

**Borough of Hamburg
Land Use Board Meeting Minutes of May 13, 2019**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Vice Chairman Thomas Watts in accordance with the Open Public Meeting Act, with regard to notices then delayed by an issue with the recording device.

Mr. Watts invited all those present to participate in the flag salute.

Mr. Watts read the Statement of Certification: This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Those in attendance were John Haig, Dan Hall, Guy Harby, Rich Krasnomowitz, Mayor Marino, Jeannette Tempe, Thomas Watts and Sam Villagomez. Absent: Chairman Adams and George Alakpa. Board professionals in attendance: Glenn Kienz, Esq. and John Ruschke, PE.

MINUTES:

Hall made a motion to approve the minutes of April 8, 2019. Seconded by Tempe. Aye: Harby, Krasnomowitz, Mayor Marino, Tempe, Villagomez and Watts. Nay: None.

BILLS/VOUCHERS:

- a. Mott MacDonald - \$122.00 – Comet Management escrow
- b. Mott MacDonald - \$741.50 – North Jersey Advertising/Hamburg Outdoor escrow
- c. Weiner Law Group - \$85.00 – Comet Management escrow
- d. Weiner Law Group - \$232.00 – North Jersey Advertising/Hamburg Outdoor escrow
- e. Weiner Law Group - \$68.00 – General
- f. Nelson Consulting Group - \$275.00 – General
- g. Nelson Consulting Group - \$187.50 – Vallila escrow
- h. Nelson Consulting Group –\$425.00 - 55 Gingerbread Castle Rd, LLC escrow

Mayor Marino made a motion to approve payment of the following bills/vouchers. Seconded by Haig. Aye: Haig, Hall, Harby, Krasnomowitz, Mayor Marino, Tempe, Villagomez and Watts. Nay: None.

CORRESPONDENCE:

- a. 4/12/19 Borough of Franklin Ordinance #03-2019 Chapter 161 regarding parking commercial vehicles

There are no comments from the Board on the correspondence.

NEW/UNFINISHED BUSINESS:

- A. **North Jersey Advertising**
151 Route 23 (Block 22 Lot 28.01)
Application No. LU 19-01
Application for Site Plan and Use Variance

At 7:02 p.m. Bernd Hefele, Esq. testifies to his credentials and introduces George Crescione, Principal of North Jersey Advertising who testifies to his qualifications. Mr. Crescione ("Crescione") discusses digital billboard advertising which promotes equal opportunity marketing. The ads are programmed and monitored remotely through cell signals in the billboard. Digital billboards are more efficient than standard billboards since they do not require repairmen to regularly access the sites or to change the ads. The billboard is monitored by a camera. Each ad runs for eight (8) seconds and there is a very smooth transition between slides. The LED lighting is customizable and the brightness can be adjusted as the light adjusts to the transition from daylight to night. The applicant obtained a permit from the State of New Jersey Department of Transportation ("NJDOT") for a ten (10) feet by twenty (20) feet billboard at the proposed location.

John McDonough, AICP testifies to his credentials and enters **Exhibit A1** which are six (6) 11" x 17" planning exhibits demonstrating digital billboards. The proposed billboard will be "v" shaped in configuration and have two panels directed at Route 23. The existing properties adjacent to and across the street are non-conforming residential uses. The use variance the applicant seeks is for a billboard in the Highway Commercial Zone. The billboard has been permitted by NJDOT which considers safety in their determination process. The billboard will benefit local businesses, government agencies, among others.

The billboard will be fourteen (14) feet off the ground. The dimensions will be ten (10) feet by twenty (20) feet.

At 7:46 p.m. Thomas Graham, PE testifies to his credentials. He indicates the billboard will minimally disturb the property. The applicant will remove trees and install a four (4) foot retaining wall. The applicant will need soil erosion and driveway opening permits.

At 7:54 p.m., Board discussion begins. Haig questions the design of the sign. Crescione discusses the installation of a dark black monopole on this site to promote viewing the display.

Discussion begins on the photo submitted with the application that does not best depict the curve in the road along that section of Route 23 and does not show a rendition of the proposed sign on the property.

Haig and Tempe question the ownership of the land and the maintenance of same. Crescione has contractors who maintain the sites for the similar properties he owns.

Haig and Tempe question the type of advertising that Crescione anticipates for the sign, whether or not there would be local control over the content and whether political advertising would dominate. Crescione self regulates the content of the ads.

At 8:14 p.m. Kienz and Watts left the meeting room.

At 8:15 p.m. Watts returns to the meeting room.

At 8:16 p.m. Kienz returns to the meeting room.

Discussion continues on local advertising. Haig indicates that Franklin Borough recently turned down a similar application for a billboard.

Watts questions the cost of public service advertising. Crescione points out that public service advertising would be a free service.

Board Engineer John Ruschke suggests that the proposed size of the sign is being requested to optimize advertising rather than viewing.

Watts questions whether the monopole would be fenced in to discourage climbing or vandalizing.

Crescione says that the pole is locked and will not be climbable although he is not opposed to installing a fence around the pole to secure it.

Discussion continues on the size of the sign. McDonough compares it to the size of a parking space.

Kienz discusses similar signs of this size in Atlantic City and along Route 80.

Haig questions whether additional signs would be requested on adjoining properties.

Hefele replies that the signs would need to be 3,000 feet apart.

Watts questions the tax revenue. Kienz says it would be similar to a cell tower.

There is a brief discussion on the Highlands Act which does not apply since Hamburg is not a conforming community.

Ruschke questions how the sign will be viewed. He does not see the proposed location as being ideal for viewing since there are trees and utility lines in the way. The Board should consider making the adjustment of the brightness of the light a condition of approval.

Hefele says that if the Board approves the application, a landscape plan would be discussed between the planners.

The height of the sign is discussed and the need for the height considering the size of the roadway and the number of vehicles that travel along it.

At 8:46 p.m., the meeting is opened to the public by Watts, second by Tempe with all others in favor.

Keith Sukenikoff of 271 Falcon Ridge Way questions the NJDOT's decision to approve the sign at that location. He expresses his concerns about the number of accidents along the stretch of roadway where the sign is being proposed based on his experience with the Hamburg Fire

Department. He is concerned about drivers becoming distracted by the sign and increasing the number of accidents in that location.

McDonough indicates that the NJDOT has approved this location and their criteria involves safety. Hefele added that digital billboards don't contribute to accidents. The screen changes are timed and the transition is smooth when ads change.

At 8:51 p.m., the Board takes a break.

At 9:00 p.m., the meeting resumes.

Ruschke discusses his experience with billboard applicants that modify their poles and customize it to make it look less commercial.

Tempe indicates that although the applicant has obtained approval from the NJDOT, she is concerned about safety since this is only a two line highway, the height and size of the sign, the flashiness of the sign and considers it a "big eyesore". She suggests the sign present more of a reflection of the Borough.

Haig suggests that sign take into account the Borough's history and suggests the applicant look at the Main Street area.

Hefele indicates that the applicant is open to the Board's suggestions for modifying the pole and land surrounding the pole. Hefele will give it the aesthetics the Board is suggesting. Crescione is willing to provide a rendition of the proposed sign and include a fence and stone. The applicant proposes an eight (8) by eighteen (18) sign.

Kienz suggests that they spruce up the driveway, provide a rendition of the sign, provide a better photo of the area where the sign is proposed, provide a landscaping plan, control the brightness and customize the sign to better reflect Hamburg. The applicant's planner should discuss aesthetics with the Board planner.

The Board carries the application to the July 8, 2019 meeting with no further notice required.

ADJOURN:

A motion is made to close to the public at 9:20 p.m. by Haig, second by Hall with all others in favor.

Respectfully submitted,



Wendy Brick
Secretary to the Land Use Board