

BOROUGH OF ALPHA LAND USE BOARD

December 18, 2019 Regular Meeting

Municipal Building 1001 East Blvd., Alpha, New Jersey

The regular meeting of the Borough of Land Use Board was called to order at 7:00 p.m., by Thomas Fey, Board Chairman:

Roll Call:

Present: Mr. Dragotta, Chairman Fey, Mr. Gable, Mr. Lee, Mr. Mihursky, Mr. Pantuso, Mr. Seiss, and Mr. Cartabona.

Absent: Mayor Dunwell, Ms. Dalrymple and Mr. Moscotta.

Also present were Alan Lowcher, Esq., Attorney for the Board and Stan Schrek, Board Engineer.

Mayor Dunwell arrived at 7:01 PM.

NOTICE

Pursuant to the Open Public Meeting Act, Chapter 231, P.L. 1975, adequate notice of this meeting has been provided by mail to the Star Gazette and the Express-Times; a notice of this meeting and all other regular meeting of the Land Use Board of the Borough of Alpha, which notice sets forth the time, date and location of this meeting by posting said notice on the bulletin board outside the municipal clerk's office.

Chairman Fey stated that he was advised by our board attorney to go into executive session to discuss the hiring of a board secretary.

Motion made by Mr. Dragotta to approve a resolution to go into executive session for a brief time for personnel. Motion seconded by Mr. Lee, all were in favor.

**EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from discussion(s) of the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is: Personnel, Litigation and/or Contractual,
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately a brief time, allowing for a five (5) minute recess between the regular session and the executive session.

Motion made by Mr. Seiss to return to regular session. Motion seconded by Mr. Pantuso. All were in favor.

Resolutions:

Motion made by Mr. Lee to approve the resolution hiring a secretary for the remainder of the calendar year 2019, motion seconded by Mr. Gable.

Roll call: Ayes: (9) Mr. Dragotta, Mayor Dunwell, Chairman Fey, Mr. Gable, Mr. Lee, Mr. Mihursky, Mr. Pantuso, Mr. Seiss and Mr. Cartabona in Mr. Moscotta's absence. Nays: (0)  
Motion passes.

➤ **RESOLUTION BY THE LAND USE BOARD OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY FOR PURPOSE OF HIRING A SECRETARY FOR THE REMINDER CALENDAR YEAR 2019**

**WHEREAS**, per N.J.S.A. 40:55D-24 "Organization of Planning Board" the Land Use Board has the statutory authority to select professionals such as an attorney, a secretary or create or fill any other offices it deems necessary.

BE IT RESOLVED, by the Land Use Board of the Borough of Alpha, Warren County, New Jersey as follows:

Donna Messina is hereby hired as Secretary for the Land Use Board for the remainder calendar year 2019 and shall serve until the 2020 Re-Organization meeting at an annual salary of \$12,000.00.  
Said salary shall be paid on a bi-weekly basis.

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

I certify that this is a true copy of a resolution adopted by the Land Use Board of the Borough of Alpha, Warren County, to memorialize the Land Use Board's action on December 18, 2019.

\_\_\_\_\_  
Thomas J. Fey, Chairman

\_\_\_\_\_  
Donna Messina, Secretary

Date: \_\_\_\_\_

As a point of order Mayor Dunwell questioned who can vote regarding the Standard Street Alpha Property, LLC. Attorney Lowcher stated that in the absence of Mr. Moscotta, Mr. Cartabona can vote. Mayor Dunwell brought up concerns regarding a vote tonight, that the board could change somewhat after the first of the year.

Engineer-Stan Schrek:

Engineer Schrek had no report.

Old Business:

Standard Street Alpha Property LLC – Preliminary:

Attorney Lowcher stated that this application was deemed complete at the November 14<sup>th</sup>, 2019 meeting and all proper notices were provided. And the public hearing was opened, and this is a continuation of that public hearing.

Mr. Michael Selvaggi, spoke on behalf of the applicant. He reviewed what was presented last month. He reported that based on feedback from that meeting the engineer will be discussing and reviewing those changes; the building is a little bit small which should help with coverage and reduces traffic visibility. This version is marked A-4, titled Alpha Commerce Center, dated December 5, 2019.

In describing what has been done to make improvements, their engineer said that they flipped the loading is now on the west side of the building. The also narrowed the building reducing the square footage by about 30,000 square feet. The benefits will give emergency vehicles access to all around the building. Also, in this design, grass pavers will go all around building one. These changes will as make better access to parking from the building. There is also now a pedestrian connection between all three of the parking areas.

There were additional comments regarding the berm and landscaping.

Mr. Gable asked about the emergency access from Seventh Ave., into Standard and gating to avoid people using that as an exit. This could be addressed by a post and chain or whatever emergency services would prefer. The grass pavers may address this issue.

Mr. Cartabona had questions about the elevations and building height.

Mr. Mihursky has questions regarding the landscaping and the impacts it has on the height included in the berm. A double row of evergreens could be put in to provide better screening.

Mayor Dunwell asked for clarification between the top diagram and the bottom diagram. There were further questions about vegetation.

Wayne Ingram, who was previously sworn in, described landscaping plans, including the height of the berm and install taller landscaping. This would exceed the minimum standard.

Mr. Cartabona had questions regarding solar panels on the roof. The solar panels would not exceed the height. They would sit within the margin.

Mr. Dragotta stated his concern is that the boarding sides of the property. If you are considering shifting or moving, he would like to see as much as you can on the other side of the property.

There was a consensus that the board would like to see a cross section of the berm.

They will provide a CAD.

Mayor Dunwell stated is the Borough's position is to push the road as close to Rt. 78 as possible.

Mr. Cartabona suggested the applicant have dialog with the railroad.

Mayor Dunwell, stated as part of this landfill disruption permit, in order to construct the road across the closed landfill, we have installed three monitoring wells. There is a possibility according to our LSR, we believe the ground water flow is from the direction is from the northeast to the southwest which means that your property is down grading it from where the waste is buried and there is a potential that there could be a request from NJDEP to install some down grading monitoring wells. If that is the case, Mayor Dunwell suggested we do a deed of dedication so that the property belongs to the Borough with an easement where we could access those wells.

They agree to shift building #2 south by 10 feet in order to accommodate the concerns raised about the one bordering side that faces resident homes. They will provide a view that shows the board what a shifting of 10 and 20 feet will look like.

Motion made by Mr. Seiss to take a five-minute break. Motion seconded by Mr. Dragotta.

Motion to go back into regular session made by Mr. Dragotta. Motion Seconded by Mr. Gable. All were in favor.

Mr. Selvaggi stated that they may have created some confusion in what they are proposing. They propose to revise the plans to show the changes that were discussed, including an updated site plan grading plan and landscaping plan.

Chairman Fey reminded them to include the fire hydrants.

Mr. Selvaggi stated that with the holidays getting the plans to us in time enough for everyone to review them may be a challenge.

Attorney Lowcher announced that this will advise the public that the application for Standard Street, LLC., will carry to the January 15, 2020 meeting.

#### New Business:

Correspondence was received from Attorney Williamson Edleston for a 90-day extension for the filing the subdivision deeds of property 609 Hobson Street. Property owner is Grete Machin, J.J.&G. Associates, Inc.

Motion to approve the 90-day extension made by Mr. Seiss, motion seconded by Mr. Cartabona in Mr. Moscotta's absence.

Roll call: Ayes: 8 Mr. Dragotta, Mayor Dunwell, Chairman Fey, Mr. Gable, Mr. Lee, Mr. Mihursky, Mr. Cartabona in Mr. Moscotta's absence Mr. Pantuso, Mr. Seiss and Nays: 0

Motion passes.

#### Correspondence:

- Resignation letter of Laurie Barton, Land Use Secretary

Motion made by Mayor Dunwell to accept the resignation of Laurie Barton as Land Use Secretary as of 12/9/19. Motion seconded by as Mr. Seiss.

Roll call: Ayes: 8 Mr. Dragotta, Mayor Dunwell, Chairman Fey, Mr. Gable, Mr. Lee, Mr. Mihursky, Mr. Cartabona in Mr. Moscotta's absence Mr. Pantuso, Mr. Seiss and Nays: 0

Motion passes.

#### Public Comment:

Louis Cartabona, 1119 Fifth Ave., brought up his concerns about the number cars that have been parked at the service stations and how we notify our zoning officer of these concerns. Engineer Schreck stated that this would not relate to the master plan. It would be relayed to the zoning officer and the officer would investigate.

At this time Chairman Fey stated that the interviewing committee for the new land use board secretary will be Chairman Fey, Mr. Gable and Mr. Moscotta. The deadline is set 1/3/20 at 4:00 p.m.

Mayor Dunwell brought up is concern regarding the new members coming in in January. How will they vote if they have not heard any of the prior testimony? Attorney Lowcher stated they will listen to the prior audio recordings and certify that they have do so.

Adjourn:

There being no other business on the agenda, Mayor Dunwell moved to adjourn the meeting at 8:17 PM. Mr. Dragotta seconded the motion. The motion carried unanimously,

Respectfully submitted,

Donna L. Messina,

Land Use Board Secretary

Executive Session

Motion made by Gable to go into executive session for five minutes for personnel, seconded by Dragotta, all were in favor.

Regular Business

Motion made by Dragotta and seconded by Moscotta to return to regular business, all were in favor.

Mihursky stated that the meeting scheduled is altered for November due to Thanksgiving, the meeting will be the second Wednesday in November instead of the third Wednesday.

Adjourn

There being no other business on the agenda, Moscotta moved to adjourn the meeting at 7:54 p.m., seconded by Dragotta. The motion carried unanimously.

Respectfully submitted,

Laurie A. Barton