

BOROUGH OF SUSSEX  
MEETING MINUTES  
PLANNING/ZONING BOARD  
May 27, 2014

1. CALL TO ORDER by Chairman Klein.
2. ROLL CALL – MEMBERS PRESENT: Rich Klein, Mayor Jonathan Rose, Steve Danner, Sal Lagatutta, Bruce Kristiansen, Karen Vander Veer, Frank Darvey, Kathy Little, Brad Case  
ABSENT: John Rand, Lynn Meyer  
PROFESSIONALS PRESENT: Glenn Gavan  
ABSENT: Ken Nelson, Mike Vreeland
3. STATEMENT OF COMPLIANCE – Chairman Klein stated “This meeting is in compliance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. It has been properly advertised and certified by the Secretary.”
4. FLAG SALUTE AND MOMENT OF SILENCE – Chairman Klein invited everyone to stand for the Pledge of Allegiance and moment of silence.
5. APPROVAL OF MINUTES – A motion to approve the minutes of the April 28th, 2014 meeting was made by Mayor Rose, second by Frank Darvey.  
Upon roll call vote:  
Ayes: Rose, Kristiansen, Darvey and Case  
Nays: None  
Absent: Meyer and Rand  
Abstentions: Klein, Danner, Lagatutta, Vander Veer and Little
6. NEW BUSINESS  
*David B. Simmons, Jr. PZ 2014-02*  
*Block 105 Lot 2, 38 and 40-A Hamburg Avenue*  
*Preliminary and Final Site Plan and Bulk “C” Variance*

Mayor Rose asked if the application is for both the Planning and Zoning Boards. Mayor Rose recused himself since his company works for Mr. Valenti, the client’s attorney.

Richard Valenti, Esq. of the law firm of Morris, Downing and Sherred in Newton on behalf of the applicant, David B. Simmons, who is also the owner of the property approached the Board. This is a basic application for an 8 foot by 11 foot addition essentially connecting two buildings on the property. Mr. Valenti stated that Mr. Simmons is a licensed Engineer, Planner and Surveyor and would like to proffer his experience and licensing to qualify him as an expert in those fields.

Mr. Simmons was sworn in by Attorney Gavan. Mr. Simmons stated that he has a Bachelor of Science degree in Civil Engineering from Lehigh University, I am a licensed professional Engineer, Planner and Surveyor in the State of New Jersey and have been employed by Harold Pellow and Associates for 36 ½ years. Waivers have been requested based on Mr. Vreeland’s

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report. A motion to deem the application complete was made by Lagatutta, second by Danner with all in favor.

Mr. Simmons stated that the project is located on Block 105 Lot 2, previously Block 104, Lot 2 because of Route 23 South breaking up the block. Key Map which is Sheet 1 of the Site Plan dated May 7, 2014 shows the property, an L-shaped piece of property and its bounded on the east by existing Route 23 which will be Route 23 northbound and on the west by Walling Ave. which will be Route 23 South and on one side by a borough street, Brookside Avenue. Lot 15 just south is Mrs. Klecha's property.

Sheet 2 of the Site Plan also dated May 2014 – On the bottom of the sheet is Hamburg Avenue, Route 23, on the right is Brookside Ave., and on the top is Walling Avenue, the future Route 23 South. On the far right is the cellular store and on the far left is Mrs. Klecha's property. On the property internal on the corner of Brookside Avenue is 38 Hamburg Avenue which is Patrick's Wine Barn the subject of why we are here tonight and in the next building is 40-A which is the other part of this project. Mr. Simmons related what businesses are in the storefronts, the bottom level of the building and the other parcels on the lot. The subject of this application is the blue rectangle approximately 8 feet by 11 feet which would be an enclosed bridge between the two buildings.

Mr. Simmons addressed the plans prepared by Charles Schaffer Associates, LLC dated 2/25/14 showing more detailed plans of the bridge. Mr. Simmons also requested that he would like to install doors between all of the stores so that if the existing tenants wanted to expand into the other spaces, it would be any easy solution. It was determined that the new addition does not encroach on any setbacks. No additional impervious coverage will be realized and additional storm drainage is proposed on the Construction Plans prepared by Mr. Simmons dated May 2011. The parking spaces will be restriped for angle parking and depending on what the DOT's configuration of the corner is, there will probably be ten to twelve spaces plus the handicapped space.

The entrance to Patrick's Wine Barn will remain the same and the front door of 40-A will be locked and not used for customers. The Board was concerned with how the 40-A space will appear from the outside. Patrick Ferguson was sworn in and explained that he was looking for a film coating to place on the windows so the boxes will not be seen. Employees are encouraged to park in the back parking lot so the front parking spaces are open for customers.

### 7. OPEN AND CLOSE TO THE PUBLIC

The meeting was open to the public. Since there were no comments from the public, the meeting was closed to the public.

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8. APPLICATION(S)

A motion to approve the Simmons application with the conditions outlined by Attorney Gavan was made by Lagatutta, second by Danner.

Upon Roll Call vote:

Ayes: Klein, Danner, Lagatutta, Kristiansen, Vander Veer, Little, Darvey, Case

Nays: None

Absent: Meyer, Rand

Abstentions: None

A discussion was held regarding the building and the possibility of the two existing tenants expanding their business into another space in the building.

9. OPEN AND CLOSE TO THE PUBLIC

The meeting was open to the public. There being no interest from the public, the meeting was closed to the public.

A motion to approve the Existing Tenants to Expand to Adjacent Spaces was made by Danner, second by Vander Veer.

Upon Roll Call vote:

Ayes: Klein, Danner, Lagatutta, Kristiansen, Vander Veer, Little, Darvey, Case

Nays: None

Absent: Meyer, Rand

Abstentions: None

10. BILLS AND VOUCHERS

Dated 5/16/14 from Guerin & Vreeland Eng. Re: General	\$708.00
Dated 5/16/14 from Guerin & Vreeland Eng. Re: Simmons	\$826.00
Dated 5/20/14 from Ken Nelson re: 24 Bank Street	\$276.00
Dated 5/20/14 from Ken Nelson re: Simmons	\$644.00
Dated 5/20/14 from Ken Nelson re: Fitzpatrick	\$333.50

A motion to approve the Bills and Vouchers was made by Vander Veer, second by Kristiansen.

Upon Roll Call vote:

Ayes: Klein, Rose, Danner, Lagattuta, Kristiansen, Vander Veer, Little, Darvey, Case

Nays: None

Absent: Meyer, Rand  
Abstentions: None

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11. OPEN AND CLOSE THE MEETING TO THE PUBLIC

The meeting was open to the public. There being no comments from the public, the meeting was closed to the public.

12. ADJOURNMENT

A motion to adjourn was made by Lagattuta, second by Vander Veer with all in favor.

Meeting adjourned at 8:29 P.M.

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Blanche Stuckey, Planning/Zoning Board Secretary

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Date of Approval