

1st: Moore
 2nd: Bace
 Date: 3/17/22

Minutes of March 3, 2022

The Regular Meeting of the **Hazlet Township Land Use Board** scheduled for March 3, 2022 was called to order at 7:00 PM with a Salute to the Flag followed by a Moment of Silent Prayer and a Reading of the Letter of Compliance.

ROLL CALL:

Present: Mr. Cavanagh, Mr. Moore, Mr. Glackin, Mr. Aagre, Mr. Fabozzi, Mr. Bace, Ms. Bossert, Mr. Grossman, Mr. Lencsak

Absent: Mr. Pereira, Mr. Horner

Professionals: Mr. Vella, Esq., Mr. Rizzo-CME Associates, Mrs. Keegan-Zoning Official

MOTION: To approve the minutes of the Regular meeting of February 17, 2022.

Offered By: Moore **Seconded By:** Bossert

Voice vote: Yes

Memorialization case #21-18L: Costco, 2835 Highway 35; Block 192, Lots 1, 1.01 and 3, CD zone. Applicant was granted Preliminary and Final site plan approval to conduct ADA parking improvements at the existing site.

Offered By: Bace **Seconded By:** Bossert

<u>ROLL CALL</u>	<u>YES</u>	<u>NO</u>
Mr. Cavanagh	<u>X</u>	<u> </u>
Mr. Moore	<u>X</u>	<u> </u>
Mr. Fabozzi	<u> </u>	<u> </u>
Ms. Bossert	<u>X</u>	<u> </u>
Mr. Horner	<u> </u>	<u> </u>
Mr. Pereira	<u> </u>	<u> </u>
Mr. Bace	<u>X</u>	<u> </u>
Committeeman Aagre	<u> </u>	<u> </u>
Committeeman Glackin	<u>X</u>	<u> </u>
Alt #1 Vacant	<u> </u>	<u> </u>
Alt #2 Mr. Grossman	<u>X</u>	<u> </u>
Alt #3 Mr. Lencsak	<u>X</u>	<u> </u>
Alt #4 Vacant	<u> </u>	<u> </u>

New case #21-23L: Valenza/Traut, 78 Thirteenth Street; Block 39, Lot 4, R-70 zone. Applicant is seeking variances to retain an existing covered patio, concrete patio, shed and pavers.

Mr. Vella confirmed jurisdiction and marked Exhibit #A-1 as Plans and Survey, A-2 as Colored photographs and LUB-1 as CME's report dated 1/3/2022.

Thomas Numann (son of seller of house), Theresa Valenza (homeowner) and Jeffrey Trautz (homeowner) sworn in.

Mr. Numann: Stated that his parents had put an addition on the house 40 years ago that included the existing overhang and patio. They do not meet the required setbacks. The shed on the left side of the yard has been removed. The shed on the right side is 4' from the property line and has been there for 20 years. There are also pavers along the back side of the house.

Mr. Rizzo: Explained that there are four variances required: covered patio at 8.7' where 10' is required, concrete patio at 9.9' where 10' is required, shed on right at 4.1' where 5' is required and 2'x16' pavers at 2.1' where 5' is required.

Mr. Trautz: Stated that the lot is not large and that the items could not be moved to conforming locations.

Public comments: No one spoke.

Motion: To approve

Offered By: Glackin **Seconded By:** Aagre

<u>ROLL CALL</u>	<u>YES</u>	<u>NO</u>
Mr. Cavanagh	<u>X</u>	<u> </u>
Mr. Moore	<u>X</u>	<u> </u>
Mr. Fabozzi	<u>X</u>	<u> </u>
Ms. Bossert	<u>X</u>	<u> </u>
Mr. Horner	<u> </u>	<u> </u>
Mr. Pereira	<u> </u>	<u> </u>
Mr. Bace	<u>X</u>	<u> </u>
Committeeman Aagre	<u>X</u>	<u> </u>
Committeeman Glackin	<u>X</u>	<u> </u>
Alt #1 Vacant	<u> </u>	<u> </u>
Alt #2 Mr. Grossman	<u>X</u>	<u> </u>
Alt #3 Mr. Lencsak	<u>X</u>	<u> </u>
Alt #4 Vacant	<u> </u>	<u> </u>

Motion approved.

New case # 21-22L: JJP Realty/BP Gas Station, 375 Middle Road; Block 120, Lot 68, R-100 zone. Applicant is seeking Preliminary and Final site plan and Use variance approval to install new underground gasoline storage tanks, enlarge pump islands and modify canopy. Pre-existing, non-conforming use in the zone.

Committeeman Glackin and Committeeman Aagre recused from Use variance application. Mr. Grossman recused as his property is within 200' of the site.

Mr. Vella confirmed jurisdiction and marked Exhibit #A-1 as Site plans by Bertin Engineering dated 10/21/2021, A-2 as Survey dated 3/23/2016, A-3 as Correspondence from Mr. Gale and LUB-1 as CME's report dated 12/13/2021.

Jeffrey Gale, attorney for JJP Realty came forward to represent applicant.

Peter Steck, Planner sworn in.

Mr. Steck: Explained that the gas station was a non-conforming use in the residential zone that dated back to the 1960's. Applicant wants to make improvements to the site so requires a Use variance. Exhibit A-4 marked as aerial photographs taken by him. The site is an irregularly shaped corner lot that is less than 40,000 square feet.

Mr. Calisto Bertin, Engineer sworn in.

Mr. Bertin: Explained that the site is along Middle Road which is also county road 516. Exhibit A-5 marked as Colored rendering of site plan. The site is a commercial building with a 3 bay garage and pump islands existing in the R-100 residential zone. The applicant is proposing to replace the underground storage tanks in the same location, upgrade the pumps and island and install a new canopy. The new tanks will be double walled and monitored for leaks. There will be no changes to the building. The new canopy will not be connected to the building. They will be adding a kiosk/attendant booth on the island. There will be a new trash enclosure on the left side. Hours of operation will continue to be 6 am-10 pm seven days for the gas station. The garage will be open 7 am- 6 pm six days a week. They will be milling and paving the lot and restriping parking spaces. An electric vehicle charging station will be added to the right side of the lot. There is a residential driveway that has an easement that crosses the property to access the house in the rear. There are no changes proposed to the driveway or the rear of the property. A drywell will be added to capture runoff from the canopy. A buffer of shrubs will be added around the trash enclosure. The applicant is requesting a letter of no interest from the county and there is no soil conservation approval required due to the scope of the project.

Public comments:

Michael Morrison, 6 Pine St sworn in.

Mr. Morrison: Has concerns about site lights shining into his windows and cars in the rear of the building. Asked about fencing in the rear.

Laura Pillar, owner of 377 Middle Road (house behind site) sworn in.

Ms. Pillar: Wanted to confirm that there will be no changes to the driveway easement and asked about screening/fencing in the rear to buffer the view from the house.

Tara Rodriguez, tenant of 377 Middle Road sworn in.

Ms. Rodriguez: Requested that trash receptacles be placed on the right side near the driveway and a fence along the property line.

Ellen Lamb, 18 Pine Knot Ave sworn in.

Ms. Lamb: Expressed her concern about the lack of curbing along Pine St and requested landscaping in the rear.

Joseph Lamb, 18 Pine Knot Ave sworn in.

Mr. Lamb: Expressed his concern about increased traffic on his street. It is already used as a cut through during school hours.

Public comments closed.

Mr. Steck: Explained that the applicant is upgrading the station to meet state requirements. Two more pumps will be added to better serve the public. The new canopy will provide coverage, light and open space. There are other commercial uses close to the site including a fire house directly across the street. The upgrades will bring the station into compliance with modern codes and safety regulation. The changes are consistent with the master plan and there is no substantial detriment or impairment to the zone.

Public comments: No one spoke.

Mr. Vella read the list of conditions into the record if the application was approved.

Motion: To approve with the conditions noted.

Offered By: _____ Moore _____ **Seconded By:** _____ Fabozzi _____

ROLL CALL

Mr. Cavanagh

YES

NO

Mr. Moore

X

Mr. Fabozzi

X

Ms. Bossert

X

Mr. Horner

X

Mr. Pereira

Mr. Bace

X

Committeeman Aagre(**recused**)

Committeeman Glackin(**recused**)

Alt #1 Vacant

Alt #2 Mr. Grossman(**recused**)

Alt #3 Mr. Lencsak

X

Alt #4 Vacant

Citizen Hearing: No one spoke.

Motion: To close citizen hearing.

Offered By: Moore **Seconded By:** Fabozzi

VOICE VOTE: Yes

Motion: To Adjourn

Offered By: Moore **Seconded By:** Fabozzi

VOICE VOTE: Yes

Respectfully submitted:

Laura McPeck