

PLANNING BOARD
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES
Wednesday, October 5, 2016

The meeting was called to order by Paul Kuhl, 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: Derek Roseman, Mayor DelVecchio, Steve Stegman, Dave Morgan, Jane Rosenblatt, Filomena Hengst & Paul Kuhl.

Absent: John Miller, Glenn Davis and Michael Biase.

Also Present: Attorney Timothy Korzun, Board Planner Emily Goldman and Alternate Board Planner Bob Perry were present at the meeting.

APPROVAL OF MINUTES – August 3, 2016

Derek Roseman made a motion to approve the August 3, 2016 meeting minutes, with minor changes. Filomena Hengst seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

TIME EXTENSION

JMG Builders
Church and North Franklin Streets
Block 1076 Lot 14

The applicant presented a letter to the Board and its Professionals requesting a time extension on his approval to expire on July 1, 2017. This is the second extension that has been requested.

Dave Morgan made a motion to grant the time extension. Derek Roseman seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

APPROVAL OF RESOLUTION # 6-2016

17-19 North Franklin Street, LLC
17-19 N. Franklin Street
Block 1076 Lot 4 & 4.01

A draft resolution was presented to the Board members and the applicant for review by Mr. Korzun. No comments or revisions were requested by the applicant per their attorney, Chris Costa.

However, Mr. Steve Stegman had some comments regarding the planting of the trees on and off the property. He suggested making the change to include the entire property, lots 4, 4.01 and lot 5.

Mr. Korzun will make the changes and distribute to the appropriate individuals for review and the resolution will be signed by the Chairman, Paul Kuhl and the Board Secretary, Crystal Lawton.

Dave Morgan made a motion to approve resolution 6-2016 with the suggested changes. Derek Roseman seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

PUBLIC HEARING – MINOR SUBDIVISION

Funk n' Junk
17-19 North Franklin Street
Block 1073 Lot 4

The applicant had an on-site meeting with three Board members to discuss the project and how to move forward with the suggestions from the Board members and its professionals.

After the meeting, it was determined that the plans needed revisions and a letter from Mr. Costa was received asking for the Public Hearing to be carried until the November 2, 2016 meeting.

The Board members had no objection to this request. No action was taken and the Public Hearing will be held on November 2, 2016.

COMPLETENESS – VARIANCE AND CONDITIONAL USE

Woodrose Properties, LLC
6-8 North Union Street
Block 1039 Lot 5

The applicant's attorney, Richard Mongelli, and the applicant's architect, Michael Burns, were present at the meeting.

Mr. Burns described the purpose of the application before the Planning Board. The intent of the application is to obtain approval from the Board to convert the building, which is currently vacant but was last used a Mercantile use, to a new restaurant with a total of forty-eight seats.

The second level of the building is proposed as being a two bedroom apartment. With this application there will be parking spaces that are grandfathered and the remaining spaces will need a variance. The applicant is prepared to address this issue at the public hearing.

The applicant has already appeared before the Lambertville Historical Commission for approval of the exterior awning and the proposed bi-fold doors on the front of the building. The Board members requested that a representative be present at the public hearing to discuss this approval further.

In Mr. Clerico's letter, dated October 1, 2016, he lists several temporary waivers that the Board had no objection to granting. The letter has been attached to these minutes for reference.

A public hearing was scheduled for November 2, 2016.

Mayor DelVecchio made a motion to grant the application complete and also grant the temporary waivers listed in Mr. Clerico's letter. Dave Morgan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

DISCUSSION

The City Council is considering revising or amending the Hotel Motel ordinance to allow for the use of "Air BnB" within certain areas in the City.

The website for Air BnB is becoming increasingly popular within the City of Lambertville. By amending the ordinance that we currently have, it allows the City to control this use and could possible generate revenue for the City if the property owners are required to pay sales tax similar to a hotel or motel.

Emily Goldman briefly discussed this with the Board members. No action will be taken on this at this time.

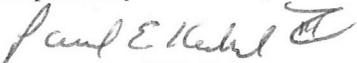
PAYMENT OF BILLS

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

ADJOURNMENT

Derek Roseman made a motion to adjourn the meeting at 8:12 pm. Steve Stegman seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.
MOTION CARRIED.

Respectfully submitted,



Paul Kuhl
Chairman



Crystal Lawton
Administrative Officer



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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.

October 1, 2016

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

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

Reference: Block 1039 Lots 5 – #6-8 North Union St. - App #PBD-05-2016
Woodrose Properties, LLC- Subdivision & Site Plan Application
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of various documents submitted by the Project Architect (Michael Burns Architects.) For a Bulk Variance & Waiver of Site Plan application associated with a proposed change in use of this property. The application was filed on August 24, 2016 and included the following:

1. Site Plan application form along with City Checklist #4 (Preliminary & Final Site Plan. The application package also included a copy of the deed for the property and filings with outside agencies as outlined in Michael Burns cover and your submission memo, both dated August 24, 2016
2. Site and Building Plans , consisting of 4 sheets, dated August 17, 2016 prepared by Michael Burns Architects
3. Location Survey prepared by Newton Land Surveyor (David M Newton PLS) dated June 28, 2016 consisting of a single sheet.
4. Will Serve Letters from United Water (Seuz), LMUA, JCP&L, E-Town Gas and Verizon. Note that the July 13, 2016 Letter from Seuz refers to a proposed 2 bedroom apartment and a "Bakery" as the intended use of the structure and states that additional documentation relating size of existing service lines and other caveats related to their ability to provide water service for the proposed change in use.

The property contains a 2 story antique store and as stated on the plans and in the application, the property is owned by Rossi Art & Antiques LLC who has consented to the filing of the application. It should also be noted that a subsequent email from Michael Burns stated that, as of September 22, 2016, the applicant (Woodrose Properties LLC) has purchased the property and is now the Owner & Applicant.

The property is located in the CBD and the applicant proposes to convert the first floor level of the structure into a 48 seat restaurant and the second floor into a 2 bedroom apartment. The existing building covers the entire lot and there are no existing or proposed site improvements.

I understand that a "completeness review" is scheduled for the Board's meeting on October 5, 2016. Although the applicant states that they are requesting the Board to waive Site Plan

Please Reply To:

WESTERN NEW JERSEY 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 • Doylestown PA • Bethlehem PA • Wyomissing PA • Newark DE

October 1, 2016

Reference: Block 1039 Lots 5 – 6-8 North Union App #PBD-05-2016
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review they have submitted City Checklist # 4. However, given the nature of the site they have identified many items as being "not applicable" and have requested waivers from other items. My comments relating to the completeness of the submission is as follows:

Items 1, 2, 3 and 12 – These are administrative requirements which you should review and advise the Board whether the applicant provided these items. Item 12 relates to application fee for variance.

Item 13 & 30 – The applicant indicates that these items have been addressed however, copies of the title search with documentation of any recorded or prescribed easements, covenants and restrictions have not been provided. The survey indicates that a title search was not provided to the Surveyor. A copy of this title search must be submitted and the Survey updated to reflect any restrictions on the title of these properties. Given the nature of the lot it is not likely that the property is encumbered with any restrictions so the Board could grant a Temporary Waiver of this requirement.

Item 14d – The applicant indicates that filing with the HCHD is not applicable. Since a restaurant with kitchen facilities is the primary element in this change in use the HCHD would have jurisdiction over approving various aspects of this conversation. The Board could grant a Temporary Waiver but ultimately issues relating the storage and disposal of solid waste and the food preparation area are subject to approval by and the receipt of permits from the HCHD.

Item 35 – although architectural floor plans of the 1st and 2nd floors have been provided the existing building has a basement with access through interior stairs and exterior doors located in the public sidewalk on North Union St. The Board could grant a Temporary Waiver however some documentation as to the size and intended use of the basement should be provided at the time of the Public Hearing.

Item 37 - The plans do not indicate where solid waste will be stored and how it will be removed from the site. The Board could grant a Temporary Waiver however this documentation should be provided at the time of the Public Hearing

Requested Waivers – given the nature of the site the following requested waivers should be granted by the Board.

- 16- Key Map
- **17a-e & 23** –Topographic Info
- **18a-c** road cross section and profile data along the existing streets
- **24a & b** – Utility Locations (note that "will server" letters have been provided)
- **29-** Floodplain documentation
- **32** – Signs – (assuming that the applicant is not proposing any signage as part of this change in use)
- **33** - Lighting
- **34 a & b-** Natural Recourse Inventory & EIS



October 1, 2016

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The Board should also acknowledge the applicant's designation of items 14b, 14c, 22, 25, 26, 27, 28, 31, 34a, 36a, 36b, 36d, 36e, 36f, 36g & 38 as being "not applicable"

If the Board is in agreement with the above, they would take the following action at the meeting on Wednesday, October 5, 2016:

Grant Temporary Waivers for 13, 14d, 30, 35 & 37

Grant Permanent Waivers for 16, 17a-e, 18a-c, 23, 24a-b, 29, 32, 33 & 34 a-b

Unless the additional information provided under the Temporary Waivers noted above reveals some relevant engineering information then I will not be offering any additional written Engineering comments on this application. Obviously, there a number of design waivers associated with the proposed change in use with the increased parking demand being the most prominent but these have been covered in the Board's Alternate Planner (F. Robert Perry PP) report dated September 20, 2016.

Peter McCabe from my office will attend the meeting on Wednesday, October 5, , 2016. If you have any questions or require additional information, please feel free to contact me.

Very truly yours,

Robert J. Clerico, P.E.

Board Engineer

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RJC

cc: All Planning Board Members (email distribution)
Tim Korzun Esq. - email (sheakkorzun@comcast.net)
F Robert Perry, P.P. - email
Peter McCabe PE - email (pmccabe@vcea.org)
Richard Mongelli Esq. - email (rich@mongellilaw.com)
Michael Burns – email (michael@michaelburnsarchitects.com)