

**WEST AMWELL TOWNSHIP
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING**

7:30pm

March 27, 2018

The West Amwell Township Zoning Board of Adjustment regular meeting was called to order at 7:33 PM by Chairman Fulper.

The following statement of compliance with the Open Public Meetings Law as listed on the meeting agenda was summarized by Chairman Fulper: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was transmitted to the Hunterdon County Democrat and Trenton Times on February 1, 2018. Notice has been posted accordingly and a copy of this notice is available to the public and is on file in the Zoning Board of Adjustment Office. The meeting was recorded via digital recording system and a copy of the CD is on file in the Zoning Board of Adjustment Office.

Chairman Fulper led the Pledge of Allegiance to the American Flag.

ATTENDANCE/ROLL CALL:

Roll call on attendance: John Cronce-present, Frank Sabatino-present, John Ashton-present, George Fisher - present, Marvin Hartpence (alt. #1) - present, Michael Rassweiler (alt. #2)-present, Robert Fulper-present

Absent: Brian Fitting and Joe Romano were absent.

Professionals Present: Stewart Palilonis, Board Attorney and Tom Decker, Board Engineer

PRESENTATION OF MINUTES:

Regular Meeting Minutes February 27, 2018- Mr. Fisher made a motion, seconded by Mr. Cronce to approve the February 27, 2018 regular meeting minutes.

Roll call vote: Cronce-aye, Sabatino-abstain, Ashton-abstain, Fisher-aye, Hartpence-aye, Rassweiler-aye, Fulper-aye

RESOLUTION(S) OF APPROVAL:

1. Resolution 2018-9 Krishna Bice – Block 17 Lot 20.04 – 166 Rock Road West (C Variance – front yard setback)

Mr. Fisher made a motion to approve the resolution; Mr. Cronce seconded the motion. Roll call vote: Cronce-aye, Sabatino-abstain, Ashton-abstain, Fisher-aye, Hartpence-aye, Rassweiler-aye, Fulper-aye

APPLICATION(S):

1. Completeness and Public Hearing: - Columbia Fire House, No. 4 – block 39 Lot 4.01, 59 Jackson Street – site plan (7:42pm)

In addition to the documents presented at the January meeting Board members received the following before the meeting:

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Letter dated 3/13/18 from T and M Associates

Plan Set of four sheets

Building Elevations and Floor Plans

Aerial Exhibit

Soil Testing Logs

Engineer Decker recommended the application be deemed complete based on the documents received.

Mr. Ashton made a motion to deem this application complete, Mr. Hartpence seconded it. Roll call vote: Cronce-aye, Sabatino-aye, Ashton-aye, Fisher-aye, Hartpence-aye, Rassweiler-aye, Fulper-aye

The applicant's Attorney, Erik Frins from Simon Law Group, introduced himself to the Board. Maxwell Peters from T&M Associates at 200 Century Parkway in Mount Laurel NJ, Principal Engineer for the applicant, introduced himself. Mr. Kevin Robertson who resides at 65 Perry Rd. in Lambertville and is Treasurer for Columbia Fire Company, was introduced. Attorney Palilonis swore in Engineer Peters and Mr. Robertson.

Attorney Frins went over Engineer Peters credentials. The Board accepted Engineer Peters as a professional.

Engineer Peters stated he reviewed Engineer Decker's letter dated January 20, 2018 and has resubmitted the site plan and a response letter dated March 13, 2018 which was distributed to the Board. He displayed the plans on the easel.

The first sheet is an aerial exhibit of the subject property. This was marked into the record as Exhibit C1 dated 3/13/18. The lot area is 15,625 square feet. It is in the Village R9 zone. Engineer Peters explained that the purpose of this exhibit was to show neighboring land use and the distance of residents nearby. It is primarily a residential area. He went over the distances of the nearby residences. There are two homes other than the proposed property that access off of Jackson Street, one of them is Mr. Tillet's. One home is 73 feet away, the other 109 feet away. He commented on the minimal traffic accessing Jackson St. A template was provided showing that the truck can come off of Jackson St. and maneuver the other Township roads.

Exhibit C2 A, B, C, and D were entered into record. This is the site plan which is four sheets. The proposed emergency services center has a 1440 sq. ft. footprint. It is a two story structure with a total square footage of 2232 sq. ft. There is no set standard for parking for a volunteer emergency services facility in the Township ordinance. There will be two entrances off Jackson St. for safety to separate the driveway the truck and trailer will use from the passenger vehicles, this will require a design waiver. The parking lot will be on the east side of the building. Emergency support vehicles will access through the front. There will be two garage doors, one for the truck and one for the trailer.

They are trying to minimize lighting, there will be one wall mounted sconce by the front door and one building mounted light by the parking lot side of the building which is below one footcandle. They are avoiding having a lot of light, they can add more. The lights will be on from dusk to dawn. A motion sensor or switch could be used. They would like to use a sensor on the front door but a sensor in the parking lot may be triggered often by deer.

The ordinance requires a 25 foot buffer for landscaping for non-residential uses. Due to the small lot size a ten foot landscaping buffer is proposed. Engineer Peters went over the landscaping on the sides of the property. There will be three trees in front of the property and a row of shrubs in front of the first parking space.

There is no public water or sewer on the property. A septic consulting firm has been hired and created a preliminary design for the primary and secondary septic field. There will be a mounded systems. It was noted the soils "aren't great". The well is in front of the lot and is 73 feet away from the proposed septic

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field. The requirement is 100 feet or 50 feet if the well is encased. The septic system needs Treatment Works Approval from the DEP.

A variance is needed for lot coverage. Thirty-six and a half percent of the lot will be covered, the max allowed is twenty percent. The parking lot will be stone which is considered coverage.

A variance will be needed as a non-water surface area fire tank is required to be provided for commercial use. This variance is being requested as the building is close to a residential use. Engineer Peters noted that the fire personnel are comfortable with this.

Engineer Decker said the Fire Chief should review this variance. Mr. Cronce said this would need to be a condition of approval as the ordinance states the Fire Chief has to approve any variance on this item.

Engineer Peters said design waivers are needed for the parking area and driveways. He does not believe the concrete curb is necessary. Parking bumpers would be installed to designate parking spots.

Engineer Decker noted that concrete bumpers are used instead of curbs as there is no paving proposed.

Engineer Peters said two driveways are being requested to separate parking from truck access. Turnaround is required for the truck. The truck will be parked inside facing out.

Engineer Peters referred to the architectural plan noting that they want the proposed building to look like a home. It will be 40 feet wide, 36 feet deep, and 19 feet high. He did not know the roof slope but said it would be 1:1 at the maximum with a maximum height of 30 ft. 2 inches. Engineer Decker said that max height will comply.

An error was noted on page 2 of the plans, the dimensions of the structure were switched. The first floor will house two garage bays and a restroom. The second floor is half the size of the first floor and will have a meeting room.

In response to questions from the Board Mr. Robertson said he did not know what material the outside of the building will be. There may be a small stove or refrigerator to heat up soup. Engineer Peters said that based on the size of the septic there will not be a kitchen.

Mr. Robertson explained that the emergency vehicle is a food truck that will go out to sites. There is a kitchen and storage area in the fire house to keep food refrigerated that will go on the truck. All cooking is done on the truck. The building may have a sink and possibly an electric burner.

Mr. Robertson said they can provide information about the material of the building, they are getting bids. He does not know what color it will be.

All the cleaning of pots and pans will be on the truck. There is a provision for the location to dispose of wastewater.

Engineer Peters said there will be an ADA concrete parking spot and the building entrance is ADA compliant.

Mr. Robertson said the trailer is a porta potty and can be pushed into the garage.

Engineer Decker said this does not meet threshold for stormwater management. He went over his review letter. The lot is a pre-existing non-conforming size. Elevations are less than 35 feet. A variance is needed for impervious coverage, this is a function of the site. Thirty-six and a half percent is proposed, without public water and sewer the max is twenty percent, with it is thirty-five. There will be no free standing signage on site. The requirement of a fire tank will require a variance. He is satisfied with the parking spaces. He referred to the testimony on the curb stops. Using stone instead of pavement will require a waiver. The curbing requires a waiver. A residential garbage can will be utilized, there will be no dumpster on site.

The average lighting will be half a footcandle. There will be one light by the entrance door in front and a building mounted light for the parking area. This waiver is up to the Board if they will require a half

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footcandle more lighting. Different options for lighting were presented. Board members commented on wanting minimal light with regard to the neighbors while illuminating the handicapped parking space. The maximum permitted height for light is fifteen feet. Engineer Peters said there would be residential style lights over the garage doors to illuminate when operating the truck.

Engineer Decker said Jackson Street has a width of 16 feet, the minimal State requirement is 18 feet. There are only a few houses that access Jackson. There is potential for more driveways, the Board could require widening as an offsite contribution. This was discussed, Mr. Cronce said there would be no benefit by widening.

The frequency of the trips for the truck was discussed, they are estimated at once or twice a month at most. They will go to Hunterdon County primarily and also Bucks County.

Engineer Decker referred to item #11 from his letter. There will be a waiver needed for two driveways and not providing a lot turnaround. Additional landscaping will need to be provided on the east, south, and west of the property. A 25 foot buffer is required, there is only ten feet available. Trees will be planted.

Item #16 was addressed with landscaping.

Item #17 will need Treatment Works Approval by DEP. Engineer Decker advised the applicant to be cognizant of where the neighboring wells and septic systems may be.

Stormwater management is not required due to the small lot size. D&R determined that the project is exempt as it is below the threshold.

Chairman Fulper opened the meeting to the public for questions of the engineer's testimony only.

Susan Piefly, 19 Walton Dr. New Hope, stated that she owns 11 York Rd. Her mother lives on 3 Old York Rd. She reported that the road dead ends into 3 Old York Rd. Right now the road is rutted. She is concerned it will get worse. She asked if the condition of the road can be addressed and how it can be better maintained. She commented on the trucks from the Tillet property and there not being enough room for two vehicles at once on the road.

Engineer Peters said the trucks will be removed once the structure is built as the property was sold to Columbia.

Dave Piefly, 19 Walton Dr. New Hope, asked how far the garage will be from the road.

Engineer Peters said it will be twenty feet.

Mr. Piefly asked about the amount of space needed to go past the garage and back up to get the truck and trailers into the building noting that the road is one lane. He asked about what would happen if a car was on the road.

Engineer Decker said the garage will be 25 feet to the property line. Engineer Peters said there is an additional 17 feet to the road, the roadway to the building is approximately 41 feet.

Mr. Robertson said the truck is approximately 14-15 feet.

Andrea Little, property owner 18 Hancock St. and resident of West Amwell Township, asked how deep the lot is. Engineer Peters said it is 425 feet. The building will be 36 feet. Ms. Little asked where the septic will be located. Engineer Peters said 21 feet off the property line. Ms. Little asked about what kind of perimeter blockage there will be. Engineer Peters said there will be a ten foot wide buffer strip on three sides. Ms. Little commented on several of the properties on Jackson being vacant. She expressed concerns for safety noting that there is thirty feet between the trees and building in the rear of the proposed building. She asked if there was access from the back of the building or if there will be any gatherings in that space. Engineer Peters replied that there are no plans for this, there is an emergency door, and the back is sloped. Ms. Little asked about parking. Engineer Peters said there are five regular spots and one

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ADA spot and went over the lighting. Ms. Little asked if they had looked at where septic and wells will be located on the surrounding properties. Engineer Peters said the septic engineer checked the County records. Ms. Little said she wanted them to be aware that she just had her septic approved for the property behind it. Engineer Peters commented how septic system applications are “first come first serve”. Ms. Little asked if a neighboring property has a cess pool will they be able to get a septic design. Engineer Decker said this would go to the County Health Department then the Township Board of Health as they would be hard pressed to tell an existing homeowner they can’t have a system. He said that a condition of approval on this application would be approval for a septic system. Ms. Little asked if septic and well are required, if they will need a bathroom, and if the bathroom will meet the ADA requirement. Engineer Decker said a bathroom is needed to meet occupancy code.

There was a brief discussion about whether or not there will be a rear door. Engineer Peters said the architect will add one based on egress requirements. Based on the concrete pad it appeared the second entrance will be on the side of the building.

Attorney Palilonis went over what is proposed:

Design waiver for two driveways

1 light over main door in front

1 light over each bay door

2 lights on side for parking lot

A variance will be needed for lot coverage of 36.5, 20 is permitted.

Variance for fire tank

Design waiver for the lack of concrete curb

Design waiver for concrete wheel stops in the parking area

No turn around on site

6 parking spaces, one ADA

Lot is undersized

No solid waste disposal, standard garbage cans

Waiver for 25 foot buffer, suggesting 10

Chairman Fulper summarized that there are two variance requests and six waivers. It is noted that the lot size is a pre-existing nonconforming area and does not need a variance.

Attorney Frins thanked the Board for the hearing tonight and their consideration of this application. They feel the use is for the greater good of the community and as it is deemed quasi-commercial it is more akin to a residential plan that would not be so obtrusive to residential neighbors.

The Board agreed having two driveways is a better design.

The lighting was discussed by the Board. Engineer Peters said the front door light and the lights above the garage doors would be on every night. He expressed concerns about using a motion sensor because of the deer. The two parking lot lights will be put on a switch. A waiver will be needed for not providing the full amount of lighting.

The Board discussed heating.

Engineer Decker said a waiver is needed for the 25 feet of buffer required around the perimeter of commercial properties. This waiver is due to the lot size. The type of landscaping was briefly discussed.

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Chairman Fulper said waivers are needed to have concrete curbing and no paved parking lot. Engineer Decker said waivers are needed for the gravel parking lot instead of pavement noting the driveway and ADA space is concrete. There will be no on site turnaround.

Chairman Fulper said a variance will be needed for the fire tank subject to fire chief approval.

Engineer Decker read from the Township ordinance regarding the plantings and buffering requirements. They are to be a minimum of 8 feet in height. Chairman Fulper commented on the buffering fitting the neighborhood and look as natural as possible. The landscaping will be left up to the engineers.

The meeting was open to the public at this time:

Andrea Little said she appreciates the insight. She would like to see the exterior of the building and asked if there will be windows in the back as the property looks over residential properties. She commented on the trailer being 14 feet long and asked the length of the truck. She asked if the building needs to be "this big" and said the building seems to be bigger than the need it is being built for. If the building were smaller there would be more room available to back the truck in. She commented about backing in at night being tricky. She spoke of protecting the neighbors referencing the windows on the second floor where meetings will be held. She commented on the land being meant for houses. She spoke again about allowing a larger setback as backing into the road is dangerous. Ms. Little commented about the parking lot feeling like a "house" parking lot and the ADA space being safe.

Mr. Robertson said there is no plan to put windows upstairs.

Susan Piefly asked for more explanation of the outside finishes to make sure it fits with the residential look. She appreciates the Board's concern about landscaping and is concerned about maintenance and the way Jackson St. will turn out to be as it is rutted and unmaintained. She said to consider blacktopping the very rocky drive. She said the road was fine as a stone drive since 1953 and activity with businesses started the ruts. She commented on it being a mess right now and asked if it was the Township's responsibility to maintain.

Mr. Robertson commented that the trucks on the property will be gone.

Ms. Piefly asked where they will go as they have been there a long time. She commented on the lighting saying she wants it to be safe and does not want to be looking at glaring light. She appreciates keeping it residential as the landscaping and parking spaces make it look like a corporate building.

Mr. Robertson said with regard to traffic in the road the amount of times called will be based on external events. They have not been called yet. The design of the building is still in flux. There are financial constraints, they are raising funds from residents and are dependent on donations. The building is primary for a garage for the food truck and trailer with porta potties. There will be a refrigerator with food. The building will be dark unless there is an event. There will be three people on the truck and a couple of cars following. There is a short window of time where there will be activity there. The Tillet trucks for his business will not be on the property. He has not seen real traffic on the road, there will be less traffic on the road once the trucks are gone.

Mr. Piefly commented on there being 8-10 trucks on the property every day.

Mr. Robertson said the trucks are not part of the application.

Ms. Little asked why the building will be two stories if there are no meetings there. She commented on people wanting to build nice houses and not wanting this to hurt other taxable valued property. She suggested they present to the community once bids are in. She commented on road safety and wear and tear.

Chairman Fulper said a condition the Board can consider is that no vehicles are parked on the lot. There is testimony that the trucks won't be there. They are not allowed by ordinance. It was summarized that two issues were presented, the trucks and the architectural makeup of the building.

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Comments were exchanged about the need for the second floor. Chairman Fulper referred to prior testimony that the second floor was for memorabilia and the annual meeting.

It was suggested the applicant come back when materials are known. Attorney Frins said bids cannot be accepted without the site plan approval. Mr. Robertson said it will not be steel, they will make every effort to make it look like the other homes and as residential as possible. There was further discussion on the appearance and how to make it look residential.

Ms. Little commented about the variance for relief coverage of 2200 sq. ft. noting that very few houses in the area are that big.

Attorney Frins said the site plan could be approved subject to architecture.

The Board took a five minute recess at this time. 10:00pm

The Board returned at 10:05pm and the meeting was called back to order by Chairman Fulper.

Attorney Frins said if the Board wants to hold the decision until the April meeting hopefully an architectural plan can be done in that time frame.

The Board agreed with this. Chairman Fulper said the Board is looking for architectural drawings, size, and design and if the use has changed since they last testified. Engineer Decker said that plans must be submitted ten days before the meeting.

Attorney Palilonis said this will continue under the notice.

Mr. Fisher made a motion to carry the site plan application for Columbia Fire Company. Mr. Ashton seconded it.

Chairman Fulper announced that the application is carried until April 24th. This announcement is in lieu of noticing.

Correspondence:

There were no comments on any correspondence.

Approval of Bill List 3/27/18:

The bill list was presented with a total of \$745.93 for approval. All were in favor.

DISCUSSION:

There were no items for discussion.

OPEN TO PUBLIC:

There were no comments from any public.

ADJOURNMENT:

A motion to adjourn was made by Mr. Ashton, seconded by Mr. Hartpence. All members voted in favor of adjournment at 10:09PM.

Respectfully submitted,

