**LAND USE MINUTES
SEPTEMBER 22, 2022**

**CHAIRMAN DUFFY** opened the meeting at 7:00 PM sating 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:** Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney Absent: Vice Chairman Zwicker

**MINUTES**: Minutes for 08/25/22 Motion made by Mayor Tersigni second by Mr. Brotzman YEAHS: Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull Abstain: Mr. Rooney Absent: Vice Chairman Zwicker **NAYS:** NONE

**Resolution:** **Resolution 2022-11** Block 1003 Lot 4 &8 671 Memorial Parkway Preliminary and Final Major Site Plan Approval and Use Variance, Motion was made by Mr. Penrose and second by Mayor Tersigni. **YEAHS:** Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney **Absent:** Vice Chairman Zwicker. **NAYS:** NONE **Resolution** **2022-12** Block 2102 Lot 2.02 Granting Conventional/Final Site Plan Approval. Motion made by Mr. Brotzman second by Mr. Hanisak **YEAHS:** Mr. Brotzman, Mr. Hanisak, Mr. Penrose, Mr. Turnbull. **Recuse:** Mayor Tersigni, Councilman Kennedy, Chairman Duffy **Abstain:** Mr. Rooney **Absent Vice Chairman Zwicker NAYS:** NONE

**Completeness: 145 Washington Street** Block 905 Lot 50.01 Subdivision Deemed Incomplete No Representation. Motion made by Mr. Penrose second by Mayor Tersigni YEAHS: Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney Absent: Vice Chairman Zwicker. **326 South Main Street** Block 1503 Lot 15 Major Subdivision 2 Temp Waivers and 2 Permanent Waivers. Attorney Mark Peck introduced Engineer Wayne Ingram, who was sworn in by Attorney Wilhelm and his CV is Exhibity A-1. Mr. Ingram went over VanCleef letter dated September 15,2022 and they have no objections to temporary waivers. Tim O’Brien Engineer for VanCleef had no comments or changes to report. Taxes are paid to date and certified by Tax Collector. No public Comments Hearing will be October 27,2022. Major Subdivision 2 Temp Waivers and 2 Permanent Waivers motion made by Mayor Tersigni second by Mr. Penrose **YEAHS:** Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney **Absent:** Vice Chairman Zwicker **NAYS:** NONE **75-83 South Main Street** Block 911 Lots 7 & 8 Major Site Plan Temporary Waivers. Attorney Mark Peck introduced Engineer Wayne Ingram as a witness who was sworn in by Attorney Wilhelm and his CV is Exhibit A-1 Went over VanCleef Review letter dated September 16,2022 requested temporary and permanent waivers. Taxes are paid to date and certified by Tax Collector. NO public Comments. Hearing will be October 27,2022. Request temporary and Permanent Waivers motion made by Mayor Tersigni second by Mr. Brotzman **YEAHS:** Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney **Absent:** Vice Chairman Zwicker. **NAYS:** NONE

**PUBLIC HEARING**: NONE

**NEW BUSINESS:** NONE

**BILL’S LIST:** Attorney Scott Wilhelm Bill dated 9/21/22 motioned to pay made by Mayor Tersigni second by Mr. Hanisak. **YEAHS:** Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney **Absent:** Vice Chairman Zwicker. **NAYS:** NONE

**OLD BUSINESS**: Update from Circulation Committee: Discussed different trails in different areas of South Main Street. Spoke about bridge not being used that crosses the river. Starting Oct. 1st walking audits will start. Dates are Oct. 1, 8, 15, and 22nd.

**PUBLIC COMMENT:** Bill Benz wanted to know if the resolution passed by Council have any impact on the Land Use Board for the Howard Street Warehouse. Attorney Wilhem let him know that the resolution was sent to the Land Use Board to have VanCleef conduct a consistency report for the Master Plan building Height. Dave Morrisette asked that the send back resolution to the Council. He said there is concern by residents that no one will want to live by the warehouse because it will undesirable. He talked about previous and current member and their ideas about what they would want down in that area. Please give consideration next month.

**EXECUTIVE SESSION:** Motion made by Mayor Tersigni second by Mr. Hanisak to go into executive session. YEAHS: Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney Absent: Vice Chairman Zwicker. Motion made to return from executive session: YEAHS: Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull Abstain: Mr. Rooney Absent: Vice Chairman Zwicker

**ADJOURNMENT:** Motion made by Mayor Tersigni second by Mr. Brotzman YEAHS: Mr. Brotzman, Chairman Duffy, Mr. Hanisak, Councilman Kennedy, Mr. Penrose, Mayor Tersigni, Mr. Turnbull, Mr. Rooney Absent: Vice Chairman Zwicker

Submitted by Kelly Lefler Land Use Secretary