

REGULAR MEETING

Lebanon Township Planning Board
530 West Hill Road Glen Gardner, N.J.

July 7, 2020

The 929th Regular Meeting of the Lebanon Township Planning Board was called to order at 7:25 p.m. by Chairman Gary MacQueen. Present were: Ms. Bleck, Mr. Weiler, Ms. Koehler, Mr. Skidmore, Attorney Gallina, Engineer Risse. **Excused:** Mr. Wunder, Mr. Duckworth, Mr. Schmidt, Mr. Piasecki & Mr. Rich.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 14, 2020, faxed to the Hunterdon Review Hunterdon County Democrat, Express Times, Star Ledger and posted on the Lebanon Township Website and on the Bulletin Board in the Municipal Building on July 1, 2020.

PRESENTATION OF MINUTES: February 18, 2020 Regular Meeting

Motion by Ms. Bleck and seconded by Ms. Koehler to approve the minutes with a minor correction. Unanimously approved.

APPLICATION FOR COMPLETENESS, WAIVERS AND SET PUBLIC HEARING:

Darryl Pennisi Block #61 Lot #34
1 Minor Subdivision & Variance Mt. Airy Road R5

Attorney Howard Apgar along with the applicant Darryl Pennisi were present to discuss completeness and waivers. Engineer Risse reviewed for the board his June 30th report. The following items are requested waivers: **Item 16** – Surface Water Management Plans are required for completeness. There is no construction being proposed at this time. This should be a condition of approval for when the lot is developed, **Item 33**- contours at 2' intervals within site and 200' of the tract. A partial waiver since no construction is proposed at this time, **Item 45**- Environmental Inventory Plan. Applicant is requesting a waiver since application was previously approved but deeds were never filed. Board must consider this waiver request, **Item 56**- Public Utility will serve letters, waiver is recommended based on application. **Item 59** – the Soil Erosion & Sediment Control Plan in accordance with state standards, waiver requested based on application, **Item 60**- Plans and profiles of utility layout, waiver requested based on application. **Item 72**- Photographs of the property for board to make an informed decision on application. Recommend waiver for completeness only. Engineer Hill addressed the waiver items. Ms. Koehler noted that one lot would only be 4.82 acres and asked about the soil test results. Ms. Bleck noted that the soil tests passed in 2001. Mr. Pennisi went over the history of the property.

At the conclusion of the board's discussion, motion by Ms. Koehler and seconded by Ms. Bleck to grant the waivers with the stipulation that **Items 16**-(condition in resolution), **33**- (partial waiver) contour elevations to be labeled, **72**- photos will be provided at public hearing. A public hearing date is set for August 18, 2020 at 7:00 pm. Unanimously approved.

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APPLICATION TO DEEM COMPLETE, WAIVERS (Items 18, 23, 33 (partial) & 45)

Michael & Sheena Delgaizo
Conditional Use/Site Plan

Block #38 Lot #5.04
Hickory Run Road R3

Attorney Guy Wilson was present along with the applicants Michael & Sheena Delgaizo to discuss completeness and waivers. Engineer Risse reviewed for the board his May 21, 2020 report. The following are the requested waivers: **Item 18**- digital copy of the plan in a format approved by Board Engineer, **Item 23**- completed application to the Hunterdon County Board of Health, **Item 33**- Existing contours at 2' intervals within site and within 200' of the tract, **Item 45**- Environmental Inventory Plan. **Item 18**- is for completeness only and can be a condition of any approval, **Item 23**- for completeness only and can be a condition of any approval, **Item 33** – applicant is requesting a partial waiver and has provided topographic contours in the developed portion of the property, **Item 45**- waiver is reasonable for completeness purposes. Engineer Risse said these waivers are reasonable that the applicant is requesting.

At the conclusion of the board's discussion, motion by Mr. Skidmore and seconded by Mr. Weiler to deem application complete with the stipulation that those items can be a condition of any approval. The Public Hearing is scheduled for July 7, 2020 following the completeness/waivers review. Unanimously approved.

NEW BUSINESS:

Michael & Sheena Delgaizo
31 Hickory Run Road
Califon, N.J. 07830

Block #38 Lot #5.04
Hickory Run Road

PUBLIC HEARING

Conditional Use/Site Plan Accessory Apartment

Attorney Wilson had the following people sworn in: Michael & Sheena Delgaizo and Engineer Daniel Davis. At this time, Attorney Gallina had the following marked into evidence: **A1**-Affadavit of Proof of Service, **A2**-Notice of hearing to the property owners, **A3**-Certified List of Property Owners & Utilities, **A4**-Certified Mailing Slips, **A5**-Publication in Hunterdon Review, **A6**-Taxes Paid. Attorney Gallina said all the notices are in order and the board can proceed with the Public Hearing.

Attorney Wilson made a presentation to the board stating that the property is located at 31 Hickory Run Road Block #38 Lot #5.04 in the R3 Zone. The property consist of 9.886 acres. Mr. Delgaizo purchased the property in 2017. Mr. Delgaizo said the house and barn was built over 100 years ago. The main

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house had a fire and was rebuilt in 1996. The owners at that time came before the Board of Adjustment on October 26, 2004 for Bulk Variance relief. The applicant proposes to convert the existing one story masonry garage/barn into a 2 1/2 supplementary apartment. The supplementary apartment will have a 3 bay garage on the lower level and the upper level will have a kitchen, living room, breakfast area, half bath, 2 bedrooms 2 full bathrooms and a walk-in closet and consist of 1,151. It was noted that there will be 5 parking spaces. At this time, the following items were marked into evidence: **A7**-Transcript from 10/26/1994 Zoning Board Meeting when the house was rebuilt from the fire, **A8**-Conditional Use Site Plan for current application.

Attorney Wilson went over each condition for the Supplementary Apartment per the Ordinance Section 400-B(13) thru (P). Attorney Wilson stated that the applicants have met all the conditions of the Ordinance. Chairman MacQueen asked if the board had any questions of the applicants. Ms. Koehler had a question. When opened to the public, there were no questions. Motion by Ms. Bleck and seconded by Ms. Koehler to close the public portion of the hearing. Unanimously approved.

Attorney Wilson gave his summation at this time. At the conclusion of the summation, the board deliberated and said the applicant has demonstrated the proposed apartment will not substantially impair the use of the surrounding properties, impair the character of surrounding area and will not have any adverse effect on the surrounding properties. Motion by Mr. Skidmore and seconded by Ms. Koehler to approve the Conditional Use/Site Plan for a Supplementary Apartment with the following conditions:

- a. The applicant shall obtain all necessary approvals from any outside agencies having jurisdiction.
- b. Obtaining Highlands exemption.
- c. Obtain approval for the proposed new septic system from the Hunterdon County Board of Health.
- d. Applicant will pay all fees and escrows associated with the application.
- e. The proposed supplementary apartment will have the facilities and layout consistent -with the architectural plans.

ROLL CALL	Yes: Mr. MacQueen Ms. Bleck Mr. Weiler Ms. Koehler Mr. Skidmore	Absent: Mr. Wunder Mr. Duckworth Mr. Schmidt Mr. Piasecki Mr. Rich	Abstain: None
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Attorney Gallina will prepare the Resolution to be placed on the next Agenda of August 18, 2020

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ITEM FOR DISCUSSION:

- a. Letter from Attorney Gallina regarding amending Checklist.

This item will be on the August 18, 2020 agenda for discussion.

PRESENTATION OF BILLS & REPORT:

- a. John Gallina, Esq. \$ 675.00
- b. Bayer/Risse Engrs. \$5,125.00
- TOTAL: \$5,800.00**

Motion by Mr. Weiler and seconded by Mr. Skidmore to approve the bills as presented. Unanimously approved.

Being no further business to come before the board, nor comments from the public, motion by Mr. Skidmore and seconded by Mr. Weiler to adjourn the meeting at 8:45 pm. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK