

**Town of Phillipsburg  
Planning Board Meeting  
535 Heckman Street  
Minutes for May 24, 2018**

Vice Chairman Zwicker called the meeting to order at 7:02 pm and led the meeting with the Pledge of Allegiance. Vice Chairman Zwicker read the Open Public Meeting Acts Statement. Those Present were: Mayor Stephen Ellis, David P. Morrisette, Jennifer McBride, Dominick Vangeli, Rosanne Rohm, Vice Chairman Keith Zwicker, Bernie Rooney and William Duffy. Also in attendance were William Mandry, Planning Board Attorney; Mr. Stan Schrek, Board Engineer; and Ms. Charee Carney, Recording Secretary.

**Minutes**

Mr. Morrisette motioned to approve the minutes and Ms. McBride seconded. The motion carried with one abstention from Mr. Duffy.

**New Business Case # 18-002 David Osmun, Barrymore**

Attorney Brian Grace described the proposed project - to build a 12x22 foot screened in porch. The house fronts on Barrymore but the proposed porch will be on Hagerty. The porch will be in the side yard setback.

Mr. David Osmun was sworn in for testimony. They referenced the survey and noted that the only change in the past was a little addition to the garage, about 60 square feet. Mr. Osmun described where he would like to put the porch. There is plenty of room in the front but it is not aesthetically better and there would be a step up. It is difficult for them to sit outside without a screened in porch because of the gnats and mosquitoes. If the porch were to be placed on the Haggerty side, like proposed, it will be ground level and they would be able to enjoy the sunset. He does not feel that there will be any detriment to any neighbors. There is already a sidewalk and a cherry tree that will overhang the new porch. They will not need to take anything down to build the porch. There are other structures in the neighborhood like the proposed project.

Mr. Duffy asked if the cherry tree will block part of the porch and if there is going to be an exterior door. Mr. Osmun stated that the tree will block part of the porch on the side and the exterior door leads to the driveway. Mr. Osmun also plans to install electricity for lighting. He does not plan to use the porch in the winter so there will not be heating or insulation. Vice Chairman Zwicker stated that the only problem is that the house will now have two fronts.

Attorney Mandry advised the board of the motion that will be required if the project will promote or advance the purposes of the act of such deviation would outweigh the detriments.

Mr. Rooney motioned to approve the project and Mr. Duffy seconded. The motion carried.

Mr. Schrek stated that they are over on impervious coverage. Normally they would ask for some relief by removing a structure. Another method would be to make alterations for the storm water runoffs. They have no means of recharge for the storm water and feels it is justified. Attorney Mandry advised the board to modify the motion as per Mr. Schrek's comment about impervious coverage.

Mr. Rooney motioned to modify and Mr. Duffy seconded. The motion carried.

### **Case 16- 005 CVS**

Attorney Craig Genetti presented the CVS project. He referenced the 14,000 sq. ft. CVS application approved last year. They are seeking a site plan approval for a smaller store. The bulk variance relief is the same as for many of the other reliefs requested. The delay to the site was due to existing remediations to the site, which was the property owner's responsibility and slowed down the process.

Attorney Mandry said that there has been nothing really that has changed but the board still must vote. Mr. Schrek recommended that the board deem the application complete.

Mr. Duffy motioned to deem the application complete and Mr. Rooney seconded. The motion carried.

Daniel Sehnal, civil engineer, was sworn in for testimony. Mr. Sehnal compared the site plan already approved and the site plan for the new application. The new application is very similar to the already approved application, 14,824 square feet, but smaller 9656 square feet. The setbacks change slightly from Route 22 and the Roseberry is a larger setback than the previous application. The side yard setback is very similar, and the rear yard setback is exactly the same. The parking field will be directly west, making more green space. A variance is no longer needed for the parking. The DOT has no interest in the project because the larger project was approved. The utilities stay the same. The signage will change in the frontage of Route 22 and the Drive Through sign will be larger.

Robert Gehr, architect, was sworn in for testimony. The new pharmacy sign will be placed on Route 22 because it will be more visible. The drive through sign and the CVS sign on Roseberry Street will be increased. Mr. Schrek said that the signage on the westerly side is required but does not see that it will show any detriment to the area. Directional signage, is on the Dunkin Donuts side. They eliminated the variance for the free-standing sign.

The drive through will be on the rear corner, for safety reasons. The building will be placed further back, as to provide safety to the pedestrians etc. The parking lot will be behind the building and keeping it separate from the drive through. The driveways will be 66. 1 feet wide. There will be 1 loading space.

Attorney Mandry asked Mr. Sehnal if the benefits will substantially outweigh the detriments for the public good. Mr. Sehnal feels that the changes make the site safer, the signage, the turns into the parking lot etc. The design has been successful throughout the state.

Mr. Duffy asked how much truck traffic there will be. Mr. Sehnal said that there will be one box truck week and takes about 40 minutes for loading. There will be smaller trucks for lighter deliveries during the week. The employee proposed will not be changed that he is aware. The hours of operation will be from 8am to 10pm.

The colors and materials of the facade of the building will remain the same as the approved application.

Mr. Zwicker opened the meeting to the public. With none being said, the meeting was closed to the public.

Attorney Mandry advised the board of the motions and asked if the board has any questions about the c2 variance. The fire chief gave his approval. As for Mr. Schrek's review letter, recommended that there be a motion for each number.

Mr. Morrisette motioned to accept the variance which limits the driveway to 30 feet and Ms. McBride seconded. The motion carried.

Mr. Rooney motioned to approve the one loading area (10.2) and Ms. McBride seconded. The motion carried.

Mr. Duffy motioned to accept the number of signs such as the signs on Roseberry Street (10.3) and Ms. McBride seconded. The motion carried.

Mr. Rooney motioned for signs (10.4) Ms. McBride seconded. The motion carried.

Mr. Zwicker motioned for one wall sign (10.5) Mayor Ellis seconded. The motion carried.

Mr. Duffy motioned to accept the signs on the Dunkin Donuts side (10.6) and Mr. Morrisette seconded. The motion carried.

No variance is needed for 10.7.

Mr. Morrisette motioned to approve the facade (10.8) and Mr. Duffy seconded. The motion carried.

Mr. Duffy motioned to approve the parking in the front and Ms. Rohm seconded. The motion carried.

Mr. Rooney motioned to approve the waiver for parking and Ms. Rohm seconded. The motion carried.

Mr. Morrisette motioned to accept the preliminary and final site plan and Ms. McBride seconded. The motion carried.

### **Resolutions-**

#### **Bourbon Street Case 17-002**

Mr. Rooney motioned to accept the Bourbon Street resolution and Ms. Rohm seconded. The motion carried with abstentions from Mr. Zwicker, Ms. McBride, Mr. Duffy.

### **Bills**

There were no bills to approve.

### **For the good of the board**

Mr. Schrek recommends for the records from the I-78 Logistics Park to be electronic. We will soon be inundated with paperwork and he has seen success from other towns. They had to minimize storage. He said that we could have a screen at the new municipal building where it can be accessed. The exhibits end up being displayed instead of stored. NJ was the last state of the Union to accept the digital signatures. The board thought it was a good idea and Mr. Zwicker suggested it be discussed at the next meeting.

Mr. Schrek asked if the board was good for the special meeting being planned for July 12th for the I-78 Logistics Park for three buildings. Ms. Carney stated that she needed more information because she did not receive anything from the applicant.

Mr. Duffy motioned to adjourn, and Mr. Morrisette seconded. The motion carried.

The meeting adjourned at 8:05.

Respectfully submitted,

Charee Carney  
Land Use Technical Assistant