

AD TEXT**Variances**

LEGAL NOTICE PHILLIPSBURG LAND USE BOARD NOTICE OF PUBLIC HEARING ON DEVELOPMENT APPLICATION June 24, 2021 AT 7:00 PM VIA VIDEO ZOOM

CONFERENCE PLEASE take notice that in accordance with the Open Meeting Act, P.L. 1975 c 231, N.J.S.A. 10:4-6, et. seq., this is to advise that the Land Use Board of the Town of Phillipsburg, Warren County, New Jersey, will hold a public hearing on Thursday June 24, 2021 at 7:00PM by way of electronic communication pursuant to N.J.S.A. 10:4-8(b) and consistent with Executive Order 103 signed by Governor Murphy on March 9, 2020 in an abundance of caution and to help prevent the spread of COVID-19. In compliance with Section 34-30 of the Land use Ordinance of the Town of Phillipsburg, New Jersey, this notice is hereby served upon you to the effect that PN Restaurant, Inc. and Phillipsburg Dev, LLC, who is the owner of the property designated on the Phillipsburg tax maps as Block 1004 Lot 3, located at 680 Memorial Parkway in the B-2 zone has applied to the Phillipsburg Land Use Board for the following relief: Preliminary and Final Major Site Plan approval, with the following variance relief: use variance all allow two principal buildings on one lot (Section 625-8); and the following bulk variance relief: allowing a fence in a side/rear yard in excess of seven feet (Section 625-9); distance of front faade to the street (Section 625-60A); placement of trash dumpsters in the town's right-of-way or front yard (Section 270-1); driveway width (40' maximum, 73.9' proposed); number of loading spaces (2 required, 0 proposed); number of parking spaces (35 required, 46 proposed); size of ground signs (65 SF permitted, 50 SF and 63.3 SF proposed); height above grade for signs (15' permitted; 17' proposed); number of wall signs (4 permitted, 8 proposed); and area of wall signs (107.07 SF permitted for one of the two buildings, 154.97 SF proposed). The applicant also seeks any such other variances, exceptions, or other relief as might be identified during the course of the public hearing. The applicant seeks to develop the existing site with Popeyes and Arby's restaurants, including signage and related site improvements. Restaurants with drive-thrus are permitted uses in the B-2 Business zone, but a variance is required to allow for two on the lot, among other variances and waivers requested. The Zoning Officer of the Town of Phillipsburg, New Jersey refused this request because it is in violation of the Zoning Ordinance and as such, the applicant has applied to the Land Use Board for a variance from the aforementioned sections of the Zoning Ordinance. Instructions to Join Remote Hearing. This remote public hearing is being held in lieu of an in-person public hearing due to the declared State and local emergency as a result of the COVID-19 (also known as Coronavirus) pandemic in accordance with the regulations of the New Jersey Department of Community Affairs (Division of Local Government Services) and will be held by remote access only. During the hearing any interested party, directly or by attorney, will have an opportunity to view the hearing in its entirety, be heard (ask questions, provide comments or offer evidence). You may view the hearing on the scheduled hearing date and time by utilizing the web link set forth below. You will also be able to access the meeting audio through your computer/smart device or by telephone using the Telephone Number, Meeting ID, and Passcode listed below. Please note, however, that if you participate solely by telephone you will not be able to view the visual materials that will be displayed during the course of the hearing and therefore web participation is preferred. Members of the public will be provided with instructions during the meeting on how to participate. Web Link: <https://us02web.zoom.us/j/88502626195?pwd=dHI1WU16RzZDVtI6TmtFMk1ldFF0Zz09> Meeting ID: 885 0262 6195 Passcode (if needed): pburg One tap mobile: +16468769923,,88502626195#,,, *571831# US (New York) +13017158592,,88502626195#,,, *571831# US (Washington DC) Dial by your location +1 646 876 9923 US (New York) +1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago) +1 346 248 7799 US (Houston) +1 408 638 0968 US (San Jose) +1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma) Meeting ID: 885 0262 6195 Passcode: 571831 Find your local number: <https://us02web.zoom.us/j/88502626195?pwd=dHI1WU16RzZDVtI6TmtFMk1ldFF0Zz09> You may also access the meeting directly from the Town of Phillipsburg's website using the below link for the Land Use Board's page. Phillipsburg Web Link: <http://www.phillipsburgnj.org/our-town/departments/zoning-office/land-use-board/> The Land Use Board is utilizing the zoom video conferencing platform to conduct its meeting and the subject hearing. All members of the public wishing to view and/or participate in the meeting/hearing are encouraged to attempt to access the meeting well in advanced of the scheduled start time to ensure you are able to properly access the meeting. It may be necessary for you to download the zoom software to your computer for access. If you have questions pertaining to registering and/or participating in the hearing, through the web or otherwise, you should contact the Land Use Administrator. Members of the public who anticipate undertaking cross-examination, introducing evidence and/or making public comment on the application are encouraged, but not required, to

advise the Land Use Administrator by email or phone in advance of the meeting date, to ensure technological needs are accommodated and to further ensure that documents, which will be referenced during the hearing are available for review by all participants. All documents filed by the Applicant for this application are on file and are available for public inspection. All documents and exhibits may be inspected by the public in the Phillipsburg Planning Board/Land Use Office located in the Municipal Building at 120 Filmore Street Phillipsburg, NJ 08865 by contacting them by phone or email during regular business hours for that office, Monday through Friday, excluding holidays. Alternatively, you may contact the Applicant's attorney Ryan P. Kennedy, Esq. by telephone at 609-243-6424 or email at ryan.kennedy@stevenslee.com and request that the application materials as well as exhibits be emailed or mailed to you. The Board Secretary is Kelly Leffler. She may be reached by telephone (908) 454-5500, Ext. 439 and email at kleffler@phillipsburgnj.org. In the event that the Land Use Board Secretary is not available to immediately answer the telephone, please leave a message and try calling back during regular business hours. /s/ Phillipsburg Dev, LLC, Ryan P. Kennedy, Esq. Stevens & Lee PC, 100 Lenox Drive, Suite 200, Lawrenceville NJ 08648

Related Categories: Notices and Announcements - Legal Notice

LEGAL NOTICE PHILLIPSBURG LAND USE BOARD

NOTICE OF PUBLIC HEARING ON DEVELOPMENT APPLICATION

June 24, 2021 AT 7:00 PM - VIA VIDEO ZOOM CONFERENCE

PLEASE take notice that in accordance with the Open Meeting Act, P.L. 1975 c. 251, N.J.S.A. 10:4-6, et. seq., this is to advise that the Land Use Board of the Town of Phillipsburg, Warren County, New Jersey, will hold a public hearing on Thursday June 24, 2021 at 7:00PM by way of electronic communication pursuant to N.J.S.A. 10:4-8(b) and consistent with Executive Order 103 signed by Governor Murphy on March 9, 2020 in an abundance of caution and to help prevent the spread of COVID-19.

In compliance with Section 34.30 of the Land Use Ordinance of the Town of Phillipsburg, New Jersey, this notice is hereby served upon you in the office that 241 Westmont, Inc. and Phillipsburg Dev, LLC, who is the owner of the property designated on the Phillipsburg tax maps as Block 1004 Lot 3, located at 686 Memorial Parkway in the B2 zone has applied to the Phillipsburg Land Use Board for the following relief:

Preliminary and Final Major Site Plan approval, with the following variance relief: use variance all allow two principal buildings on one lot (Section 625 B); and the following bulk variance relief: allowing a fence in a side/rear yard in excess of seven feet (Section 625 B); distance of front facade to the street (Section 625-C04); placement of trash containers in the town's right-of-way or front yard (Section 270.1); driveway width (40' maximum, 73.9' proposed); number of loading spaces (2 required, 4 proposed); number of parking spaces (35 required, 46 proposed); use of ground signs (55 SF permitted, 60 SF and 63.3 SF proposed); height above grade for signs (15' permitted, 17' proposed); number of wall signs (4 permitted, 8 proposed); and area of wall signs (107.37 SF permitted for one of the two buildings, 154.97 SF proposed). The applicant also seeks any such other variances, exceptions, or other relief as might be identified during the course of the public hearing.

The applicant wishes to develop the existing site with Pappas and Ariz's restaurants, including signage and related site improvements. Restaurants with drive-thrus are permitted uses in the B2 Business zone, but a variance is required to allow for two on the lot, among other variances and waivers requested.

The Zoning Officer of the Town of Phillipsburg, New Jersey refused this request because it is in violation of the Zoning Ordinance and as such, the applicant has applied to the Land Use Board for a variance from the aforementioned sections of the Zoning Ordinance.

Instructions to Join Remote Hearing: This remote public hearing is being held in lieu of an in person public hearing due to the declared State and local emergency as a result of the COVID-19 (also known as Coronavirus) pandemic in accordance with the regulations of the New Jersey Department of Community Affairs (Division of Local Government Services) and will be held by remote access only. During the hearing any interested party, directly or by attorney, will have an opportunity to view the hearing in its entirety, to heard live testimony, provide comments or offer evidence. You may view the hearing on the scheduled hearing date and time by utilizing the web link and text below. You will also be able to access the meeting audio through your computer/smart device or by telephone using the Telephone Number, Meeting ID, and Passcode listed below. Please note, however, that if you participate solely by telephone you will not be able to view the visual materials that will be displayed during the course of the hearing and therefore web participation is preferred. Members of the public will be provided with instructions during the meeting on how to participate.

Web Link: <https://us02web.zoom.us/j/88062626195?pwd=dlh1WU1GR2ZDVHVFt1bFpMbi1lc0pFQ2Zkdz09>

Meeting ID: 880 0262 6195 Passcode (if needed): jpborg

One-to-one text:

- +1 608 638 9923, 88062626195+... *571831# US (New York)
- +1301 715 8502, 88062626195+... *571831# US (Washington DC)

Call by your location:

- +1 608 638 9923 US (New York)
- +1 301 715 8502 US (Washington DC)
- +1 312 626 6700 US (Chicago)
- +1 346 248 7199 US (Hendrix)
- +1 408 638 0908 US (San Jose)
- +1 669 900 6833 US (San Jose)
- +1 253 215 8767 US (Tacoma)

Meeting ID: 880 0262 6195

Passcode: 571831

Find your local number: <https://us02web.zoom.us/j/88062626195?pwd=dlh1WU1GR2ZDVHVFt1bFpMbi1lc0pFQ2Zkdz09>

You may also access the meeting directly from the Town of Phillipsburg's website using the below link for the Land Use Board's page. Phillipsburg Web Link: <http://www.phillipsburgnj.org/courthouse/departments/zoning-office/land-use-board/>

The Land Use Board is utilizing the zoom video conferencing platform to conduct its meeting and the subject hearing. All members of the public wishing to view and/or participate in the meeting/hearing are encouraged to attempt to access the meeting well in advance of the advertised start time to ensure you are able to properly access the meeting. It may be necessary for you to download the zoom software to your computer for access. If you have questions pertaining to registering and/or participating in the hearing, through the web or otherwise, you should contact the Land Use Administrator. Members of the public who participate under taking cross examination, introducing evidence and/or making public comment on the application are encouraged, but not required, to advise the Land Use Administrator by email or phone in advance of the meeting date, to ensure technological needs are accommodated and to further ensure that documents, which will be referenced during the hearing are available for review by all participants. All documents filed by the Applicant for this application are on file and are available for public inspection. All documents and exhibits may be inspected by the public in the Phillipsburg Planning Board/Land Use Office located in the Municipal Building at 120 Filmore Street Phillipsburg, NJ 08865 by contacting them by phone or email during regular business hours for that office, Monday through Friday, excluding holidays. Alternatively, you may contact the Applicant's attorney Ryan P. Kennedy, Esq. by telephone at 609-243-6424 or email at ryan.kennedy@stevenslee.com and request that the application materials as well as exhibits be emailed or mailed to you. The Board Secretary is Kelly Leffler. She may be reached by telephone (908) 454-5500, Ext. 439 and email at kleffler@phillipsburgnj.org. In the event that the Land Use Board Secretary is not available to immediately answer the telephone, please leave a message and try calling back during regular business hours.

/s/ Phillipsburg Dev, LLC, Ryan P. Kennedy, Esq. Stevens & Lee PC, 100 Lenox Drive, Suite 200, Lawrenceville NJ 08648

