

**Town of Phillipsburg
Planning Board Meeting
535 Heckman Street
Minutes for Sept 26, 2019**

Vice Chairman Keith Zwicker called the meeting to order at 7:00 pm and led the meeting with the Pledge of Allegiance. Those Present were: Mayor Stephen Ellis, Councilwoman Danielle Degerolamo, Keith Zwicker, David P. Morrisette, Derik Lewis, Roseanne Rohm, Darren Bodogh and Bernie Rooney. Also in attendance were William Mandry, Planning Board Attorney; Mr. Stan Schrek, Engineer and Ms. Charee Carney, Recording Secretary.

Minutes 8-22-19 and 9-12-19

Mr. Lewis motioned to approve the minutes and Mayor Ellis seconded. The motion carried with abstentions from Councilwoman Degerolamo, Mayor Ellis and Bernie Rooney.

Resolution for 19-002 - 55 South Main

Attorney Mandry said that there is an issue with the boat ramp being less than 500 feet from the proposed business. The Warren County Prosecutor's office does not want to give an advisory opinion. The Mayor has spoken with Green Acres and does not feel there will be a conflict. The boat launch does not have camping, hiking etc. In the past, Green Acres has never had a conflict with a pharmacy etc. and the rule applies to illegal drugs and will write something up. Mr. Schrek said that the issue is also with the property next to the boat ramp that extends out to the bridge which is a part of Youth Core. The Mayor suggested having the governor's office comment and are usually quick to answer. Mr. Schrek recommended getting council involved and write an ordinance and get the park out of there (frontage up to Jimmy's). Attorney Mandry said that if there was a pharmacy within 500 feet, it wouldn't be a problem. The business is for medical marijuana and sanctioned by the state of NJ and did not see a problem but said that we can get advice from a higher authority. The Mayor said that he will contact the Governor's office. The approval of the resolution will be contingent upon this discussion.

Vice Chairman Zwicker motioned to approve the resolution with further consideration and Ms. Rohm seconded. The motion carried with abstentions from Mayor Ellis, Councilwoman Degerolamo and Bernie Rooney.

Case 15-004 - I-78 Logistics Park Amendment to the GDP

Attorney Susan Rubright for the I-78 Logistics park said they are seeking an amendment to the GDP which was before the Council and favorably accepted. She went through a brief history of the project. The amendment of the GDP requires that changes be made to the project's layout and relocating of the connector road to the north. The relocating of the connector road requires modification to the lots and footprints. The previously proposed buildings one and two are combined into a single building with additional footprint adjustments. Market demands were made to building three, four, five, six, and seven. Existing building #24 was originally meant to remain has now been demolished. The new GDP will have six buildings with two environmental

equipment sheds. The applicant is dedicating twelve and a half acres of green space to the town.

Attorney Mandry said that the Town Council has referred the case to the Planning Board for review, but it is ultimately the Town Council that decides. Attorney Rubright said that the project is in the redevelopment area and the GDP is governed by the Municipal Land Use Law. She feels that this board needs to approve this application along with the Town Council. Phase 2 will be submitted within the next month or two.

Engineer Brett Skapinetz was sworn in for testimony. Mr. Skapinetz said that there were changes to the plan, with concern to the layout. Exhibit a1 entitled General Development Plan 8-22-19, was presented to the board. Mr. Skapinetz explained the unchanged and changed areas. Rand Boulevard will be shifted to the north and closer to building one. Building one will expand in size but with Building # 24 being demolished, they are looking for a reduction in overall of 23,000 square feet of floor area. Mayor Ellis said that the town tax assessor needs to be updated on the building being torn down and Mr. Schrek will send the information to the tax assessor. Mr. Skapinetz said that 30% is allowed and they are presenting 22.2% and as for impervious coverage, 55% is allowed and they are presenting 46.4%. It is very close to what was previously approved.

Mr. Schrek said that the review letter was intended for the Town Council and the Planning Board and the testimony satisfied the review.

Mr. Zwicker asked about the green space and if there is an amendment for the recreational use. Mr. Skapinetz said the recreational space and wildlife area in Lopatcong was taken out. Mr. Skapinetz said the green space is passive recreation, preserved as bird habitat or a part of the Watershed Association. Mr. Schrek said that we can use this area to come back to us for compensation to Green Acres and does benefit the town.

The board opened the meeting to the public.

Kelly Leffler, 549 Congress, said someone from Bridge came to visit her today about the trees. The company is planting trees for behind her property. She showed him her concerns and pointed to the building said that it is all wall. The berm didn't go where it was supposed to go, and the wall is all you see and it's not nice. The residents are concerned the kids will write graffiti on the wall. There aren't any trees by the wall, but they are trying to come up with something. It was said that there is a commitment to extend the berm. Mr. Schrek said that Valley View area is the closest residential section and are doing their best to work with the neighborhood to come up with a solution. He also said they will work with getting that berm right away because it is growing season. Mr. Schrek said that Bridge brought the contractor along so they can hear comments from the residents and is confident that the concerns will be addressed.

Councilwoman Degerolamo motioned to approve the amended GDP and Mr. Bodogh seconded. The motion carried.

Case 19-001 - 220 Stockton

No one for 220 Stockton appeared. The board discussed what should be done next. Vice Chairman Zwicker recommended that the board motion to carry the meeting so the Town Council has time.

Mr. Bodogh motioned to carry to the next meeting and Ms. Rohm seconded. The motion did not carry- no's from Mr. Morrisette, Mr. Lewis, Mr. Rohm, and yes's from Chairman Zwicker, Mr. Bodogh and one abstention from Mr. Rooney.

Bills

Ms. Carney said that there is an invoice from Case 19-001 that cannot be paid because the escrow is depleted and will send a certified letter the next day. The board felt that it will get worked out. Ms. Carney also said that there is not enough escrow in Case 15-004 - I-78 escrow as well. Mr. Schrek said that the invoices should be approved as noted, they wouldn't want a stop work order on the project. He doesn't feel that they are getting the notices being sent and will follow up.

Mr. Rooney motioned to approve the bills as is and Mr. Bodogh seconded. The motion carried.

There was a motion to adjourn and seconded and the motion carried.

Respectfully submitted,
Charee Carney
Recording Secretary