

HOPEWELL BOROUGH PLANNING BOARD
August 2, 2017 – Meeting Minutes

The Hopewell Borough Planning Board meeting was called to order at 7:30 PM by Chairman Macholdt who declared compliance with the Open Public Meetings Act. The meeting was taped and a copy of the tape is on file.

Attendance Roll Call

Present: Michele Hovan
Brad Lyon
Peter Macholdt – *Chairman*
David Mackie
Jacqueline Perri
David Shymko
Wyatt Pratt
Lou Young – *Alt. #1 – (Arrived at 7:50 PM)*
Attorney DeGrazia
Planner Slagle

Excused: Bob Donaldson
Ryan Kennedy
Ruth Morpeth – *Alt. #2*
Engineer O’Neal

Approval of Minutes

A motion by Jackie Perri, seconded by David Mackie to approve the Board’s minutes from 7/5/17 with no revisions noted was approved by voice vote with Ms. Lyon, Mr. Shymko and Mr. Pratt abstaining.

Approval of Vouchers

It was noted for the record that there were no vouchers listed on the agenda for approval.

Open to the Public

Chairman Macholdt opened the floor to public comment. Seeing no members of the public come forward, Chairman Macholdt closed the floor to public comment.

Resolutions

Approval of Resolution PB#2017-06: Barry & Michelle Klein/Peasant Grill – 84 E. Broad Street – Block 23 Lot 11 – Site Plan Waiver with Variances

A motion by Michele Hovan, seconded by David Mackie to approve Resolution PB#2017-06 was approved by roll call vote by those board members who were eligible to vote on the matter.

Certificates of Appropriateness

Alison Baxter of the Historic Preservation Committee came forward and presented the following certificate, noting the Committee recommended approval:

Daniel Heimann – 73 N. Greenwood Avenue – Block 2 Lot 19

The proposed project is for the relocation of the front door, a new front stoop and porch, replacement/relocation of windows, a new rear deck and relocation of the back door for access off of the new kitchen.

A motion by David Shymko, seconded by Michele Hovan to approve the certificate of appropriateness was unanimously approved.

It was noted for the record that the agenda was re-ordered to provide Mr. Young additional time to get to the meeting to provide the applicant with the benefit of having more voting members acting on his application.

Unfinished Business

Redevelopment Investigation Study – Status Update on Next Steps

Mr. Mackie noted there was no update at this time.

Ordinance Amendments – Status Update

Planner Slagle commented that as soon as the Board gives the go ahead she will draft something to be sent to Borough Council. It was noted Secretary Andrews will provide Planner Slagle's 5/17/17 ordinance memo in next month's packets for continued discussion.

Chairman Macholdt recognized Melissa Cookman speaking up from the public asking for clarification on the redevelopment study. Ms. Hovan explained a redevelopment investigation was done and a report was drafted designating the areas to be considered for redevelopment. She noted Borough Council chose the lumber yard and Hopewell 57 because those 2 property owners expressed an interest to be in the redevelopment area. She clarified that the Planning Board is continuing to review all of the redevelopment areas mentioned in the study however there are no updated details at this time because the subcommittee has not met since their last meeting.

Mr. Mackie explained that even if the property owners aren't proactive about establishing redevelopment plans, the Planning Board and Borough Council can still make their own suggestions.

Applications

Public Hearing: NTM Controls, LLC – 130 W. Broad Street – Block 9 Lots 43 & 44 – Preliminary & Final Site Plan Approval with Variances

It was noted for the record that Mr. Young arrived at the meeting and that Ms. Hovan and Mr. Mackie recused themselves from this matter and stepped down from the dais.

Attorney DeGrezia noted for the record that public notice was provided in accordance with the Municipal Land Use Law (MLUL) requirements and stated the Board had jurisdiction to proceed with the public hearing.

Present for the application was NTM Controls Owner/Contract Purchaser Roger Jaeger, his Attorney Scott Puro and Planner Jim Kyle.

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Attorney Puro explained Mr. Jaeger is the contract purchaser for 130 W. Broad Street and is the owner of NTM Controls, LLC. Mr. Jaeger is an HVAC contractor who is seeking Preliminary & Final Site Plan approval and variance approval to convert the subject property into an office for his business. It was noted that no structural changes are being proposed and that the use variance is needed for the commercial use in the R75 zone. Additionally, variances are needed for: The front yard setback where 40 ft. is required and 36.4 ft. is proposed and impervious coverage where 30% is permitted and 40% is proposed.

The proposed improvements include additional parking spaces and a new site circulation pattern, lighting, landscaping, curbing and the relocation of a shed from the side of the property to the rear. Additionally a 2500 sq. ft. gravel area is proposed to be removed in order to mitigate the impervious coverage.

Mr. Jaeger and Planner Kyle were sworn in. Mr. Jaeger explained that NTM is a commercial HVAC company with about 10% of the business being residential installations. They are currently located in Ewing but need more space.

It was noted that the business employees 10 people: 4 office workers and 6 field technicians. The hours of operation are 7:30 AM – 4:00 PM Monday – Friday with no customers ever coming to the site. There are 10 vehicles associated with the business consisting of light pick-up trucks and vans. The building will be used for office space and storage. There will be no outside storage because all installation work is done at the job site.

Garbage disposal is primarily cardboard with scrap picked up regularly. It was noted that most garbage is disposed of at the job site.

No additional outside accessory structures will be needed and the dilapidated masonry shed will be removed from the site.

Deliveries are typically once a week made via UPS or FedEx box trucks and occasionally a parts supplier may be on site.

It was noted that Engineer O’Neal was not present at the meeting due to a schedule conflict but per his memo, the applicant agreed to his suggestion of consolidating the lots and installing a sidewalk in between the driveway area. Mr. Jaeger took no objection to establishing a performance bond.

Parking will consist of 8 spaces in the rear of the building and 5 up front including an ADA accessible spot.

Planner Kyle came forward and was accepted as an expert to provide testimony on this application.

With regard to extending the concrete curbing, Planner Kyle commented that the County will require this anyway and took no objection to installing it.

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Mr. Jaeger clarified that no signage is being proposed at this time and noted all lighting will comply with the Borough's ordinances. Attorney DeGrazia stated the zone does not permit signs and noted any new signs will require Mr. Jaeger to come to the Board for approval. Planner Kyle explained they will be replacing the existing signage on site with new signage of the same size and style for NTM.

Planner Kyle presented **Exhibit A-1**: A mounted site plan dated 3/6/17 which was submitted with the original application. He reiterated the existing and proposed site details noting the positive and negative criteria standards. He highlighted the following points: There will not be any impact to the surrounding property owners because they are not proposing any structural changes to the site, the project promotes public welfare because they are utilizing an existing commercial space, the site has historically been used commercially so there is no greater intensity, no customers will be on site, no outside storage will occur, limited hours of operation with not create any weekend disruptions and the employees take the work trucks home with them. Planner Kyle concluded that the application is consistent with the Borough's Master Plan and zoning plan.

Ms. Lyon asked about additional screening for the neighbors. Planner Kyle indicated there is a 6 ft. fence on the site but they are willing to review additional screening options if necessary.

Mr. Pratt supported the suggestion of additional screening for the neighbors. Planner Kyle stated he will work with Planner Slagle on landscape buffering.

Planner Slagle expressed concern that a lot of changes to the site plan have been made over the course of the testimony provided and she stated it's not clear what the Board is acting on if the site plan presented is inaccurate.

After some brief discussion Attorney DeGrazia proposed 3 options to address this issue:

1. The application can be bifurcated with the Board acting upon the variance this evening and carrying the hearing to next month to act upon the site plan portion at that time
2. Carry the entire application until next month's meeting
3. Make a determination on both the use variance and site plan this evening with possible conditions of approval

Attorney Puro commented that the contract to purchase the property is contingent upon his client obtaining the necessary approvals for the business and the contract must be signed by October.

Chairman Macholdt opened the floor to public comment.

Steve Schaeffer of 129 W. Broad Street came forward and expressed support for the application and requested no lighting be left on at night in the front of the property.

Steve McMahon of 127 W. Broad Street came forward and asked for some clarification on the parking and the office space.

Seeing no other members of the public come forward, Chairman Macholdt closed the floor to public comment.

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Upon some continued brief discussion it was the consensus of the Board to approve the application with conditions. A motion was made by Lou Young and seconded by Brad Lyon to approve the site plan with variances and use approval with the following noted conditions:

1. The applicant will comply with all of the conditions outlined in the professional's review memos
2. The applicant will comply with all state and local noise regulations
3. An amended site plan will be provided depicting the parking, corrected zoning table, curb and sidewalk details, landscaping details, striping/handicapped parking spot, signage details, ROW dedication, sight triangle and dumpster and enclosure details all of which will be reviewed and approved by the Board's professionals
4. No outside storage
5. Business hours are Monday – Friday: 7:30 AM – 4:00 PM
6. Lighting details will be provided with down lighting on the front sign
7. The 96 sq. ft. shed will be relocated to the rear of the building
8. The 236 sq. ft. wood shed will be removed
9. The masonry shed will be removed
10. Any work vans that may occasionally stay on site must be parked in the rear of the building
11. The applicant will consolidate the 2 lots
12. The applicant will remove the gravel area(s) sufficiently to eliminate the need for any impervious coverage variance
13. A sidewalk will be installed between the driveway openings
14. Curbing will be installed along the right-of-way
15. Applicant will relocate the rear parking to the center of the property to provide additional buffering from the neighbors
16. Signage for NTM will be the same style and size as existing signage on the property
17. Applicant will maintain a 6 ft. fence along both property lines
18. A developer's agreement and performance bond must be established

The motion was unanimously approved by roll call vote.

Adjournment

Chairman Macholdt adjourned the meeting at 9:25 PM.

Maria Andrews, Planning Board Secretary