

LAND USE MINUTES

NOVEMBER 20, 2023

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: Mr. Bond, Mr. Brotzman, Chairman Duffy, Councilman Kennedy, Mr. Penrose, Mr. Turnbull, Mr. Rooney **Absent:** Mr. Hanisak, Mayor Tersigni, Vice Chairman Zwicker

Minutes: Regular meeting minutes for approval was motioned by Mr. Turnbull and second by Councilman Kennedy **Yeas:** Mr. Bond, Mr. Turnbull, Councilman Kennedy, Chairman Duffy **Abstain:** Mr. Rooney, Mr. Brotzman, Mr. Penrose **Absent:** Mr. Hanisak, Mayor Tersigni, Vice Chairman Zwicker

Resolution: None

Completeness/ Hearing: Chairman Duffy recused himself and Mr. Penrose took over the meeting for Completeness of 170 Howard Street. Attorney Peck represented the applicant. He mentioned that this project has already had site plan approval. This will be done in 1 stage and tax certification has been certified by Land Use Secretary.

Temporary waivers are granted and will be addressed at the January 25, 2024, meeting. Completeness was motioned Mr. Brotzman and second by Mr. Penrose **Yeas:** Mr. Bond, Mr. Brotzman, Mr. Penrose, Mr. Turnbull **Nays:** Mr. Rooney, Councilman Kennedy **Recuse:** Chairman Duffy **Absent:** Mr. Hanisak, Mayor Tersigni, Vice Chairman Zwicker.

Hearing for 154-156 was continued from last week. The applicant decided to have no more testimony and a vote can be taken. Approval

for Permanent Design Waiver for Landscaping was motioned by Mr. Bond and second by Mr. Brotzman **Yeas:** Mr. Bond, Mr. Brotzman, Mr. Penrose, Mr. Turnbull, **Nays:** None **Abstain:** Mr. Rooney **Recuse:** Councilman Kennedy **Absent:** Mr. Hanisak, Mayor Tersigni, Vice Chairman Zwicker A motion was made to reject Conditional Use Variance for 3 apartment units by Mr. Penrose and second by Mr. Brotzman **Yeas:** Mr. Bond, Mr. Brotzman, Mr. Penrose, Mr. Turnbull, Chairman Duffy **Nays:** None **Absent:** Mr. Hanisak, Mayor Tersigni, Vice Chairman Zwicker **Recuse:** Councilman Kennedy

Correspondence: None

New Business: None

Bill's List: None

Old Business: Public Hearing on the Circulation Element Plan of the Town of Phillipsburg Master Plan. Town Engineer Tim O'Brien went over the request change that the Highlands requested. The change was made due to the truck routes and warehouse traffic. Public Comment on the report: Robin Coe is very concerned about the truck traffic on South Main Street where she owns a business. She said they are not a fit for tractor trailers. Building the warehouse will bring more trucks and she does not want anymore trucks. Ms. Morisette also does not like the truck traffic on South Main Street. She witnessed pedestrians almost being hit on that street. South Main Street is mostly residential, and heads need to be put together for pedestrian and car safety. Mr. Piazza Sr. asked Tim O'Brien, town engineer, if Highlands recommended or the state. Tim said it was the Highlands. Tim O'Brien mentioned that the DOT will not have trucks on South Main Street. Board Member Mr. Penrose asked if South Main Street is a State Highway and Tim O'Brien said it is. Motion to Adopt amended Circulation Element Plan of the Town of Phillipsburg Master Plan was made by Mr. Brotzman and

second by Mr. Penrose. **Yeas:** Mr. Bond, Mr. Rooney, Mr. Brotzman, Mr. Penrose, Mr. Turnbull, Councilman Kennedy, Chairman Zwicker **Nays:** None **Absent:** Mr. Brotzman, Mayor Tersigni, Vice Chairman Mr. Zwicker

Public Comment: Mr. Morisette Asked Chairman Duffy a question for verification: Did you hear Mr. Peck say he was representing Peron, and he is from Perucci/ Florio. Attorney Wilhelm said Chairman Duffy recused himself and answered the question yes, he did say that. Mr. Morisette said the judge is moving forward on the suit that has been put against the warehouse. He is hoping the warehouse does not move forward because of the truck traffic.

Executive Session: None

Adjournment: Motion to adjourn was made by Mr. Brotzman and second by Mr. Bond. **Yeas:** Mr. Bond, Mr. Rooney, Mr. Brotzman, Mr. Penrose, Mr. Turnbull, Councilman Kennedy, Chairman Zwicker **Nays:** None **Absent:** Mr. Brotzman, Mayor Tersigni, Vice Chairman Mr. Zwicker

Submitted by: Kelly Lefler Phillipsburg Land Use Secretary