

**A REGULAR MEETING OF THE PLANNING BOARD OF THE TOWNSHIP OF SANDYSTON,
COUNTY OF SUSSEX, STATE OF NEW JERSEY WAS HELD ON MONDAY, MAY 1st, 2017
AT THE MUNICIPAL BUILDING BEGINNING AT 7:00 P.M.**

Chairman Utter called the meeting to order. This meeting has been advertised in accordance with the Open Public Meetings Act by advertising notice of the meeting in the N. J. Herald and posting copy of the notice in the Sandyston Township Municipal Building.

Roll Call:

Messrs. MacDonald, Pinzone, Cunico, Green, Powers, Smith and Utter.

Absent: Huber, Harper, Milligan, and Sinha

ALSO PRESENT: Glen Gavan, Board Attorney
David Simmons, Board Engineer

MINUTES:

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to approve the minutes of the meeting held on Monday, April 3rd, 2017 with correction to remove Beckenthal application title on 2nd page. Upon roll call the following votes were cast: AYES: All in favor. NAYS: None. ABSTAIN: MacDonald. Motion carried.

VOUCHER REPORT:

A MOTION was made by Mr. Smith seconded by Mr. Pinzone to approve the April 3rd, 2017 voucher report. Upon roll call the following votes were cast: AYES: MacDonald, Cunico, Smith, Green, Pinzone, Powers, Utter. NAYS: None. Motion carried.

CRISCUOLI & GAVAN, LLC

General: None.

Escrow:

Invoice #52 – YMCA - #3-2016	\$448.00
Invoice #106 – Tamara Beckenthal – 02-2015(A)	\$384.00

H.E. PELLOW & ASSOCIATES, INC

General: None.

Escrow:

Invoice #63784 – Tamara Beckenthal - #02-2015A	\$161.50
Invoice #64254 – Keith Sutton - #01-2017	\$455.00

CORRESPONDENCE: None.

ENGINEER REPORTS: The following reports were reviewed by the Board and placed on file

Application #01-2017 – dated 2/7/17 - Variance Plan for Keith Sutton – Blk 502 Lot 68.01 – 14 Hiram's Grove Rd

Application #01-2017 – dated 3/30/17 - Variance Plan for Keith Sutton – Blk 502 Lot 68.01 – 14 Hiram's Grove Rd

Application #03-2017 – dated 4/25/17 - Concept Plan for PMG NJ , LLC – Blk 905 Lot 2.04 & 2.05 – 299 Hwy 206 S

FORMAL APPLICATION:

SUTTON APPLICATION # 01-2017 – BLOCK 502 LOT 68.01 – “C” Variance – private driveway. Project Name: Private Driveway Variance

The applicant, Mr. Keith Sutton, was sworn and testified that he was seeking a variance approval for a private driveway entrance. He explained that the engineer plans were submitted to the Board Engineer and amended as necessary and per his suggestions. The Board Engineer, David Simmons, reported his findings as per his report submitted to the Board for this application.

The applicant's Engineer Scott Lyon, of Lyon Engineering was sworn in and testified to the reports and revisions submitted to the Attorney and Board Engineer. As there were minor changes to the final draft of the engineer plans, the submission was marked as A-1.

There was some comment that the property of application has access by both Martha Street and Hiram's Grove Road. The driveway is planned for Hiram's Grove Road. It was noted by the Board Engineer that there may be additional easements required by JCP&L to access property via Martha Street. It was clarified by Board Attorney that the work by JCPL is not within the scope of this Board and no approval granted at this meeting guarantees their work.

When asked, Mr. Sutton explained that he preferred the entrance to the property to be from Hiram's Grove Road rather than Martha Street. The matter was then opened for public comment.

Mr. Caputo of Hiram's Grove Road expressed concerns that the new driveway could impact his property by increasing the water runoff. The applicant's engineer showed the plans to Mr. Caputo so there was an understanding of where he thought the runoff could be an issue. Mr. Caputo was concerned that black top could be an aspect of this concern. He was then shown where the black top would stop. He was advised that this was taken into consideration when the engineering calculations were done for this site plan. Mr. Caputo asked about creating a berm and was advised that the natural flow of water could not be redirected. He continued to ask what he could do if he did have additional water? He was advised by the Board Attorney that would be a future matter as the findings today were that the issue would be De Minimis to the application. When asked he assured the Board that he was satisfied with the answers provided and understood that

The Board Engineer mentioned a natural retention that is shown on the site plan and suggested that the area be preserved and not filled in so as to exacerbate the water runoff issue. The Board Attorney assured that wording could be arranged with the applicant's approval to maintain that area remain undisturbed in the event that future development is considered on the property.

The matter was closed to the public with no further comment.

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to grant the Variance for reduced road frontage of the subject property. Upon roll call the following votes were cast: AYES: MacDonald, Cunico, Smith, Green, Pinzone, Powers, Utter. NAYS: None. Motion carried

A MOTION was made by Mr. Cunico, seconded by Mr. Pinzone to approve to grant construction on the lot with public frontage. Upon roll call the following votes were cast: AYES: MacDonald, Cunico, Smith, Green, Pinzone, Powers, Utter. NAYS: None. Motion carried

INFORMAL DISCUSSION:

PMG New Jersey II, LLC # 03-2017 *Engineer Concept Review* – BLOCK 905 LOT 2.04 & 2.05. - Proposed Concept Store with Upgraded Fueling Operations

Professionals from the firm of Stonefield Engineering appeared before the Board to present the concept review. This is not a formal application and no relief is being sought at this time. A presentation was provided of the concept review for the subject property.

The concept was concerning developing the current property to be a 24-hour convenient store with upgraded fueling station which would include diesel fuel for tractor trailers. To understand the presentation there was some discussion regarding the flow of traffic. Concerns that may be an issue should a formal application be submitted were addressed such as ingress and egress concerns, lighting/sound buffers with regard to residential homes in the area, landscaping, etc.

No formal action was or can be taken from this meeting.

AUDIENCE PARTICIPATION:

Brian Quinn, 177 Route 645 Sandyston explained that there is currently one or two trucks a night delivering gas to the station there now. The owner of the station has arranged that the drivers can turn on the light and turn it off by the pole as needed which is "nice" as it does not disturb the area. Mr. Quinn does not believe this is a 24 hour location and that the lights will definitely shine directly in their house and into their bedrooms at night. He moved in this area because it's a peaceful area. Mr. Utter explained that the Board is presented an application the applicant is guided by what the limitations could be based on the municipal code and land use law. The Board will be confined to the bounds of the town ordinances.

Katherine Quinn, 177 Route 645 Sandyston asked how long a process like this takes. It was explained that there was no way to tell and that it can be a process based on preparedness and ability to gain approvals from other agencies such as State and County departments.

Kurt Koback, 175 Route 645 Sandyston explained that there is a creek that runs along the property in the back that wasn't addressed in the concept plan.

RESOLUTIONS:

MOTION was made by Mr. Smith, seconded by Mr. Pinzone to approve a the memorialization of a Resolution in the matter of Tibok - Appeal of Denied Zoning Permit, block 501 lot 5, Hotalen Road, application #02-2017 decided on April 3, 2017. Upon roll call the following votes were cast: AYES: MacDonald, Cunico, Smith, Green, Pinzone, Powers, Utter. NAYS: None. Motion carried

OTHER BUSINESS: None.

A MOTION was made by Mr. Cunico, seconded by Mr. Powers to adjourn the meeting. AYES: All in favor. NAYS: None. Motion carried.


Beth Brothman
Board Secretary