

PLANNING BOARD  
CITY OF LAMBERTVILLE  
REGULAR MEETING MINUTES  
Wednesday, February 4, 2015

The meeting was called to order by Bill Shurts, at 7:00 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Tim Korzun, Paul Kuhl, Mayor DeVecchio, David Morgan, Ken Rogers, Glenn Davis and Michael Biase.

Absent: Steve Stegman, Derek Roseman, John Miller and Gina Fischetti.

Also Present: Attorney William Shurts, Engineer Pete McCabe and Planner Emily Goldman.

APPROVAL OF MINUTES

Paul Kuhl made a motion to approve the January 7, 2015 meeting minutes, as submitted. Dave Morgan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.  
MOTION CARRIED.

OLD BUSINESS

Mr. Shurts discussed the status of several Board applications with the members. There are incomplete items that need to be addressed before the before the Board can take any sort of action.

COMPLETENESS – Preliminary & Final Site Plan and Bulk Variance

Route 12-1 Properties, LLC  
24 Arnett Avenue  
Block 1006 Lot 1

An application was submitted to the Board members and it's professionals for completeness approval construct an addition on the property known as 24 Arnett Avenue.

The applicant is also seeking approval for a bulk variance for the set-back requirements.

Michael DeSapio, the applicant's attorney was present for the meeting, as well as the applicant, Anthony DeSapio.

Mr. Clerico's letter dated February 2, 2015, lists several items that are still incomplete. The applicant was able to provide some documents at the meeting and advised the Board and it's professionals that the additional documents will be submitted within the next week.

The applicant was asked to include on the revised plans, the calculations for the amount of disturbance for this proposed project.

Anthony DeSapio advised the Board that any soil removed from the property during construction will be stored in a dumpster onsite that will be covered. He also stated that any remaining soil will be used for backfill.

Mayor DelVecchio asked that the applicant provide documentation that this proposed project will not affect the flood gates that the City has implemented. Anthony DeSapio agreed to provide this information.

The parking spaces that have previously been approved will remain.

The applicant was advised that the City has recently approved an ordinance increasing the area of jurisdiction for the Lambertville Historic Preservation Commission. Therefore approval from that Commission is required for this application.

MOTION: Waivers – 17, 18a, 18b, 18c, 23, 24, 25, 27, 28 & 29

Dave Morgan made a motion to deem this application complete and grant the waivers as suggested by Mr. Clerico in his letter dated February 2, 2015. Paul Kuhl seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. **MOTION CARRIED.**

#### **PAYMENT OF BILLS**

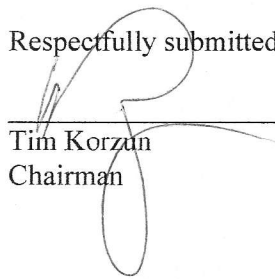
Dave Morgan made a motion to pay bills, so long as funding was available. Paul Kuhl seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

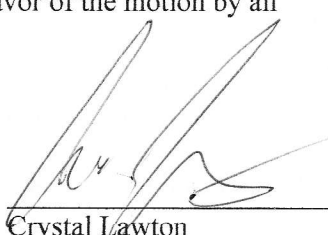
**MOTION CARRIED.**

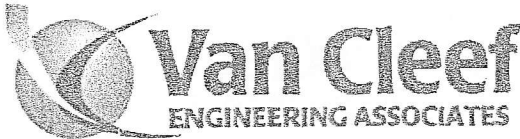
#### **ADJOURNMENT**

Dave Morgan made a motion to adjourn the meeting at 7:35 pm. Paul Kuhl seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present. **MOTION CARRIED.**

Respectfully submitted,

  
\_\_\_\_\_  
Tim Korzun  
Chairman

  
\_\_\_\_\_  
Crystal Lawton  
Administrative Officer



www.vcea.org

Since 1972 • Consulting Civil, Environmental & Municipal Engineering  
Land Surveying • Professional Planning • Landscape Architecture

Neil I. Van Cleef, P.E., L.S. & P.P.  
Robert J. Clerico, P.E. & P.P.  
Robert B. Heibell, P.E., L.S. & P.P.  
Daniel A. Nagy, L.S. & P.P.  
Samuel D. Costanzo, P.E. & P.P.

February 2, 2015

City of Lambertville  
18 York Street  
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Block 1006 Lot 1– 24 Arnett Avenue  
Route 12-1 Properties – Diamond Silver Building - Completeness Rpt #1  
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of this Preliminary/Final Site Plan and Bulk Variance Application requesting approval for an addition to an existing office building. The addition is proposed to be built primarily over an existing parking area and will consist of two stories (2<sup>nd</sup> and 3<sup>rd</sup> floors) with the parking stalls remaining at grade level under the proposed addition. The applicant is also requesting a bulk variance for side yard setback because the ordinance requires that the setback be equal to or greater than the building height. The proposed height of the addition is 40 feet and, while the proposed addition meets the setback requirement, the existing building is only 38.6' from the property line and requires a variance. I also note that the addition includes an area described as a "stair bulkhead" that is 10' higher than the third story roof bringing its overall height to 50 feet. I believe that this feature would be exempt from the 40 ft. height limit under the provisions of section 400.8 which allows for "roof structures for the housing of stairways" that do not exceed more than 25% of the ordinance height limit or an additional 10 ft. (50 ft. max) in this zone. If the Board is in agreement with this interpretation then a height variance would not be required for this element of the structure.

The documentation filed with this submission consists of the following:

1. Application Form for Preliminary Site Plan, Final Site Plan and Bulk Variances prepared by the applicant.
2. City Checklist #4 for Preliminary & Final Site Plan.

Please Reply To:

WESTERN NJ OFFICE • 1128 Route 31 • Lebanon NJ 08833 • 908.735.9500 • Fax: 908.735.6364

With Other Offices In:

Hamilton NJ • Hillsborough NJ • Phillipsburg NJ • Freehold NJ • Parsippany NJ • Doylestown PA • Bethlehem PA •  
Wyomissing PA • Newark DE • Salisbury MD



February 2, 2015

Block 1006 Lot 1- 24 Arnett Ave

Route 12-1 Properties, LLC-Diamond Silver Building Addition- Completeness Rpt #1

City of Lambertville, Hunterdon County, New Jersey -

Page 4

- Item 24 - the checklist indicates that the applicant has provided drainage and utility profiles. This information is not provided on the plans and this item is incomplete. However, since the applicant is not proposing and drainage or utility modification's I would recommend that a temporary waiver be requested and granted by the Board.
- Item 24b - the checklist indicates that the applicant sent a letter seeking a will-serve letter from United Water. This letter has not yet been received and this item is incomplete.
- Item 25 - The applicant seeks a waiver from providing Landscaping plans. As they are not proposing any landscaping at this time, I recommend that the Board grant a temporary waiver of this requirement. If the Board later decides that due to the nature of the proposal that some additional landscaping or screening of adjacent properties is required, the applicant will be required to submit a landscaping plan at that time.
- Item 27- the applicant has not provided a SE&SC Plan. Accordingly, this item is incomplete.
- Item 28 - the applicant seeks a waiver from providing a SWMP and assessment report. The footprint of the addition is much greater than 3,000 square feet and the actual physical disturbances to the ground surface are not clearly defined. Therefore, justification for the request must be provided in writing before I offer the Board a recommendation on the requested waiver relief. Until such time as the issue is clarified I recommend that the waiver be denied.
- Item 29 - The plans show a Special Flood Hazard Area line that was taken from the City Tax Maps. The SFHA delineation must be as shown as depicted on the current FEMA D-FIRM mapping and elevations of the FHA must document. As presented this item is incomplete.
- Item 30 - the plan depicts some existing easements. However, without a Title Search, it is impossible to determine whether these are all of the existing easements on-site. Accordingly, this item is incomplete.

February 2, 2015  
Block 1006 Lot 1- 24 Arnett Ave  
Route 12-1 Properties, LLC-Diamond Silver Building Addition- Completeness Rpt #1  
City of Lambertville, Hunterdon County, New Jersey -

Page 5

- Item 33- the checklist indicates that a waiver from providing a lighting plan is requested. However, the proposed covered parking will require overhead lighting that must be documented on the plans. I recommend that the Board deny this request.
- Item 34a & 34c - the applicant seeks a waiver from providing an NRI and wetland delineation. I defer to the Board's and Environmental Commission's discretion in considering this request but I would have no objection to the Board granting the requested waiver.
- Item 34b - the applicant seeks a waiver from providing an EIS. I defer to the Board's and Environmental Commission's discretion in granting the waiver. However, I recommend that given the previous use of the property and the existing Soil Remedial Action Permit in place for the site, that the applicant provide information on how the proposed disturbances to the site will be done in such a way as not to result in any transport of the regulated on-site contaminants off-site. I recommend a conditional waiver be granted, subject to the applicant supplying this information.

If the Board is in agreement with the above then they should take the following action at their meeting on February 4, 2015:

1. Grant the requested waivers for checklist items 11, 18a, 18b and 18c, 34a & 34c.
2. Grant temporary waivers for checklist items 24 & 25
3. Grant partial waivers for checklist items 17e & 23
4. Grant conditional waivers on items 34b - subject to the applicant providing a plan that would prevent them from inadvertently transporting contaminants offsite during construction.
5. Deny the requested waiver for checklist item 28 & 33 and note these items to be incomplete.
6. Deem the application to be incomplete for the missing documentation under the item listed in paragraph A above, as well as checklist items 5, 9 (if not yet received), 13, 14a, 14b, 14c, 24b 27, 28, 29, 30 & 33.



February 2, 2015  
Block 1006 Lot 1- 24 Arnett Ave  
Route 12-1 Properties, LLC-Diamond Silver Building Addition- Completeness Rpt #1  
City of Lambertville, Hunterdon County, New Jersey -

Page 6


The Board and applicant should recognize that the current site was subject to prior action by the Planning Board and Governing Body in 1997 & 1998 as follows:

- PB- Resolution 13-97- Design waivers for Access Aisle, Driveway Aisle and Parking Space Width
- PB-Resolution 14-97 – Preliminary Site Plan along with a Variance for width of Landscape Buffer and other Design Waivers
- PB- Resolution 2-98 – Final Site Plan
- Governing Body Resolution (09/12/98) – relating to improvements to Arnett Ave.

You should copy and distribute those resolutions to the Board and Applicant so that they can be reviewed and considered as part of any subsequent action taken on the current application.

Either Pete McCabe or I will attend the meeting on February 4, 2015 to address any questions relating to these comments.

Very truly yours,

  
Robert J. Clerico, P.E.  
Board Engineer

R-5040.194 -150202-CompletnessRww1.doc

RJC

cc: All Planning Board Members (email distribution)  
William A. Shurts, Esq. -email (fcslegal@netcarrier.com)  
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)  
Anthony De Sapio, Jr. email (anthony.desapio@desapioconstruction.com)  
Eric Rupnarain PE – email (ebr@gbamail.com)