

**THE HAMPTON TOWNSHIP
PLANNING BOARD**

Minutes for March 21, 2024

March 21, 2024

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

Roll Call: Mr. Yetter, Absent; Mr. Sivulich, Yes; Mr. Gunderman, Yes; Mr. Zawacki, Yes; Mr. Dooley, Yes; Mr. Santora, Absent; Mrs. Kominiak, Yes; Mr. Gurick, Yes; Mr. Ostrander, Absent; Mr. Walthers, Yes; Mr. Brucker, Absent; Mr. Daniels, Yes; Mr. Ambrosi, 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 February 15, 2024 was made by Mr. Dooley and 2nd by Mr. Gunderman. All board members were in favor.

RESOLUTION:

**23-08-PB Northwest Christian School --- 92 Rt. 519 – Block 3202, Lot 24 —
Minor Site Plan – Addition
Memorialization**

A motion was made to memorialize the resolution by Mr. Zawacki and 2nd by Mr. Daniels.

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

APPLICATIONS:

**19-10PB Ephemeral Realty, LLC – 98 Hampton House Road - Block
3602, Lot 5.02 & 5.03
2 Year Extension**

Mr. Gunderman and Mr. Zawacki recused themselves for this application.

Attorney Ursula Leo introduced herself as the applicant's attorney and stated they are seeking a 2-year extension for a previously-approved application. Ms. Leo introduced Engineer Allen Campbell, who would be presenting the site plan.

Attorney Michael Brown swore in Mr. Campbell and he stated his qualifications to the board. He stated this lot is located just north of the current Mercedes dealership on Route 206 in Hampton Township. In 2011 the applicant received approval to construct a 6000 sq. ft. building. This application was approved, but was never pursued. In 2019 an agreement was made with the neighboring property to transfer 2.27 acres from lot 5.01 to 5.03, increasing lot 5.03 to 9.7 acres. Shortly after, amended site plan application #19-10PB was submitted. This plan proposed the construction of a 14,000 sq. ft. building to be used as a car dealership. There is no specific manufacturer planned for the lot. Once a manufacturer is brought to the facility, the applicant will return to the Board regarding the façade and other factors that will depend on vehicle type and size.

Attorney Brown stated that right now the Board is considering a 2-year extension for the previously approved application and a final site plan approval will be needed down the road when a manufacturer is brought into the facility.

Mr. Simmons reviewed his report with the Board. He noted that the site can accommodate a car carrier. This allows the future manufacturer to be able to load and unload cars independently on site, rather than depend on other sites owned by the Allocca family. This is beneficial if this or other sites are sold by the Allocas. Mr. Simmons also noted that the current LOI is still in effect until 2025.

Mr. Ambrosi asked if this lot will be accessible from Intercar. Mr. Campbell stated a corridor at the southern portion of the lot would allow for smaller vehicles to travel between the two lots. Mr. Dooley noted that this would make it easier to unload cars from a car carrier for that dealership as well.

Attorney Brown stated that approving the applicant's request would extend the approval through November 21, 2024. The applicant will come back with a final site plan once a specific manufacturer is established.

A motion to approve was made by Mr. Daniels and 2nd by Mr. Sivulich.

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

**23-06PB Ephemeral Realty, LLC (Sussex Honda) – 57 Hampton House
Rd (Rt. 206) - Block 3501, Lot 44.04
Amended Site Plan**

Mr. Gunderman and Mr. Zawacki recused themselves for this application.

Attorney Ursula Leo reintroduced this application to the board. It was previously approved in December in 2023, however they have made some adjustments after Engineer Campbell noticed an opportunity for improvement.

Attorney Brown stated there was no resolution drafted after the December meeting due to the applicant coming back with the update, therefore the resolution drafted from this meeting would include all items previously discussed in December.

Mr. Campbell stated the only change being made is to the rear parking lot on the north side of the Honda facility. The previously approved plans show a drive-through service building to be constructed between Honda and the BMW facilities. In these plans the existing parking lot would not be changed. During a recent trip to the site Mr. Campbell noticed that larger vehicles needed to make K-turns when pulling out of the service door creating issues with the flow of traffic in that area. The updated site plan removes the retaining wall and terraced parking lot, widens the service aisle way to 25' and updates parking spaces from a 45° angle to perpendicular to the aisle. This will improve the flow of traffic while also reducing variance relief for the parking cover (39.95% existing; 33.9% approved in December 2023; 32.8% updated proposal; 30% ordinance maximum), aisle way (25' now in conformance with ordinance) and parking space size (162 sq. ft. approved in December 2023; 180 sq. ft. proposed; 200 sq. ft. ordinance requirement).

Engineer Simmons reviewed his report for the Board. He noted that although the changes to the parking cover and space sizes have been improved from the original plan, they will still require variance relief written into the resolution. He also stated that the operation manual for storm water drainage will need to be updated and recorded with the Sussex County Clerk's office. Mr. Campbell confirmed that their current report is in compliance with all requirements and the updated information will be filed. Mr. Simmons stated that a book and page of that can be included with the submission of the as-built plan.

Mr. Sivulich asked if there were any previous issues with façade signs or security lighting. Mr. Campbell stated that there was a variance granted for a hot spot, and they have a new diagram that shows they still have on location that is 9.8 foot candles, which is within the previously granted allowance. Mr. Simmons stated the measurements are taken from the center line of the access aisle. It is not uncommon for there to be a bright spot near a parking lot light, and a variance granted for that specific area, as was done in this circumstance.

Chairman Ambrosi opened the hearing to questions from the public.

Attorney Brown stated variances for impervious parking coverage and parking space size would be included in the resolution. There were also variances from the December 2023 hearing that will be included as long as there were no changes made to them in this meeting. An updated storm water management manual will also need to be submitted to Mr. Simmons and filed with the Sussex County Clerk's Office, as a condition of the approval.

A motion to approve was made by Mr. Daniels and 2nd by Mr. Dooley.

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

DISCUSSION:

Mr. Dooley stated that limited work was completed over the last 15 years on the Home & House property on Parsons Road. Equipment has been moved off the premises, however there are several safety concerns at the property and the town has worked to address those with the applicant. He asked if the restoration bond collected can be used to resolve the safety concerns and what the process would be. Attorney Brown stated that he and Mr. Simmons have both attempted to gather information from Mr. Hannoush and his attorney regarding the status of the project and any timelines available. It was his understanding that there were emergency circumstances involving health issues that slowed work. The township can start the process by communicating their intention to use the bond unless a plan is provided within 60 days of the given notice. Mr. Simmons stated that his office could visit the site within the next week and provide a report for the Board. Attorney Brown stated that once the notice has expired the Township Committee would make the decision to use the restoration bond.

Mrs. Kominiak asked if the property owner can rectify the safety concerns now that his application approval has expired. Attorney Brown confirmed that the owner will be provided the report and will be allowed time to correct the safety concerns in order to avoid the use of the restoration bond.

A motion was made by Mr. Dooley and 2nd by Mr. Sivulich for Mr. Simmons's office to visit the property and provide a report.

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

BILLS:

Brady & Correale, LLP – JCB Development, LLC	\$88.50
Brady & Correale, LLP – John Harby	\$219.35
Brady & Correale, LLP – Ephemeral Realty, LLC	\$703.60
Brady & Correale, LLP – Northwest Christian School	\$671.85
Brady & Correale, LLP – Hampton Township Planning Board	\$546.15
Brady & Correale, LLP – Hampton Township Planning Board	\$262.50
Brady & Correale, LLP – Northwest Christian School	\$743.75
Brady & Correale, LLP – Peter & Laure Mantia	\$90.50
Brady & Correale, LLP – Ephemeral Realty, LLC	\$93.10
Harold E. Pellow & Assoc. – Hampton Township Planning Board	\$390.50
Harold E. Pellow & Assoc. – JCB Development LLC	\$1,079.13

Harold E. Pellow & Assoc. – Ephemeral Realty (Sussex Honda)	\$699.50
Harold E. Pellow & Assoc. – Northwest Christian School	\$657.50
Harold E. Pellow & Assoc. – John Harby	\$142.00
Harold E. Pellow & Assoc. – Peter & Laure Mantia	\$213.00

A motion to pay the bills was made by Mr. Dooley and 2nd by Mrs. Kominiak. All board members present were in favor.

OPEN TO THE PUBLIC

Attorney Brown announced that he is leaving Brady & Correale and accepted a new position at a new firm. He thanked everyone for his time with the Planning Board.

ADJOURNMENT

A motion to adjourn at 8:09 PM was made by Mr. Gunderman and 2nd by Mr. Dooley with all members present in favor and none opposed.

Respectfully submitted,

Katie Schroder, Acting Planning Board Secretary