

Belvidere Planning Board Minutes
Town of Belvidere
Warren County, New Jersey
May 7, 2019

Harold Halvorsen opened the meeting of the Belvidere Planning Board with the Pledge of Allegiance and read the following notice in compliance with the Open Public Meetings Act: In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in Belvidere Town Hall, 691 Water Street, Belvidere NJ.

Roll Call:

Present - David Dech, Andreas Eisenberger, Lawrence Gregan, Harold Halvorsen, Claudia Howard, Michael Luna, Joseph Kennedy, Laurel Napolitani, Patricia MacCallum,
Absent - Michael Belby, Charlotte Warnick

Adoption of Minutes:

A motion was made by Patricia MacCallum, seconded by David Dech with Joseph Kennedy and Laurel Napolitani abstaining and all others voting "yes" to adopt the May 7, 2019 minutes of the Belvidere Planning Board.

Previous Business:

A letter was received from Michael Belby resigning his position on the Belvidere Planning Board effective immediately. Teresa Yeisley will write a letter thanking Mr. Belby for his years of service.

Supplemental Modification of the Master Plan Reexamination Report - Public Hearing:
Paul Sterbenz was sworn in and gave the following testimony: review of report to evaluate further modifications to the "Land Use Plan Element" portion of the Belvidere Town Mater Plan, in addition to those recommended in previous reexamination reports and supplemental modifications as it relates to the LM District that consists of the following properties:

Block 10, Lot 3.01

Block 10, Lot 19

Block 10, Lot 27

Block 11, Lot 21

The zoning of Block 10, Lot 3.01 shall be changed to be situated within a new zoning district known as the B/LM (Business/Light Manufacturing) District. The uses permitted in the B/LM District shall include those permitted in the B (Business) District and LM (Light Manufacturing) District. The area and yard requirements shall be those enumerated for the LM District in Section 160-77 of the Zoning Ordinance. In addition to the uses currently in the LM District, warehouses and coffee roasteries shall also be indicated as principal permitted uses in the B/LM District. Multiple principal buildings shall be permitted on sites within the B/LM District. The zoning of Block 10, Lot 19 shall be changed from LM to single-family residential to reflect the

residential use that currently exists on the property. The property shall be located within the R-75 Single-Family Residential District, which currently abuts the site. The Zoning Map shall be updated to reflect the aforementioned changes.

Harry Brown - parking requirements? Parking requirements are in a different part of the Code. Consideration of Business as a conditional use? No.

A motion was made by Laurel Napolitani, seconded by Patricia MacCallum with Joseph Kennedy abstaining and all other voting “yes” to close the public hearing on the Supplemental Modification of the Master Plan Reexamination Report.

A motion was made by Lawrence Gregan and seconded by Laurel Napolitani to adopt Resolution PBR2019x02.

RESOLUTION OF ADOPTION

TOWN OF BELVIDERE

PLANNING BOARD

FINDINGS OF FACT AND CONCLUSIONS OF LAW

REGARDING THE ADOPTION OF A DOCUMENT ENTITLED

"SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY "AT A HEARING HELD ON MAY 7, 2019

Findings of Fact and Conclusions of Law:

WHEREAS, N.J.S.A. 40:55D-1 et seq. stipulates that each municipality in the State of New Jersey re-examine its Master Plan and development regulations at least every ten years; and

WHEREAS, on May 7, 2019, a hearing was held upon appropriate Notice to the public upon which testimony was received by the Board’s Planner, Paul M. Sterbenz, P.E., P.P.; and

WHEREAS, at said hearing, the public was invited and participated in the proceedings and provided testimony before the Board as to the matters discussed in the document entitled “**SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY**”; and

WHEREAS, the Examination Report addressed the following issues:

- 1) The major problems and objectives relating to land development in the Town of Belvidere at the time of the adoption of the last reexamination report.
- 2) The extent to which such problems and objectives have been reduced or have increased subsequent to the adoption of the last reexamination report.
- 3) The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- 4) The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- 5) The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law” into the

land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the Town of Belvidere; and

WHEREAS, the Board, upon hearing all testimony presented and upon review of the document made recommended changes to the report document; and

WHEREAS, N.J.S.A. 40:55D-28 authorizes a planning board to prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within a municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, a public hearing was held on May 7, 2019 at which time detailed testimony was received from Paul M. Sterbenz, P.E., P.P. as well as members of the public as to the proposed Amendment to the Master Plan; and

WHEREAS, the Board, upon hearing all testimony presented, and upon review of the documents, made recommended minor clarifications to the report documents; and

WHEREAS, the Board finds that the Master Plan Re-examination report should be deemed an Amendment to the Master Plan; and

WHEREAS, the Board specifically adopts the findings, history and conclusions of the "**SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY**" as though fully set forth herein at length; and

WHEREAS, the Board specifically finds that appropriate proof of publication and service of the Notice of Hearing was provided and that the document entitled "**SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY**" was available for public inspection at the Belvidere Municipal Building during normal business hours in accordance with N.J.S.A. 40:55D-10(b). No member of the public was prejudiced during the public hearing process as legally required access to the documents was provided; and

WHEREAS, the Board specifically finds that any language changes during the hearing process were minor changes enhancing and clarifying the contents and findings in the documents or typographical/grammar changes, were not amendments to the proposed documents, and did not constitute a substantial change warranting a new or continued hearing.

NOW THEREFORE BE IT RESOLVED, that the Town of Belvidere Planning Board adopts the document entitled "**SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY**" and attached hereto as its Official Re Examination Report pursuant to N.J.S.A. 40:55D-89.

BE IT FURTHER RESOLVED, that the Town of Belvidere Planning Board adopts the documents entitled "**SUPPLEMENTAL MODIFICATION TO THE MASTER PLAN RE-EXAMINATION REPORT, TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY**" and attached hereto as an Amendment to the Town's Master Plan pursuant to N.J.S.A. 40:55D-28.

I certify that this is a true copy of a resolution adopted by the Planning Board of the Town of Belvidere, Warren County, on May 7, 2019, to memorialize the Planning Board's action on May

7, 2019.

Roll call:

Ayes - David Dech, Andreas Eisenberger, Lawrence Gregan, Harold Halvorsen, Claudia Howard, Michael Luna, Patricia MacCallum, Laurel Napolitani

Nays - None

Abstentions - None

Recusal - Joseph Kennedy

Absent - Charlotte Warnick

The Board reviewed and discussed a draft RV ordinance. Joseph Kennedy explained the problem with the current ordinance and Council's concerns with same.

A motion was made by Lawrence Gregan and seconded by Patricia MacCallum to recommend to the Belvidere Town Council the introduction of the RV ordinance as discussed.

Roll call:

Ayes - David Dech, Andreas Eisenberger, Lawrence Gregan, Harold Halvorsen, Claudia Howard, Michael Luna, Joseph Kennedy, Patricia MacCallum, Laurel Napolitani

Nays - None

Abstentions - None

Recusal - None

Absent - Charlotte Warnick

Use Variance (continuance of public hearing) - 320 Knowlton Street, block 28/lot 4 (Dreambig Properties):

Eric Goldberg, counsel for the applicant, gave a summation of the application thus far.

Craig Stires, P.E., of Stires Associates, P.A., engineer for the applicant was sworn, accepted as an expert in his field and gave the following testimony:

Exhibit A-15 amended site plan with overlay.

Four parking spaces in rear of building with one light and four parking spaces in front of building lit by street light. Stormwater drainage piping to Knowlton Street and then to Fourth Street.

Exhibit B-2 technical report from Paul Sterbenz dated May 2, 2019.

Exhibit A-16 site plan

Mr. Stires continued with the following testimony in reference to Mr. Sterbenz's May 2, 2019 technical report:

1.04 - technically no rear yard because this is a corner property

1.05 - deviation from parking standards permitted

2.02 - refuse will stored beneath each stairwell. Will keep rear-yard fencing.

3.01 - will be indicated on plan

4.01 - will comply

4.02 - will comply

4.04 - no proposed wall-mounted lights. Will be shown on plan.

Will comply with all other items. Sign installed to direct occupants to turn toward Knowlton Street when exiting rear parking area. Permeable pavers will be installed. No proposal for curbing.

Open to public for questions of Craig Stires (CS).

Maureen Overko, 526 Third Street - parking and drainage? CS - surrounding properties will benefit from the installation of the comprehensive drainage system. Aware of any driveway ordinance that prohibits one driveway across from another driveway? CS - no.

Joseph Roth, 530 Third Street - plan to pave alley? CS - no.

Steve Ruff, 529 Third Street - 12" line sufficient for drainage? CS - yes, meets all requirements. Slope of alley taken into consideration? CS - waterflow from alley will be improved. Stairways wood? CS - yes, with lattice-type ventilation.

Nancy Mason, 626 Third Street - trash storage? CS - outside under stairwell.

Harry Brown, 607 Oxford Street - maintenance requirements of drainage system? CS - manholes checked and cleaned from time to time if necessary. System will tie into Town's drainage system. Sidewalks? CS - yes, from front parking area to front door.

Debbie Roth, 530 Third Street - snow removal? CS - pushed to rear of parking area. Major snowfall may require the snow to be removed from the property. Mailbox? CS - unknown at this time. Rear lawn area? CS - No restrictions as to use by occupants.

Harold Gaitan, 523 Fourth Street - lighting? CS - one fixture with downward LED.

Paul Gleitz (PG), Professional Planner for the applicant was sworn in, accepted as an expert in his field and gave the following testimony:

R-75 Zone predominately residential properties. Gave a brief history of the applicant property. Seeking D-1 use variance and bulk variances. Reviewed 2018 Amendment to Master Plan. Application advances eleven goals of the Master Plan. Does not affect affordable housing requirements. Proposal another type of residential use. C-1 standard adaptive use of existing structure. Reviewed nine-block circumference of existing multi-family uses and testified to various statistics.

Paul Sterbenz - do you have a map of the multi-family structures testified to? PG - no

Have you submitted a planning report? PG - no, will provide to the Board Secretary.

Steve Gruenberg - 1.04 of Mr. Sterbenz report is asking for a variance. Assumption that it is a corner lot and that the applicant cannot meet the standard of 40%? PG - proposed plan has the least amount of parking impact. There will be landscaping to minimize the visual impact.

There were remarks as to this property being an R-50 Zone. Paul Sterbenz testified that there has been no R-50 Zone for thirty years.

Open to the public for questions of Paul Gleitz (PG).

Joseph Roth, 530 Third Street - how many multi-family units did you find in your research? PG - four.

Maureen Overko, 526 Third Street - how accurate is your information? PG - information obtained from Belvidere tax records. Was the visual appearance enhanced in these other multi-family units? PG - yes. How will this project improve the general welfare of the neighborhood?

PG - reuse of property, visual impact, housing opportunity, make a vacant building a productive use. Required setbacks for parking? PG - parking area is compliant.

Harry Brown, 607 Oxford Street - addresses of multi-family properties on Oxford Street? PG - 634-636.

Jean Gingles, 520 Third Street - how many units in converted church on Market Street? PG - five. Why are four units necessary? PG - applicant property easily accommodates four units.

Steve Ruff, 529 Third Street - value of property if improved? PG - don't know.

Sarah Piwoski, 521 Fourth Street - rent amount? PG - no market survey has been done yet. Study on use of alley? PG - no.

Nancy Mason, 626 Third Street - will parking in front of the property enhance the appearance? PG - yes. Where will the occupants recreate? PG - in the yard.

Tom Overko, 526 Third Street - conforming to zoning code? PG - no, but not exacerbating the existing conditions.

Gary Albanese, 514 Third Street - guest parking? PG - on street under the purview of the parking regulations for the Town of Belvidere.

Open for questions from the Board.

Michael Luna - all entrances on first floor? PG - yes, no bedrooms in basement so no egress windows are required.

Claudia Howard - would you still make money on lower number of units? Christopher Anderson (CA) - would change the number of bedrooms. Additional bedrooms would bring families and higher rents. Improvement to alley? CA - no. Bathrooms in basement? CA - add value.

The hearing was open for public testimony.

Steven Ruff, 529 Third Street was sworn in and gave the following testimony:

Not happy with proposal. What will stop other large victorians from becoming multi-family.

Moved here to get away from sprawl. People in Town won't be the ones moving into this property. Structures on alley are carriage houses, not garages. Alley is really a driveway. Snow parking is a concern. Is this the road we want to go down next to the historic district? Need to preserve the Town's history. Can't get a fire truck to the rear of the building. Need to preserve the alley.

Steven Gruenberg advised that this hearing will be continued to June 18, 2019 and there will be no new notice.

Eric Goldberg, counsel for the applicant, stated that applicant agrees to extend the time for the Board to act until the end of June.

A motion was made by Patricia MacCallum to adjourn the meeting of the Belvidere Planning Board at 10:02 PM.

Respectfully submitted,

Teresa A. Yeisley, Board Secretary