

**BOROUGH OF HAMBURG
LAND USE BOARD
MEETING MINUTES
OCTOBER 10, 2022**

The Borough of Hamburg Land Use Board meeting was called to order at 7:00 p.m. by Vice Chair Dan Hall in accordance with the Open Public Meeting Act, Public Law 1975, Chapter 231, Sections 4 and 13. with regard to notices.

Chairman Hall invited all those present to participate in the flag salute.

Those in attendance were Chairman Dan Hall, Richard Krasnomowitz, Mayor Marino, Pattie Brown, William Oehler, Glenn David Roberts, Jeannette Tempe and Sam Villagomez. Glenn Kienz, Esq., Samantha Anello, PE and Ken Nelson, PP were in attendance.

MINUTES: Tempe made a motion to approve the minutes of Minutes of September 12, 2022, second by Villagomez with all others in favor, including Brown, Hall, Krasnomowitz, Oehler and Roberts. Mayor Marino abstained.

BILLS/VOUCHERS: Tempe made a motion to approve the bills/vouchers for payment, seconded by Brown with all others in favor including Hall, Krasnomowitz, Mayor Marino, Oehler, Roberts and Villagomez.

- A. Weiner Law Group - \$51.00 – Land Use Board General *
- B. Weiner Law Group - \$22.50 – VanEeuwen escrow #196 *
- C. Weiner Law Group - \$22.50 – Vallila escrow #188 *
- D. Mott MacDonald -\$324.50 – Daoftre Capital LLC escrow #195
- E. Mott MacDonald - \$383.13 – Bluffs at Ballyowen escrow #162
- F. The Nelson Consulting Group - \$377.00 – DeBoer escrow
- G. The Nelson Consulting Group - \$286.00 – 7-11 Main Street/Barside Brewing
- H. The Nelson Consulting Group - \$793.00 – Land Use Board General
(Ordinance)

** Invoices included on governing body bill list for September 2022*

CORRESPONDENCE:

There were no comments on the correspondence.

- A. The New Jersey Planner – July/August 2022

RESOLUTIONS:

- A. James Valilla, Application No. LU 19-03
130 Route 23 (Block 12 Lot 6)**

A motion was made by Brown, second by Villagomez to memorialize the resolution granting the extension of time with Hall, Oehler, Roberts and Villagomez in favor and Krasnomowitz and Mayor Marino abstaining.

**B. Robert and Gail VanEeuwen, Application No. LU 22-02
44 Vernon Avenue (Block 29, Lot 22)**

A motion was made by Brown, second by Tempe to memorialize the resolution granting "c" variance approval with Hall, Oehler, Roberts and Villagomez in favor and Krasnomowitz and Mayor Marino abstaining.

OLD BUSINESS/NEW BUSINESS:

**A. WD Business Associates, LLC c/o William J. DeBoer
Application No. LU 22-03
77 Route 23 North (Block 2 Lot 8)
*Preliminary and Final Site Plan and "c" variances***

Alyse Landano Hubbard, Esq. of Maraziti Falcon appears on behalf of WD Business Associates, a realty holding company comprised of William DeBoer, Sr. and William DeBoer, Jr.

William Oehler is noticed on the application and steps down from the dais.

Attorney Kienz discusses his past relationship with Wantage Township and Bill DeBoer, Sr. Mr. DeBoer has not been on the Wantage Township governing body in seven years.

Owen Dykstra, P.E. and Jason Dunn, Planner and Landscape Architect of Dykstra Assoc. testify to their credentials and are sworn in for the record.

William DeBoer, Jr. is sworn in and discusses the proposed expansion of his current business to include a building which will be used to repair larger vehicles including cargo trucks and office space. His business currently operates Monday through Friday from 8:00 a.m. to 5:00 p.m. there will be a total of five employees including four mechanics and office staff. Oil and waste will be stored on premises in a 275-gallon container. Tires will be stored on site within an enclosure.

The following exhibits are entered into the record:

Exhibit A1: color artistic rendering of the steel building which includes glass bay doors.

Exhibit A2: Environmental Statement

Exhibit A3: presentation plan dated 10/10/2022

Exhibit A4: a colored rendering depicting the subject property and surrounding properties.

The subject property is located in the Highway Commercial Zone.

Board discussion includes potential noise. Mr. DeBoer indicates that the bays will be open when temperatures are above 50 degrees.

Nelson informs the applicant that any subletting of space would require an application to the Board. Mr. DeBoer does not intend to sublet space.

Attorney Kienz questions the number of vehicles sitting on the lot. Mr. DeBoer indicates that no vehicle will be on the lot for more than 48 hours.

Mr. Dunn discusses the plan including the 50'x 60' building and the 7 parking spaces including on ADA parking space which will be located in the front of the office on Route 23. There is 20' of space for backing out on to Edsall Street. Two stormwater basins are proposed in the front and on one side. Building mounted lights will face downward. The HVAC system will be ground mounted and located on the side of the building.

Discussion continues on the signs including the proposed 28' foot sign mounted on the building and the location of the existing 6' x 4' sign which sits close to the road. Nelson suggests gooseneck lights for the sign mounted on the building.

The proposed fencing material is discussed including substituting cinder blocks for the proposed chain link.

Anello indicates that the applicant has addressed items on the engineer's report. The applicant did not appear before the Board of Public Works. They currently have the one required EDU.

A motion is made at 7:55 p.m. by Tempe, second by Mayor Marino to open to the public with all others in favor.

Charles Kazella is sworn in. He is the Fire Chief and resident of the Pennyrock section of the Borough. Mr. Kazella discusses the applicant's willingness to permit the fire department to do training in the proposed building.

John Haig of 16 Linwood Avenue questions whether the applicant proposes to install a charging station. Mr. DeBoer indicates that one charging station will be installed for their business use.

Michael Smolinski resides at 60 Orchard Street which is the property located behind the subject property. He expresses concerns about lighting and fencing and requests fencing or buffering so that his property is not impacted by the business. Buffering is discussed including planting arborvitae.

Oehler questions whether the plan could be revised to include additional windows on the southern side of the building near driveway off Route 23 which will serve as the handicap entrance. Mr. DeBoer to review.

A motion is made at 8:09 p.m. by Roberts, second by Tempe to close to the public with all others in favor.

Having considered the application, applicant's testimony including Exhibits A1 through A4, the October 4, 2022 correspondence from Owen Dykstra, PE, the October 3, 2022 report of The Nelson Consulting Group and the September 29, 2022 report of Mott MacDonald, a motion is made by Mayor Marino, second by Roberts to approve the application for Preliminary and Final Site Plan with the conditions and recommended by the Board

professionals. All other Board members were in favor including Chairman Hall, Brown, Krasnomowitz, Tempe and Villagomez

B. 7-11 Main Street, Hamburg LLC
Application No. LU 22-04
7-11 Main Street (Block 6 Lot 3)
Concept Site Plan/Site Plan Waiver

F. Clifford Gibbons, Esq. of Dolan and Dolan and Tyler Vandervalk, P.E. of Houser Engineering are sworn in. Notice was not required since the applicant is not seeking variances and the applicant seeks a waiver of site plan.

Applicants and building owners, Michael and Angela Meneses are sworn in. They are proposing a microbrewery which would operate Tuesday through Saturday from 10 a.m. to 10 p.m. and Sunday from 10 a.m. to 6 p.m. Mondays would consist of brewing only. Mr. Meneses expressed his interest in incorporating local history into the décor. Demonstrating and educating patrons on the microbrewing process will be a part of the business operation.

Discussion continues on the EDU allocation. The applicant currently has 3 EDUs which are adequate unless the applicant decides to retain both apartments. Correspondence should be sent to the Board of Public Works confirming the number of EDUs for their proposed use.

Applicant proposes to operate in phases which will include an expansion to event space on the second floor and outdoor areas in the rear of the building and a rooftop deck on the garage. Pedestrian entry to the property from Route 23 through a gate. Parking is discussed including the use of the municipal parking lots in the area of Main Street. Removable picnic tables will be added to the rear of the property. No additional walkways are proposed. A stairway will be removed so that there is no expansion of the current footprint.

The ceiling height of the garage will need to be raised approximately 6' in order to accommodate the machinery used for brewing. Discussion continues and the raising of the roof will require review before the Historic Preservation Commission.

Discussion continues on the location within the historic overlay.

Applications to the State for the required license and approvals from the State and Board of Health would be conditions of approval.

Exhibit A1 is entered which consists of the plans prepared by HQW Architects dated October 10, 2022 (4 sheets).

Discussion continues on whether legal notice or courtesy notice would be required. No formal legal notice is required. It is requested that the applicant provide verbal notice to those along Main Street.

A motion is made at 8:50 p.m. by Oehler, second by Brown to open to the public with all others in favor.

John Haig, 16 Linwood Avenue questions whether the business operations will emit any smell and whether any food will be served. The applicant indicates that the fermentation system will be closed. The smell emitted would smell like barley or oatmeal. An exhaust system will be installed. Food would be brought in by patrons and free snacks would be offered on site.

The applicant provides additional detail on the brewing machine at the request of Villagomez. Leftover grain will be offered to local farmers.

Brown asks about the proposed lighting on the building. The applicant will not be installing additional lighting.

A motion is made at 9:03 p.m. by Oehler, second by Brown to close to the public with all others in favor.

It is determined that the applicant qualifies as a minor site plan revision.

The applicant should appear at the meeting of Hamburg Historic Preservation Commission on October 24, 2022 to discuss the stair town and matching the bricks on the exterior. The application was not determined to be complete. The applicant will be scheduled for the November 14, 2022 meeting.

PUBLIC:

A motion is made at 9:03 p.m. by Oehler, second by Brown with all others in favor to open to the public.

No public in attendance wishing to comment.

A motion is made at 9:03 p.m. to close the meeting to the public with all others in favor.

ADJOURN:

A motion is made at 9:05 p.m. by Krasnomowitz, second by Brown to adjourn with all others in favor.

Respectfully submitted,



Wendy Brick
Secretary to the Land Use Board