

LAND USE MINUTES

APRIL 28, 2022

Chairman Duffy opened the meeting at 7:00 PM stating this meeting is being held in accordance with the Open Public Meetings Act, by posting the notice to the Express Times and Star Ledger and providing the same to the Town Clerk.

It is the policy of the Town of Phillipsburg Land Use Board not to hear cases after 10:00 PM and no new witnesses after 10:30 PM. Followed by Flag Salute

ATTENDANCE: Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Zwicker, Mr. Brotzman **ABSENT:** Mr. Bengivenga, Bernie Rooney

RESOLUTION: Resolution 2022-3 Denying preliminary and final minor site plan approval, bulk variance and Use variance approval for JAOR Holdings, LLC 246 Morris Street Block 808 Lot 31. Motion made by Vice Chairman Zwicker and second by Mr. Brotzman. **YEAHS** were Mr. Brotzman, Mr. Hanisak, Mr. Turnbull, Vice Chairman Zwicker Chairman Duffy. **Abstain:** John Penrose, **Absent:** Mr. Bengivenga, **Recuse:** Mayor Tersigni and Councilman Kennedy. **NO Nays**
Resolution 2022-4 Granting Second Amendment Preliminary and Final Major Site Plan Approval for the Former Ingersoll Rand Property know as Bridge I-78. Motion made by Mayor Tersigni and second by Mr. Penrose. **YEAHS** were Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Councilman Kennedy Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. **ABSENT:** Mr. Rooney and Mr. Bengivenga

COMPLETENESS/PUBLIC HEARING: Site Plan Exemption and variance for Thomas Kent Corcoran for 725 Metz St. Block 405 Lot 6.

Mark Zagoda was sworn in as the architect for the Applicant. Testimony was given that the house when finished will be better than before. They want to extend the garage. Add handicap accessibility. Vinyl decorative fence which will face the St. Luke's side. Need a variance for asphalt driveway setback. No problem with drainage. T. Kent Corcoran owner of the proper was sworn in and talked about going into a ranch and he wants to stay in Phillipsburg. There were no public comments on this application.

Exhibit A-1 Mark Zagoda CV, Exhibit A-2 Finelli Consulting Engineer Survey, Exhibit A-3 Schematics for variance application, A-4 Schematics for Architectural plans.

Motion made by Mr. Hanisak for Completeness Site Plan Exemption 725 Metz St Bl. 405 Lot 6. Second by Mayor Tersigni. **YEAH'S:** Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. **Absent:** Mr. Rooney, Mr. Bengivenga **Recuse:** Councilman Kennedy.

Motion made by Mayor Tersigni second by Mr. Brotzman for 4 Variance approvals for 725 Metz St. Bl 405 Lot 6 Front Yard Setbacks, Lot coverage, Fence, Driveway setback. **YEAH'S:** Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. **Absent:** Mr. Rooney, Mr. Bengivenga **Recuse:** Councilman Kennedy.

Motion made by Vice Chairman Zwicker and second by Mayor Tersigni for Site Plan Exemptions Approval for 725 Metz St. Bl 405 Lot 6. YEAH'S: Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. Absent: Mr. Rooney, Mr. Bengivenga Recuse: Councilman Kennedy.

Site Plan Exemption 74 Stockton Street block.2007 Lot 1 Joseph Terzi. There is no change of use, and the exterior structure will be the same. He does want to replace siding and fix the structure before installing. They will need a dye test done. Waiver on the sidewalks needs to go through Council. Motion made by Mr. Penrose and second by Mr. Hanisak Granting Site Plan Exemption for 74 Stockton St. Bl 2007 Lot 1.

Exhibits: A-1 Alteration Plan, A-2 Survey, A-3 Fire Chief Hay Letter dated 4/25/22

YEAHS: YEAH'S: Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. Absent: Mr. Rooney, Mr. Bengivenga

NEW BUSINESS: Mr. Fleischer, owner of Manor House had an informal conversation about having problems with a deck that was put on the new construction at the Parkside Court on Green Street. The Zoning Officer has given him the permit to do it, but the Construction Officer he said will not issue permits because it does not follow the town code. Since the Board does not have a Denial from zoning there is nothing at this point that the Board can do. Mr. Fleischer also wanted to discuss the property he purchased from the town, and he wants to sub divide to make 2 homes. He explained the frontages would not meet the code. Attorney Wilhelm recommended that the discussion not go any further because it was way over the informal conversation to the Board.

Icehouse was tabled until 05/26/22 without notice. Land Use Board members need to review.

OLD BUSINESS: Update on Interpretation of Zoning Ordinance Definition: Pat is getting together the bullet points. Attorney Wilhelm expressed that the committee is doing a fantastic job to come to criteria for Zoning Officer.

MINUTES: Dated 03/24/22 Motioned by Mayor Tersigni second Mr. Penrose. YEAH'S: Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. Absent: Mr. Rooney, Mr. Bengivenga Recuse: Councilman Kennedy.

PUBLIC COMMENT: Dwayne Edingston from Kingston NJ asked if the icehouse plan for redevelopment is made public. It is on the Town Website. Mr. Morrisette asked why Council goes through police search and the Land Use Board does not. Sudra Frank updated that the Historical Commission is going over guidelines for the bylaws.

Good of the Board: Need a committee for the Hylands Grant Circulation Plan. Chairman Duffy will Chair the committee and Mayor Tersigni and John Turnbull will also take part.

ADJOURNMENT: Motion made by Mayor Tersigni and second by Councilman Kennedy. YEAH'S: Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull, Mayor Tersigni, Vice Chairman Zwicker, Chairman Duffy. Absent: Mr. Rooney, Mr. Bengivenga Recuse: Councilman Kennedy.
SUBMITTED BY: Kelly Lefler Land Use Secretary