

**BOROUGH OF HAMBURG
LAND USE BOARD
MEETING MINUTES
NOVEMBER 14, 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, Pattie Brown, William Oehler, Glenn David Roberts, Jeannette Tempe and Sam Villagomez. Mayor Marino was not in attendance. Glenn Kienz, Esq., Samantha Anello, PE and Ken Nelson, PP were in attendance.

MINUTES: Brown made a motion to approve the minutes of Minutes of October 10, 2022, second by Tempe with all others in favor, including Hall, Krasnomowitz, Oehler, Roberts and Villagomez.

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

- A. Weiner Law Group - \$400.00 – Land Use Board General
- B. Weiner Law Group - \$408.00 – VanEeuwen escrow #196
- C. Weiner Law Group - \$374.00 – Vallila escrow #188
- D. Weiner Law Group - \$113.00 – WD Business Assoc/DeBoer escrow #197
- E. Weiner Law Group - \$45.00 – 7-11 Main Street, Hamburg LLC escrow #199
- F. Weiner Law Group - \$595.00 – Land Use Board General
- G. Weiner Law Group - \$906.50 – WD Business Assoc/DeBoer escrow #197
- H. Weiner Law Group - \$702.50 – 7-11 Main Street, Hamburg LLC escrow #199
- I. Weiner Law Group - \$96.00 – Harry Howell escrow account #200
- J. Mott MacDonald - \$33.75 – 7-11 Main Street, Hamburg LLC escrow #199
- K. Mott MacDonald - \$202.50 – WD Business Assoc/DeBoer escrow #197
- L. The Nelson Consulting Group - \$819.00 – WD Business Assoc/DeBoer escrow #197
- M. The Nelson Consulting Group - \$858.00 – 7-11 Main Street, Hamburg LLC escrow #199
- N. The Nelson Consulting Group - \$988.00 – Land Use Board General (Ordinance)

CORRESPONDENCE:

There were no comments on the correspondence.

- A. 10/20/2022 County of Sussex re: WD Business Associates, LLC

RESOLUTIONS:

- 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**

A motion was made by Brown, second by Temp to memorialize the resolution granting Preliminary and Final Site Plan and “c” variances with Hall, Krasnomowitz, Roberts and Villagomez in favor and Oehler abstaining.

OLD BUSINESS/NEW BUSINESS:

- A. 7-11 Main Street, Hamburg LLC
Application No. LU 22-04
7-11 Main Street (Block 6 Lot 3)
*Site Plan***

Roger Thomas, Esq. of Dolan and Dolan and Christopher Wolverton, R.A., AIA LEED AP of HQW Architects are sworn in. They respond to the items in the Board Planner's report dated November 13, 2022.

Mr. Thomas states that the applicant appeared before the Historic Preservation Commission and Board of Public Works. The Board of Public Works granted six (6) EDUs for the Phase of the project. Additional EDUs will be requested for Phase II. The stair tower has been eliminated from the plan.

Applicant and building owner, Michael Meneses continues his testimony. He indicates that the surrounding property owners and existing tenants in the building were informed of the proposed plan for a microbrewery on the property. The plan was received favorably. He has discussed parking with Wells Fargo and will continue those discussions.

Mr. Wolverton discusses proposed signage on the building which will be backlit and on Route 23 which will not be lighted. He addresses the report of the Board Planner. The Phase I occupancy will be 59; Phase 2 will be an additional forty (40) occupants for rooftop patio and 10 occupants for the lounge. The business does not require a kitchen. No food will be served. The building does not contain a basement.

Krasnomowitz questions whether the apartment will be accessible from the business. Mr. Wolverton indicates that the apartment currently has one entry from the back of the building and no additional access is required.

At 7:21 p.m., a motion was made by Tempe, second by Brown with all others in favor to open the meeting to the public.

There were no residents in attendance interested in commenting on this application.

At 7:22 p.m., a motion was made by Roberts, second by Oehler with all others in favor to close to the public.

A Motion is made by Roberts, second by Villagomez to approve Preliminary and Final Site Plan with Chairman Hall, Brown, Krasnomowitz, Oehler and Tempe in favor and no members opposed. The approval is subject to development implemented based on the architectural plans submitted dated October 24, 2022; requesting additional four (4) EDUs for Phase II of the project from the Board of Public Works; and providing a letter of approval or no interest from the County of Sussex. The approval will expire in five (5) years.

B. Harry Howell
Application No. LU 22-05
76, 82 and 84 Gingerbread Castle Road (Block 7 Lots 30, 31 & 32)
Minor Subdivision

Kenneth A. Wentink is sworn in and testifies to his credentials as a Surveyor, Planner and Engineer. He indicates that he previously served as the Borough Engineer in the 1970s.

At 7:31 p.m., Krasnomowitz steps down from the dais.

Mr. Wentink indicates that neither lot will conform to the regulations of the Industrial Zone. As such, he is requesting variances. The slab from the former garage will remain as well as the sign from the woodshop that previously operated on site since it is sentimental in value. No disturbance of the land is being proposed.

At 7:36 p.m., a motion is made to open to the public. There are no members of the public interested in commenting on this application. At 7:36 p.m., a motion is made by Villagomez, second by Roberts with all others in favor to close the meeting to the public.

A motion is made by Tempe, second by Brown to approve the subdivision in accordance with the approved plans dated September 23, 2022 with Chairman Hall, Oehler, Roberts and Villagomez in favor and no members opposed.

PUBLIC:

A motion is made at 7:40 p.m. by Oehler 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. by Oehler with all others in favor to close the meeting to the public with all others in favor.

ADJOURN:

A motion is made at 7:40 p.m. by Chairman Hall, second by Tempe to adjourn with all others in favor.

Respectfully submitted,

A handwritten signature in blue ink that reads "Wendy Brick". The signature is written in a cursive style with a long, sweeping tail on the "k".

Wendy Brick
Secretary to the Land Use Board