

**BOROUGH OF JAMESBURG  
LAND USE BOARD VIRTUAL ZOOM MEETING  
MINUTES  
December 10, 2020**

Chairman John Walker called the meeting to order at 7:06 pm and announced that the same was being held pursuant to the Open Public Meetings Act and that all the provisions of the Act had been met.

Flag Salute

Roll Call: Present:

Joseph Howard  
Susan Kozar  
Mayor Lowande  
Joseph Maccaro  
Peter Shaughnessy

Shannon Spillane  
John Walker  
Brian Wright  
Alt: Robert Boulogne  
Alt. Patrick Connelly

Absent: Roseanna Davino

**Approval of Minutes November 12, 2020:**

Motion: Spillane

Second: Kozar

In Favor: Howard, Kozar, Lowande, Shaughnessy, Spillane, Walker, Wright

Abstain:

**RESOLUTION #11-20 – Denying Use Variance for 3M investors, LLC**

Denying a Use Variance and Variances for existing conditions and for driveway setback to 3M Investors, LLC for the property known as Block 27, Lots 7&8 on the Tax Map of the Borough of Jamesburg

Motion: Wright

Second: Howard

In Favor: Howard, Kozar, Lowande, Shaughnessy, Spillane, Walker Wright

Abstain: Lowande, Shaughnessy

**Appeal/Interpretation – Frank Ochoa – 14 Front Street**

Mr. Ochoa was denied a patio installation with flowerbed and walkway by the Zoning officer. Mr. marasca explained the denial due to not enough square footage on the property for the installation Mr. Ochoa wanted to do. Mr. Balint explained a Variance would be needed. John LeCompte discussed any expansion would have to go to the Board for approval. Mr. Ochoa agreed to not put in a front patio. He would only do a side patio. Mr. marasca will reach out to him to discuss what needs to be done.

**Motion to Deny the Appeal:**

Motion: Wright

Second: Howard

In Favor: Howard, Lowande, Maccaro, Shaughnessy, Spillane, Wright, Walker

**PUBLIC HEARING: 130 Buckelew Avenue – Steven Egierd: Block 10, Lot 1.01**

Mr. Egierd represented himself. He would like to erect a 20 x 24 ft. pole barn in the back corner of his property. His driveway is located on William Street. He has a 5 ft. set back off both the side and rear of his property. He will be removing an existing shed that is now on the property. Mr. Egierd will also be removing an existing 10x10 block patio. The building will be a garage with 1 garage door and 1 side door. The material would match the existing house on the property. Board member Wright asked what the garage would be used for. Mr. Egierd explained for storage, tools, to keep his truck and dirt bikes. Other Board members had concerns over the height of the garage. John LeCompte explained 2 front yards due to his property being located on a corner and the set backs that are required. Variances would be needed for both.

**Motion to open Public Comment:**

Motion: Wright

Second: Spillane

Sandy Sussman: 124 Buckelew Avenue – Mr. Sussman wanted to make sure there would be no commercial use out of the garage like use of saws. He also had concerns over lights being on top of the building

**Motion to close Public Comment:**

Motion: Wright

Second: Maccaro

**Motion to Approve with Conditions and Grant Variances:**

Motion: Wright

Second: Kozar

In Favor: Howard, Kozar, Lowande, Maccaro, Shaughnessy Spillane, Wright, Walker

**CONDITIONS:**

- No more than 15 foot high: amend the maximum height
- Black top will remain

- Additional patio to be removed
- Variance for side setback
- Non-conforming lot width
- Exterior to match the house
- Deed restrictions limiting the use – no commercial use
- No lights on top of structure

**PUBLIC HEARING: 258 Gatzmer Ave. – Alex & Gabriel Properties, LLC**

Walter Toto is the Attorney for the Applicant. This is a revised application and plans that is being treated as a new application. There is now a different use for the property. Was originally a mixed use, now it is all residential. The original plans called for retail stores and 34 residential apartments. It has been revised to eliminate all the retail and have 24 1- and 2-bedroom apartments. The building will now be a 2-story building. Parking has been reduced from 90 spaces to 52. The owner would like to dedicate Lot 1 to the Borough of Jamesburg as “Open Space”. Roadway improvements as well as crossway and sidewalk improvements will be done. A financial analysis was done on the property.

Engineer Boskar Halari discussed improvements to be done to Sherman Street, tree removal plus additional trees to be planted on property, security lighting, and new sidewalk along Gatzmer Ave.

Traffic Engineer John Rae discussed how 24 apartments would be less traffic than having retail in that area. He also explained the widening of Gatzmer Ave. The improvements would be a positive impact on safety. A 2 way turn lane will alleviate traffic. He feels if the Board grants a Use Variance this will be a positive impact.

Expert in Economic Analysis Richard Reading explained the revenue the apartments would bring into the borough. The apartments would rent from \$1750-\$2150 per month. This would bring \$144,000 in tax revenue.

Architect Michael Testa talked about the look of the building., It would be a modern look with a colonial feel He discusses the material being used as well as the trim work, the lobby area, elevators, trash room, side entry door and rear door. There will be sprinklers throughout the building. There is no basement.

Planning, Christine Cofone is seeking a Use variance. The site is suitable and in a great location. There is adequate parking and I feel will be a positive impact on the municipality. The sidewalks and 2 way left turn will help traffic flow better. This could help in rebuilding the downtown area.

Several Board members had concerns about the crosswalk from Gatzmer to Sherman Street. This is a safety issue for children. Other concerns were flooding issues on Gatzmer Avenue. Having curbs installed should help. Paving and milling of the road was also brought up, along with the sidewalks being installed. The biggest concerns are the safety of the children who would be walking to school and the extra traffic this would

cause to the intersection. The impact that the COVID pandemic would have on these units being rented. A concern is that people aren't looking to rent luxury apartments right now, and there would be vacancies. The town has enough of them already.

**Motion to open Public Comment:**

Motion: Wright

Second: Howard

John Miller – 247 Gatzmer Ave- Mr. Miller questioned if the traffic study was done prior to COVID. Prior to COVID there was significantly much more traffic than now. Traffic and drainage a problem, and it's not getting any better. The town doesn't want this property to be zoned residential and you are proposing residential where it is not zoned.

Steve Chick – 37 East Railroad Ave. – Mr. Chick Mr. Chick asked what the impervious coverage was, 80% is allowed on the property, they are proposing 67.7%, if you add in the vacant lot it would drop to 46%. He feels this building will impact storm water runoff and increase the sewer usage. The traffic would be less having residential there instead of retail. To make things so smoother limit the turn out to right turn only.

Brian Taylor – 9 Hillside Ave.- Mr. Taylor feels 3 lanes could be a danger, to make a left turn you have to cross 2 lanes. The experts testified based on training and their professional opinion. They could be wrong. This property is zoned Business/Retail, not Residential. How can you say 23 apartments would only have 5 children? The property that would be an open space should be deeded to the town. There seems to be several negatives.

Walter Toto explained the traffic engineer has 45 years' experience and he is not guessing.

Board member Connelly voiced his concern over Mr. Rae giving a testimony but no traffic study was given. Mr. Rae feels he knows the area and the applicant will make the improvements to make traffic better.

Board member Boulogne explained there is a significant amount of traffic from Docks Corner Road to Gatzmer Avenue every day and it is getting worse. There is a new development going up in Monroe up the street which will impact the traffic at that intersection.

Linda Linke – 219 Gatzmer Ave:- Ms. Linke feels there should be a sidewalk in front of the building. She also feels having only 5 children in the entire building is not correct. Even though we have crossing guards at the intersection, it still is not safe for the children to be crossing there. The traffic study that was done is from 2018 or 2019. Since then, a Temple, Warehouse and housing development have all been erected, but have not opened yet.

Peter Florczak – 265 Gatzmer Ave.- Mr. Florczak feels it will be hard to get that much for a rental property in that area. He also feels the storm water pipe in the street will not be able to handle the additional apartments.

**Motion to close Public Comment:**

Motion: Wright

Second: Maccaro

Land Use Board Attorney, Mike Balint discussed conditions:

- Subject to site plan approval.
- Storm water rules and regulations
- Changes and details in Site Plan
- Applicant would be required to deed the open space to the Borough
- The Council to accept the Deed and Site Plan

Applicant Attorney Walter Toto added:

- Traffic impact
- Financial impact
- Positive and negative of the planning
- Would like a Use Variance granted
- We are trying to bring something unique to the town

**Motion to Approve/Deny:**

Motion: Wright – Mr. Wright made a motion to deny the application

Second: Maccaro

Abstain: Lowande, Shaughnessy

**Board votes and explanations:**

Howard - No

Kozar – Yes – I am not comfortable with changing the zoning to Residential. It is not safe for the children to walk to the schools.

Maccaro – Yes – I am not persuaded enough to change the zoning

Spillane - Yes – I feel the same as Mrs. Kozar. The safety of the children is an issue. They would not take the longer path to walk to school. Additional traffic is also an issue.

Wright – I cannot support residential units in a retail district.

Boulogne - I echo everyone else. The traffic situation is getting worse. I drive it every day. Maybe if the county would step in and install a traffic light, that would help.

**Motion To Adjourn:** 10:45 pm

Motion: Kozar

Second: Howard