

SUSSEX COUNTY PLANNING BOARD

MINUTES

MAY 6, 2013

The meeting was called to order by Vice Chairman Ford at 4:04 p.m. The meeting is held in compliance with the Open Public Meetings Act, NJSA 10:4-2 of 1975, as amended. Present were:

MEMBERS PRESENT: Dr. John Ford, Vice Chairman
Michael Francis
Wolfgang Gstattenbauer
Gene Crawford, 1st Alternate
Dan Flynn, 2nd Alternate
John Risko, Engineering Alternate
Rich Vohden, Freeholder Director

MEMBERS EXCUSED: Andy Borisuk, Chairman
Michael Cecchini

STAFF PRESENT: Eric Snyder, Planning Director
Alice Brees, Principal Planner

ALSO PRESENT: Megan Ward, Esq. for Occhifinto
Allen Campbell, P.E. for Occhifinto
Jim Glasson, P.E. for Haubrich
Eric Wood, Esq. for Haubrich

Eric Snyder and the Board members welcomed Dan Flynn to the Planning Board.

MINUTES

A motion was made by John Risko to approve the minutes of April 1, 2013 as received. The motion was seconded by Gene Crawford. All were in favor with abstentions from Michael Francis and Dan Flynn. Motion carried.

SITE PLAN/SUBDIVISION REVIEW COMMITTEE REPORTS

A motion was made by Rich Vohden to approve the Development Review Committee Reports for April 1, 2013 and April 15, 2013 as received. The motion was seconded by John Risko and carried unanimously.

APPEALS AND WAIVER REQUESTS

A. OCCHIFINTO, SITE PLAN FILE 6(PSP)13, ROUTE 663, NEWTON:

Megan Ward, Esq., attorney for Occhifinto said this is an application that was approved by the Newton Planning Board for property located on County Route 663. The site will have two warehouses on it. They are here to request a waiver for a sight triangle easement.

Allen Campbell was sworn by Eric Snyder. Mr. Campbell said he is a professional engineer with the firm of Campbell Associates. He said the property is on Lot 1 in Block 20.02 on Hicks Avenue in Newton. They are proposing to build a construction entrance and permanent entrance for the construction of two small warehouses. The application conforms to County Standards in all aspects with the exception of the clearing of the 90' x 300' sight triangle easement. They are seeking a waiver from this requirement. The sight distance is more than adequate in all aspects for all functions of the roadway. It is on a flat stretch of road. The sight distance in each direction is in excess of 600-700 feet. The presence of a wetlands transition area is the reason why they are seeking approval not to clear the 90' x 300' triangle. They have an application before the DEP for transition area reductions and for other DEP permits to construct the entrance. They are proposing to clear 40' x 300' and 40' x 200' areas which provides safe access.

John Risko said Mr. Campbell explained the restrictions by the DEP. The sight triangle easement is a redundancy for safety so that vehicles can recognize each other if there is a problem, such as a vehicle not stopping at the stop sign. He said the Board has discretionary power and he is deferring to the Board. From what he has seen from the DEP, they will not let him do the clearing.

John Ford asked what the grade was on the driveway as it approaches the road. Mr. Campbell said they are dropping 2% down and then going 2% up for the first 60' and then they progressively get to 6% and then 12% grade at the crest of the hill. For the first 200' at the entrance, the driveway does go to a low point before coming back up to the roadway at a 2% grade.

John Ford asked what County road mile marker the property was on. Mr. Campbell said the project is in the first mile. He added that the property is approximately 800-1,000' down from the sharp corner and that the existing driveway entrance is at the bend. The driveway is being relocated down from the bend after he met with Mr. Risko on site in 2009.

When asked what type of trucks will access the property, Mr. Campbell said the proposal is for typical tractor trailers that will be coming up to a T turn at the top. Mr. Occhifinto has other warehouses that are similar to this in Lafayette. He uses these for oversupply of material and products for his plant in Green Township. These sites are typically accessed about once or twice a week. Mr. Risko said he meets all the other County conditions at the site.

Vice Chairman Ford called for comment from the public. No comments were offered. The meeting was closed to the public.

MOTION:

A motion was made by Rich Vohden to grant the waiver for the reduced clearing in the sight triangle easement. The motion was seconded by Michael Francis. A roll-call vote was taken. Results were as follows: John Ford-Yes; Michael Francis-Yes; Wolfgang Gstattenbauer-Yes; Gene Crawford-Yes; Dan Flynn-Yes; John Risko-Abstain; and Rich Vohden-Yes. Motion carried.

B. HAUBRICH ENTERPRISES, LLC, SITE PLAN FILE 8(PSP)13, ROUTE 633, BRANCHVILLE:

Eric Wood, Esq., attorney for Haubrich Enterprises said they are here today for a number of waivers. He noted that this application received municipal approval from Branchville Borough on November 14, 2012. Some members of the Branchville Board referred to this site as an eyesore and a hazard. There was a long history of violations before Mr. Haubrich acquired the property. Mr. Haubrich has been addressing these problems over the last six months.

The applicant owns the adjoining lot across the street, an auto sales and auto body operation. The purpose of acquiring this lot was to handle the overflow of the extra cars to be sold. One of the key features is that only employees will have access to this site. The waivers they are requesting are not only from a practical matter but also because of expenses. With the previous lot, he spent over \$1 million. With the downturn of the economy over the last six years, he does not have the funds to do all of the things he would like to do on this site. Mr. Wood introduced Jim Glasson from Civil Engineering.

Jim Glasson was sworn by Eric Snyder. Mr. Glasson said he is employed by Civil Engineering, Inc. in Budd Lake, NJ. He said the property is on the corner of Kemah Lake Road (County Route 633) and State Route 206. Currently the site has 360' of frontage on Kemah Lake Road and another 1,500' on Route 206. It was the previous site of Mountain Man Tree Service.

Mr. Glasson distributed six photos of the property. The photos were marked Exhibit A-1. The first photo showed the view from 123 Auto Body towards the site. There is an existing entrance on the site. The second photo is the view from the same side of the road looking across from the residential corner. The property has a single family residential dwelling and also has a commercial use. It was a pre-existing condition. It

had separate driveways for the residential dwelling and a separate driveway for the commercial element. They wanted to keep it that way so the two did not cross. The house is currently vacant and is being renovated. The commercial component is a 3,000 sq. ft. building that they are proposing for a repair garage and a place for the applicant to take cars from across the street to work on. The third photo is a view of what the building looks like now. There was an existing building that was destroyed by fire. The fourth photo is the view from Route 206. It shows the height of the corner of the property as well as the two openings that currently exist. The fifth photo shows the condition of the property when it was purchased. It was strewn with debris, rubble and junk. The sixth photo is the view from the commercial driveway and gives an idea of the opening offset. When asked, Mr. Glasson said the applicant is proposing to pave the first 50' of the driveway.

Mr. Glasson said the first waiver request is for the number of openings. The County requirement is one opening per site plan. There are two proposed openings to keep the uses separate. There is a change in elevation between the two driveways: the elevations are at 681 and 699, and there are seven feet between the two.

The next waiver is for the offset access. He said he first tried to put the driveway directly across the street and line it up with the auto body driveway. This scenario took all the grading and pushed it into the corner and created about a 10% grade on the driveway. This was with holding a 5% slope for the first 50'. He passed around a drawing of this design, which was marked as Exhibit A-2.

The third waiver is for access offset on the same side. There are two accesses, one for the residential use and one for the commercial use. The required offset distance is four times the design speed, which is about 50 MPH. This will put his offset distance in the 200-250' range. He only has 360' on the whole property. If he leaves the openings where they are, the separation distance between them is 94'.

The fourth waiver is for sight distance. The only sight distance that he met was the residential left turn out. He did not meet the residential right turn out, which is 546' required by County Standards, and 413' is available. For the commercial 546' out, he has 536' looking up the hill. The commercial left turn out was measured at 451'. He added that no matter where the entrances are, they would not meet the required sight distance. When asked why he could not make the sight distance for the right turn out of the residential driveway, Mr. Glasson said it was because of the hill on the County road.

The fifth waiver is for drainage. Mr. Glasson said they did extensive drainage on one side of the road. They put an underground drainage system in on the hill and tied it into the DOT system on the corner. On the low side of the residential driveway, he does have an existing inlet. They are asking for waivers from installing inlets on those corners. They are not planning any pavement beyond the first 50' and the curb returns at the entrance. He said the flow comes down the mountain towards Route 206. They are taking the upper parking area and tipping it back to an infiltration trench to alleviate the water coming towards Route 206. The drainage trench is 10' wide. He added that they are not increasing the impervious coverage more than 8,000-

9,000 sq. ft. He believes there will be a significant improvement in the drainage because of the infiltration trench. When asked, Mr. Glasson said he did perform a coverage calculation. Mr. Risko advised Mr. Glasson that if any of (QP) gravel is not stable and washes into the road, the applicant will be subject to significant fines. Mr. Glasson said if they stay with the current design, that should not happen because there will not be a channel for the water to come down the driveway. Mr. Risko asked if it was possible to intercept the water on the way down and dissipate it into areas next to the driveway. Mr. Glasson said there is no curbing other than the curb returns. Mr. Risko said they can look at that when they come in for the permits for the access. There was some discussion about the infiltration trench. Mr. Glasson said the infiltration trench is 10' wide x 4.5' deep with 1.5" stone with decorative river rock on top. However, Municipal Engineer Harold Pellow said they may have to go deeper. Mr. Pellow plans on being on site to inspect this work being done. Mr. Risko reminded the Board that the stormwater discharge to the DOT's system is not within the County's jurisdiction. He also said that residential driveway inlets will not be required by County Standards. The reason they require inlets upstream for commercial driveways is so that water does not flow to the road and cause icing in the winter. Glasson said there is an inlet just to the low side of the driveway. Mr. Risko said this would intercept anything that comes from the commercial driveway.

The sixth waiver request is for cross sections within 250' of the site. They showed cross sections 250' to the right of the commercial entrance. To the left, they only showed to the Route 206 intersection, they did not go past the intersection. They are asking for waivers for those additional sections. Mr. Risko said he recommended this in his letter.

Mr. Risko said he does not believe there is a spot on this site that can get sight distance in both directions. The applicant has demonstrated that there would be a worse condition if he had the commercial driveway opposite the auto body driveway. The county would not be looking for an offset for the residential driveway from the other residential driveway.

John Ford confirmed that this site plan is for a proposed parking lot. Mr. Glasson said it is for the overflow of vehicles. He said it is not open to the public and there will not be any advertising signs. He will be working on cars and parking cars in the area. Mr. Ford said the public may still drive over to the opposite side to look at the cars. Mr. Glasson said the applicant is willing to block it off. He said the upper area is gated and fenced. He is willing to put in "Private Property" or "Do Not Enter" signs. This was determined to be a municipal issue.

There was some discussion about the soils, the proposed septic system and the tree line along Route 206. Vice Chairman Ford opened the meeting to the public. None present. The meeting was closed to the public.

MOTION:

A motion was made by Michael Francis to grant the six waivers requested. The motion was seconded by Wolfgang Gstattenbauer. A roll-call vote was taken. Results were as

follows: John Ford-Yes; Michael Francis-Yes; Wolfgang Gstatenbauer-Yes; Gene Crawford-Yes; Dan Flynn-Yes; John Risko-Abstain; and Rich Vohden-Yes. Motion carried.

DIRECTOR'S REPORT

Eric Snyder reported that the Complete Streets study is underway. He will keep the Board up-to-date as it moves along. There will be a kick-off meeting on Monday night for the Together North Jersey program. This is the three year, \$10 million program for the 13 Counties North Jersey Transportation Planning Authority (NJTPA) region. It is one of three planning regions in the State of New Jersey. Mr. Snyder will keep the Board up- to-date on this as well. Sussex County is one of the counties that has joined the consortium by Memorandum of Understanding. The idea is to come up with a comprehensive plan for the region that ties transportation planning, land use planning and environmental planning together. It is out of the federal effort to tie DOT, federal highway, EPA and HUD together. It is \$5 million program and is being matched by other money from other organizations. It is a combination of not just the 13 counties, but Regional Plan Association, Rutgers University and State of New Jersey agencies. Individual and individual non-profits are welcome to join.

Rich Vohden said he has received calls in opposition to this and he tells them this is the opportunity for public comment.

ATTORNEY'S REPORT

None

UNFINISHED BUSINESS

None

NEW BUSINESS

The Board was provided with a draft of the Delaware River Basin National Blueways Goals draft. Eric Snyder said the reason behind this is to get federal attention to the Delaware Basin. The Blueways is an attempt to raise the profile of this important water resource involving three states. He would like to see the County support the goals: to protect, improve and restore the ecosystems of the basin; improve and promote awareness of the river as recreational and education resource; improve scientific information on the watershed; and to impress upon people the fact that the natural ecosystems are an economic resource.

Rich Vohden said this has come up at the Open Space Committee meetings often. It does bring ecotourism to the area but access to the river is all on the Pennsylvania side. There needs to be more access to the river from New Jersey.

Gene Crawford said there is one access to the river in Montague. It is an unimproved dirt road that Montague is charged with maintaining. She said she has been on the

Board for the Friends of the Delaware Water Gap National Recreation Area, which is based in Pennsylvania.

Mr. Snyder asked for a Resolution from the Board supporting the idea and the recommendation that the Freeholder Board does the same.

MOTION:

A motion was made by Dan Flynn to support the Delaware River Basin National Blueways Goals and to recommend support of the same from the Freeholder Board. The motion was seconded by Gene Crawford and carried unanimously.

OPEN TO PUBLIC

None

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by Michael Francis. The motion was seconded by Gene Crawford and carried unanimously. The meeting adjourned at 5:20 p.m.