

AUGUST 2, 2016

The regularly scheduled meeting of the Liberty Township Land Use Board was called to order by Chairman Ray Sosnovik at 7:30 PM.

The Pledge of Allegiance was recited.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Star Gazette, and by notice to The Courier News;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Sosnovik, Pasko, Jarvis, Cummins (arrived at 7:41 PM), Beyer, Hawkswell.

Absent: Schaaf, Grover, Wicki, Tibak, Snyder, Ward.

Also present: Richard Schneider, Esquire; Paul Ferriero, P.E.

MOTION was made by **JARVIS** to approve the **minutes** of the **July 5, 2016** meeting, as written.
SECONDED: SOSNOVIK.

Those in favor: Jarvis, Sosnovik.

Opposed: None.

Abstained: Pasko, Beyer, Hawkswell.

The executive session minutes were tabled for action until the end of the meeting.

Docket 01/16: Carant Limited Partnership

Block 12, Lots 14 & 16

Present for the applicant: Kevin Krystopik, Esquire; Frank Matarazzo, P.E.; Carmen PioCosta

Krystopik supplied a copy of a construction permit issued to the property for the installation of a handicap ramp.

Schneider indicated the Board Engineer, in his report dated July 28, 2016 and under Section I. Application Completeness, recommended the waiver of item numbers 9, 17, 19, 20, 21, 22, and 29 for the purposes of completeness only.

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MOTION was made by **HAWKSWELL** to deem the application for **Docket 01/16: Carant Limited Partnership** complete, and on the recommendation of the Board Engineer, grant the above waivers.

SECONDED: BEYER.

Those in favor: Jarvis, Beyer, Hawkswell, Sosnovik.

Opposed: None.

Abstained: Pasko.

Cummins arrived at 7:41 PM, and arrived prior to the public hearing discussion on Docket 01/16: Carant Limited Partnership

Krystopik explained the applicant is seeking an extension of the available parking for the existing structure onto an adjacent lot. Krystopik stated the area to be developed as additional parking is currently in a gravel and grass state. Krystopik explained that both subject lots are currently owned by the applicant. The proposed use for the existing building would be professional office use, which is an allowed use.

Frank Matarazzo, P.E. was sworn in by Schneider, and was accepted as an expert witness in the areas of civil engineering and professional planning. Matarazzo explained the structure was previously used as a single family dwelling, and is currently under construction for a professional office use. Matarazzo explained the details of the application: the parking on the adjacent lot, light fixtures to be added, number of parking spaces to be offered with bumper guards, the area for the dumpster, and the unused area of the gravel space not used for the proposed parking to be removed and seeded.

Hawkswell asked if there would be easements defining the parking on the adjacent lot. Matarazzo replied there would be cross-easements in perpetuity filed. Schneider asked if a formal parking easement document would be filed, and Matarazzo replied that was correct. Ferriero stated the document should be submitted to be reviewed by the Board Attorney. Matarazzo and Krystopik agreed to submit the cross-easement document for review by the Board Attorney.

Schneider asked if the twelve parking spaces proposed are on both subject lots. Matarazzo replied the parking spaces are located on both lots. Schneider asked if there were any other uses on the Lot 14. Matarazzo replied there is a helipad on Lot 14.

Matarazzo stated further the Route 46 access would be widened from 12' to 24', and a paved apron would be installed in accordance with NJDOT standards.

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Schneider asked how the parking spaces were calculated. Matarazzo replied the number of parking spaces was based on proposed office use. Matarazzo stated the parking calculations were based on one space per 200 square feet for the existing 1,743 square feet of office use. Matarazzo explained 8.7 parking spaces were required, but the applicant is providing 12 spaces.

Carmen PioCosta was sworn in by Schneider, and stated the intended use was to be an insurance business.

Jarvis asked about the location of the dumpster. Ferriero suggested the dumpster should be rotated 45 degrees for easier access. PioCosta stated the business owner would have light trash only, and there might not even be the need for the dumpster.

Cummins asked if the handicap parking space width would be 16', and Matarazzo replied it would be.

Sosnovik asked if the handrail would be installed, and PioCosta replied it would be installed.

Jarvis asked if some landscape plants would be installed. PioCosta replied he would provide some landscaping. Ferriero stated there should be some landscape plants installed, but an actual landscape plan should be provided. Ferriero stated the plan should include decorative plantings along the structure, as well as buffer landscaping along the property boundary.

Matarazzo stated there is a 6' high stockade fence along the rear property line, and buffer plantings shouldn't be necessary. Jarvis questioned who owns the fence. Matarazzo replied the fence appears to be just off the subject property. PioCosta stated he didn't want to install a row of bushes along the fence, and he didn't think that property owner was present tonight. Ferriera stated the landscaping should be installed, because the existing property owner might not be there forever and a new owner might remove the fence.

Ferriero suggested a row of evergreens could be installed on the south side of the property, and they would provide a shield for Lot 15 from the parking lot lights. PioCosta replied he would plan to provide plantings in that area, and decorative plantings around the building.

Sosnovik asked what was planned for a sign. Schnieder indicated there was no sign design submitted. Schneider stated the board could approve, conceptually, a conforming sign, but no variances were requested. Ferriero asked if the sign would be lighted. Matarazzo stated there was no plan to light the sign. Cummins stated that lighted signs aren't permitted by Ordinance.

Ferriero asked if the parking lot expansion would be an overlay over the existing area. PioCosta replied the prior inhabitant had gravel and deteriorated pavement in the parking lot area.

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Ferriero stated the applicant should submit calculations regarding the enhanced impervious surface in order to address the impact on the storm water management system. Krystopik stated the applicant was requesting a waiver, because they planned to simply plant grass and revitalize the existing area only. Jarvis suggested grading the area to funnel the water outward. Ferriero stated he would have to look at the plan, but they could possibly sheet flow the water onto Lot 14. Krystopik asked for a waiver of the storm water management plan. Ferriero indicated if the water was sheeted properly to drain to the adjacent lot, the plan could be waived. Ferriero stated the plan would have to be revised to show how that would be accomplished.

PioCosta also mentioned they would attempt to channel the roof runoff through gutters in order to prevent icing on the front porch.

Ferriero stated the proposed building light appeared to conflict with the ramp. Ferriero suggested the light should be shifted south toward the handicap parking stall. Ferriero recommended a pole light to be installed in front of the utility pole near the entrance, and not mounted on the utility pole. Ferriero stated a copy of the light fixture detail should be submitted.

Ferriero went over the remaining items in his July 28, 2016 report, and indicated the applicant is also subject to approval by the standard outside agencies. PioCosta and Matarazzo indicated they would comply with the testimony given, and revised plans would be submitted for review by the board engineer.

The hearing was opened to the public for comments and questions.

Eleanor Hendershot, 404 Route 46, stated she lives across the street, and does not want any additional light added to the area. Hendershot stated she might contact JCP&L for a shield on the existing utility pole. Ferriero stated that JCP&L would provide a shield if they were contacted. Cummins suggested that Hendershot contact the Township Clerk for the JCP&L contact information. PioCosta stated the front light would go off at 9:00 PM.

There were no other comments from the audience.

PioCosta asked for a waiver of the installation of the shade trees. Schneider stated that could be an item indicated in the landscape plan.

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MOTION was made by **JARVIS** to grant variance, preliminary and final site plan approval for **Docket 01/16: Carant Limited Partnership, Block 12, Lots 14 & 16**, subject to the conditions agreed to in the testimony offered by the applicant and his professionals, and compliance with the items indicated in the board engineer's review letter dated July 28, 2016.
SECONDED: CUMMINS.

Pasko indicated he may have a conflict with the applicant, and would abstain from the vote.

Those in favor: Beyer, Hawkswell, Jarvis, Cummins, Sosnovik.
Opposed: None.
Abstained: Pasko.

MOTION was made by **CUMMINS** to adjourn the regular session at 8:46 PM to **Executive Session** in order to discuss pending litigation.
SECONDED: HAWKSWELL.

Voice vote: ALL IN FAVOR.
Opposed: None.
Abstained: None.

Jarvis left the meeting.

Upon reconvening at 9:05 PM, **MOTION** was made by **CUMMINS** to authorize the Township Committee to pay the **invoices** submitted by the professionals.
SECONDED: HAWKSWELL.

Those in favor: Hawkswell, Pasko, Cummins, Beyer, Sosnovik.
Opposed: None.
Abstained: None.

MOTION was made by **CUMMINS** to approve the **Executive Session minutes** of the July 5, 2016 meeting, as written.
SECONDED: SOSNOVIK.

Those in favor: Cummins, Sosnovik.
Opposed: None.
Abstained: Pasko, Beyer, Hawkswell.

The Chairman adjourned the meeting at 9:07 PM.

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Respectfully submitted,

Patricia D. Zotti, Admin
(As Written)