

**THE HAMPTON TOWNSHIP
PLANNING BOARD**

Minutes for November 16, 2023

November 16, 2023

The meeting of the Hampton Township Planning Board was called to order at 7:00 PM by Chairman Ambrosi who led us in the Flag Salute.

Roll Call: Mr. Brucker, Absent; Mr. Daniels, Yes; Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mr. Ostrander, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walthers, Yes; Mr. Zawacki, Yes, Mr. Yetter, Absent; Mr. Dooley, Yes; Mr. Ambrosi, Yes; Attorney Brady, Yes; Engineer Simmons, Yes.

STATEMENT: This meeting is being held in compliance with the provision of PL 1975 Chapter 231, Secs. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplied to the Official Newspapers of the Hampton Township Planning Board that being the Daily New Jersey Herald and the Sunday New Jersey Herald and is posted in the usual location of posted notices. Testimony will not be received after 10:00 PM.

MINUTES: A motion to approve the Minutes of October 19, 2023 was made by Mr. Daniels and 2nd by Mr. Gunderman. All board members were in favor. Mr. Dooley abstained from voting.

APPLICATION:

**23-09-PB Harby, John --- 209 Highland Ave – Block 2802, Lot 3—Plot
Plan with Variances**

The applicant's attorney Mark Peck introduced himself and stated that the applicant is proposing to construct a single family home on a vacant under sized lot. He stated that the applicant has obtained a septic permit from the county and also fire department approval.

The applicant is asking for the following variances: Lot area, Lot depth, Lot frontage, Rear yard setback and also a planning variance as the property fronts on a private road.

The applicant did reach out to the adjacent property owners for purchase of this vacant lot or selling part of their property. The letters went out certified mail. Certified mailings were presented to Board Secretary and Attorney. Attorney Brady stated that a neighbor did reach out to purchase but did not match contract sales price.

The applicant's attorney called the applicants engineer, Kenneth Dykstra, for testimony. Mr. Dykstra was sworn in by Attorney Brady. Mr. Dykstra has been heard before this Board many of times. Mr. Dykstra stated the property does not have any wetlands effecting this property. Currently, the property has a stone wall toward the back that helps with the storm water runoff. Soil testing was done at site. Test pit was done for proposed drywells. Drywells are sized for three full inches of rainfall. Mr. Dykstra stated that the only time storm water will enter Highland Avenue is when there is a very large storm event. Attorney Brady asked why they needed the rear yard setback. Mr. Dykstra answered by stating that they picked the rear due to the house to be architectural pleasing and so that it will give enough room to fit septic and well.

Chairman Ambrosi then opened up the meeting to the public for questions. Mike Hannifan, who is an attorney is representing a resident of Clearview Lake came to the podium for questions directed toward Mr. Dykstra. His questions were how far is the proposed septic from the well on 213 Highland Ave. Mr. Dykstra stated that the distance is 114 feet. Mr. Hannifan's next question was if there was a different design of septic they could have used to which Mr. Dykstra stated that the septic design was designed for this property.

Jeffrey Calvani of 412 Longview Dr. had questions regarding drainage, septic and the make of the building. Mr. Dykstra answered all his questions.

Karen Dietz of 431 Longview Dr. and Diane Romanick of 310 Lakewood Terrace. had questions about excavating or blasting. Mr. Dykstra answered excavating. The next question was about septic and if it would be treated chemically and who would be treating it. Mr. Dykstra stated it is an advanced system that does not use chemicals.

Chairman Ambrosi then opened up the meeting to the public for testimony. Attorney Brady swore in a resident who resides in Clearview Lake. Resident states that the house proposed is too big for the size of the lot. Resident feels that the erosion from rain will just get worse. Resident believes that the Board should deny this application.

Karen Dietz, representing Clearview Lake, stepped up for testimony. She had the same concerns as the previous resident.

John Harby of 956 Rockhard Rd. was sworn in by Attorney Brady. He stated that he paid \$22,000 for the vacant lot. He had spent approximately \$29,000 in soft costs. The approximate value of this property is around \$51,000.

A motion to disapprove the application above was made by Mr. Dooley and 2nd by Mr. Daniels. All Board members were in favor except for Mrs. Kominiak who abstained.

Mr. Dooley stated his reason for not approving this application is because the lot is too small for the proposed house.

Roll Call: Mr. Daniels, Yes; Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Abstain; Mr. Ostrander, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walthers, Yes; Mr. Zawacki, Yes; Mr. Dooley, Yes; Mr. Ambrosi, Yes

23-07PB Mantia, Peter & Laure – 532 Clearview Dr. – Block 2904, Lot 15 – New Const. – Variance

The applicant is proposing to construct a single family dwelling located in a R-1.5 zone. The property has frontage on Clearview Drive which is a private road. The property is undersized by 2,463 square feet. A variance for lot area is required. Other variances required would be lot depth, front and rear yard requirements.

The property was submitted to the Hampton Township Zoning Board in 2005 as application #05-03ZB under the name of Joseph C. Savage, Jr. The applicant received conditional approval in 2005 but a dwelling was not constructed. Mr. Savage passed away in 2016. The new applicant is now proposing to construct a dwelling on the same property.

Daniel Bekendorf, the applicant's attorney, stated that the property is undeveloped. He also stated that a septic and well already exists on the property. The previous owner in 2005 proposed a 4-bedroom home. The new applicant has proposed a 3-bedroom home.

Attorney Brady swore in Laura Mantia of 229 Clove Road in Montague, NJ along with her husband Peter Mantia of the same address. Ms. Mantia stated that the reason for her building this new home is to be closer to her son and his family who also live in Clearview Lake.

Attorney Brady then swore in Douglas Dykstra of 11 Lawrence Rd. Newton, NJ. Mr. Dykstra is the applicants land surveyor and professional planner. Mr. Dykstra stated that a drainage swale exists on the property that runs through a drainage pipe under Clearview Drive. He also stated that an existing septic tank and septic field are already constructed on the property. Two dry wells are proposed on the property to mitigate the additional runoff flow.

Chairman Ambrosi opened up the meeting for public testimony. Karen Dietz and her husband of 431 Longview Drive wrote a letter to the board stating that the house being proposed is too close to their house and would like it moved slightly.

A motion to approve application with Engineer Simmons conditions was made by Mr. Daniels and 2nd by Mr. Sivulich.

Roll Call: Mr. Daniels, Yes; Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mr. Ostrander, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walthers, Yes; Mr. Zawacki, Yes; Mr. Dooley, Yes; Mr. Ambrosi, Yes

23-06PB

**Ephemeral Realty, LLC (Sussex Honda) – 57 Hampton House
Rd. – Block 3501, Lot 44.04 – Amended Preliminary & Final
Site Plan**

This application is being carried to the December meeting.

BILLS:

Harold E. Pellow & Assoc. – Lowes	\$1690.50
Harold E. Pellow & Assoc. – Home & House	\$376.00
Harold E. Pellow & Assoc. – Wawa	\$241.50
Harold E. Pellow & Assoc. – Ephemeral Realty	\$34.50
Harold E. Pellow & Assoc. –Faircough Land	\$34.50
Brady & Correale, LLP—General	\$656.25
Brady & Correale, LLP—Ephemeral Realty	\$483.25
Brady & Correale, LLP—Harby	\$308.25
Brady & Correale, LLP—JCB	\$88.50
Brady & Correale, LLP—Lowes	\$88.50
Brady & Correale, LLP—Mantia	\$311.65
Brady & Correale, LLP—Dianella	\$88.90

Motion to pay the bills was made by Mr. Dooley and 2nd by Mr. Gunderman. All board members were in favor.

OPEN TO THE PUBLIC**ADJOURNMENT**

A motion to adjourn at 10:20 PM was made by Mr. Daniels and 2nd by Mr. Gunderman with all members present in favor and none opposed.

Respectfully submitted,

Katelynn Wunder, Secretary

