one tenant they work closely with who does their temporary structure engineering and they have only two employees. The other tenant is a non-profit with two employees. Mr. Fagersten said there is still more space that can be rented out. Mr. Kienz asked the Board to approve that if the applicant has a tenant with a complimentary use, in the future, the town could ok it without having Mr. Fagersten come back to the Board.

Mr. Duveneck asked if the applicant intends to vacate the existing site and move everything to the new site to which Mr. Fagersten said yes.

Mr. Dunn explained sheet 1 of the plans submitted with the application. He explained the location of the site, the wetlands on the property, and the neighborhood. He noted the property is in the Residential Zone and within the Gateway Overlay and the Ridgeline Viewshed Protection Areas and said they are aware they must comply with the overlay requirements. Mr. Dunn explained the shared driveway with the neighboring lot.

Mr. Dunn explained sheet two of the plans submitted with the application. He explained the boundaries and the existing conditions. He said the building was previously owned by Lion Technology which was a non-residential use and explained what Lion Technology did. He noted Lion Technology had a lot of in and out traffic and explained how the proposed use is different. Mr. Dunn explained the site to the Board. The septic is in good condition and was replaced in 2007; there was a pool that had been filled in, concrete patios in the back and wetlands on the southwest corner of the property.

Mr. Dunn presented a color version of sheet 3 of the submitted plans which was marked and entered as exhibit A-1. He explained the layout of the site. The application is before the County Planning Board and they will have jurisdiction of any driveway modifications. There will be no changes to the exterior of the existing building. There will be a small non-profit occupying one of the offices and Genesis Engineering will occupy one of the offices in the rear of the building.

Mr. Dunn said they are proposing a 4,800 square foot building with overhead doors and traffic circulation all around it. He explained the proposed fencing, which will have slats on the side facing the rear of the property and on the side facing Sunset Inn Rd. The other sides will not be visible from any property or roadway.

The applicant is proposing a stormwater detention basin and some trees will have to be removed however, it will not lessen the buffering.

Mr. Dunn explained the parking and said they calculated there is enough parking for the proposed use however there would not be enough parking if the building was fully occupied. Mr. Kienz requested a variance for the parking. Mr. Dunn said there is room to add parking spaces if the need arises. He explained the lighting to the Board. The hours of operation are 6:00 a.m. to 5:30 p.m. and all lights will be off after closing for the evening. Mr. Kienz requested the lights be allowed to stay on until 8:00 p.m. in case a job runs later than usual.

Mr. Dunn presented a color plan dated 2/21/18, which was marked and entered as exhibit A-2. He explained the topography and landscape to the Board. The rear of the property will have added landscape screening. The Board engineer will check the landscape to make sure it is effectively buffering the site. Mr. Kienz said he spoke to Counsel from the neighboring Cemetery and the proposed landscaping was acceptable to them. Mr. Chad Warnken, attorney for Restland Memorial Park, was present and confirmed this statement. Mr. Dunn explained the trash enclosure and the two existing sheds will remain. Mr. Dunn explained the sign will be replaced with the same size sign with Sparwick information. He explained the proposed 4,800 square foot structure to the Board. The building will have a steel roof and cultured stone on the front.

Mr. Dunn addressed the Gateway Overlay Zone and how they will comply with the requirements.

Mr. Madewell asked if the buffering was in place of the fence. Mr. Dunn said the evergreens would be planted on the outside of the fence. Mr. Leuthe asked if a berm could be added to give the buffering more height. Mr. Dunn said no because the elevation where the trees are going is 8 foot in height. Mr. Dunn noted the existing chain-link fence is in the right away and it will be up to the county if its needs to be removed.

Mr. Duveneck expressed a concern with the number of parking spaces for the future tenants. Mr. Dykstra said Sparwick is taking 71% of the building with only about nine on-site employees, and there is enough space to add parking if needed. He said the three proposed uses requires 18 spaces and the existing parking is plenty unless the use changes. Mr. Duveneck asked if the crane would fit into the proposed garage to which Mr. Fagersten said it would fit but would only be in there or service. All heavy maintenance will be done offsite.

There was a discussion on the number of required parking spaces needed if the building were fully occupied. It was agreed that the parking spaces would be banked for future tenants.

Mr. Dunn went over the positive and negative criteria. He felt the property was not suitable for residential use. He felt the proposed use fits in with the zone scheme and it is a less intense use than before. Mr. Dunn said while there will be an increase in impervious coverage; the positive effects of the project outweigh the negative.

Mr. Dunn noted the applicant was not asking for curbing and asked for a design waiver for it.

Mr. Leuthe asked about the color of the newly proposed building. Mr. Dunn said it would be a neutral color.

Ms. Deller asked if the light post in the parking lot would be left on for security purposes to which Mr. Dunn said no.

Mr. Taylor opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

Ms. Leo noted the application was for preliminary and final site plan approval and went over the requested variances and design waivers and conditions with the Board. Mr. Duveneck asked to add a condition that no trees other than what is needed to construct the stormwater basin and proposed structure be removed.

A motion to approve the application with the conditions made by Ms. Van Sickle. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Leuthe, Van Sickle, Aikens, Potter, Madewell, Deller, Taylor.

Mr. O'Leary returned to the Board.

2.) DeVenezia Realty, LLC B:4, L:2.04 ASP18-6, VAR18-7 (Deemed Incomplete 12/20/18)
The Board Secretary advised there have been no updates.

RESOLUTIONS:

1.) Restland Memorial Park B:10 L:3.02, 4 FSP18-8, FSP18-9

A motion to approve the resolution with the noted corrections, was made by Mr. O'Leary. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Leuthe, O'Leary, Van Sickle, Aikens, Potter, Madewell, Taylor.

AUDIENCE:

Mr. Taylor opened the meeting to the public. With no public coming forward, the meeting was closed to the public.

OLD BUSINESS:

1.) Belgium Block Curbing Requirement

Mr. O'Leary said the RSIS requires curbing on roads depending on the use of the road. He felt some of our roads are not heavily traveled the curbing is getting broken up with plowing and is a cost to repair. Mr. Duveneck said the advantage of curbing is to protect the road from cracking on the edge and helps direct Stormwater. The curbing does force the town to have more inlets to capture the water. It is a maintenance issue and a lot of work to repair them. He said he does not have an issue not having them in a rural area like Lafayette. He said the town could come up with a standard to not require them however; the Stormwater Management Plan may need to be updated. He said the advantage of a swale is the water is pretreated before it enters the basin. Mr. Duveneck felt the curbing is appropriate in commercial development. Ms. Deller suggested an angled curbing to help keep it from being broken up. Mr. Duveneck felt that would be a better option than the straight up and down curbing. Mr. O'Leary felt the ordinance needs to be changed so the Board could decide when it is appropriate. There was a discussion on curbing and swales and where they would be appropriate.

The Board agreed to have Mr. Duveneck draft ordinance provisions for the Board's consideration.

Mr. O'Leary discussed a redevelopment area. He said it is a long and expensive process however; he felt the Carson property is underutilized and would be a good area for redevelopment. He said it was discussed at the Township Committee meeting.

NEW BUSINESS: None.

ORDINANCES: None.

ZONING REPORT: None.

Mr. O'Leary said there have been issues with the property located at 141 Route 15. He said they are building a house on a non-conforming flag lot and they are building beyond the original foundation. He said they have removed the existing foundation and are building a new house. Mr. O'Leary said the owner should have come before the Board for a variance. Mr. O'Leary felt the State building inspectors are not focusing on the zoning issues of the project. The Board Secretary will refer the matter to the Zoning Officer since it is a zoning enforcement issue.

BILLS: Bills List #3

Mr. Leuthe went over the bills with the Board.

A motion to pay the bills as presented was made by Mr. O'Leary. It was seconded by Mr. Madewell and passed with a roll call vote. Ayes: O'Leary, Leuthe, van Sickle, Aikens, Potter, Madewell, Deller, Andersen, Taylor.

CORRESPONDENCE: None

With no business on the upcoming agenda, the Board agreed to cancel the February 28, 2019 meeting.

A motion to cancel the February 28, 2019 meeting was made by Mr. O'Leary. It was seconded by Mr. Leuthe and passed with everyone saying aye.

ADJOURNMENT:

With no further business to come before the Board, a motion to adjourn was made by Mr. Leuthe. It was seconded by Ms. Van Sickle and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Board Secretary