



**LEBANON BOROUGH
PLANNING BOARD & BOARD OF ADJUSTMENT
MINUTES
May 10, 2016**

The Regular meeting of the Lebanon Borough Planning Board/Board of Adjustment was called to order by Chairman at 7:00 P.M.

The meeting was convened in compliance with the Open Public Meetings Act of 1975. Three local newspapers were notified and a notice is posted at Borough Hall.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all.

ROLL CALL:

Members Present: Alexander Saharic, Dr. Christopher Uchrin, Joseph Hauck, Ron Lapcynski, Mayor Reino and Henry Hopkins

Absent: Councilman Berger, William Skene, David Abeles, William Wilson and James Newman

Also present: Karen M. Romano Administrator/Clerk, Planner, Darlene Green and Jonathan Drill Esq.

MINUTE APPROVAL:

Mr. Skene moved, and Councilman Beger seconded, a motion that Minutes of January Reorganization minutes 2016.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Lapcynski, Reino, and Hopkins

Absent: Berger, Skene, Abeles, Newman and Wilson

Abstain:

EXPENDITURE APPROVAL:

No Bill List

EXECUTIVE SESSION:

Mr. Saharic requested a motion to move into executive session

Mr. Hauck moved, and Mr. Lapcynski seconded, a motion to enter into Executive Session.

**BOROUGH OF LEBANON
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

RESOLUTION 03-2016

Whereas, the Open Public Meetings Act allows the Mayor and Council to exclude the public from a portion of a meeting in certain circumstances,

Now therefore, be it Resolved, by the Council of the Borough of Lebanon, that the public shall be excluded from discussion of the following matter(s):

- 1. A confidential matter under Federal or State Law or Court Rule.
- 2. A matter involving information that may jeopardize the Borough's rights to receive funds from the United States Government.
- 3. A matter constituting an unwarranted invasion of an individual's privacy rights.
- 4. Collective Bargaining Agreement or negotiation of the Agreement.
- 5. Matters involving the purchase, lease or acquisition of real property.
- 6. Tactics and techniques to protect the safety and property of the public, including investigations of violations or potential violations of the law.
- 7. Litigation Tax Court Matters _____ Anticipated Litigation _____
Contract Negotiations: _____
- 8. Matters falling within the attorney-client privilege: _____.
- 9. Personnel matters involving a specific employee or officer of the Borough: Policies.
- 10. Deliberations involving a public hearing which may result in the imposition of a specific civil penalty or suspension or loss of a license or permit.

The approved Executive Session minutes will be placed on file in the Borough Clerk's Office and will be available to the public as provided for by Law.

Be it further Resolved, that this Resolution shall take effect immediately.

Introduced and adopted: May 10, 2016

LEBANON BOROUGH

Ayes: 6

Nays: 0

Absent: 5

Abstain: 0

By: Alexander Saharic, Planning
Board Chair

CERTIFICATION

I, Karen M. Romano, Lebanon Borough Planning Board Secretary, hereby certify that this resolution was duly adopted by the Borough of Lebanon Planning Board at a meeting duly held on the 10th day of May 2016; that this Resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Dated: May 10, 2016

Karen M. Romano, RMC
Planning Board Secretary

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Lapcynski, Reino, and Hopkins

Absent: Berger, Skene, Abeles, Newman and Wilson

Abstain:

Mr. Saharic requested a motion to re-enter the regular session.

Mr. Skene moved, and Mr. Hauck seconded, to re-enter the regular session of April 12th.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Lapcynski, Reino, and Hopkins

Absent: Berger, Skene, Abeles, Newman and Wilson

Abstain:

The Planning Board re-enter into regular session at 7:50 pm

LANWIN LETTER:

Attorney Jonathan Drill Esq. requested permission of the Board to send a letter to Lanwin LLC. stating Lebanon Borough would be waiting to receive the results of the COAH DJ before moving

forward.

Mayor Reino made the motion with a second from Mr. Hopkins.

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Lapczynski, Reino, and Hopkins

Absent: Berger, Skene, Abeles, Newman and Wilson

Abstain:

Moglia and Daughters: Block 5 Lots 25 and 26: Site Plan Wavier:

Chairman Saharic presented the Site Plan Wavier for Block 5 Lots 25 and 26 in Mr. Moglia's absence. The William Harley Davidson of Clinton Township proposed a driving school for motorcycles in the rear east parking lot.

The following Resolution was finalized and memorialized.

**LEBANON BOROUGH PLANNING BOARD/BOARD OF ADJUSTMENT
RESOLUTION NO. 04-2016
JOSEPH P. MOGLIA & DAUGHTERS, LLC
LEBANON PLAZA
SITE PLAN WAIVER
BLOCK 5, LOTS25 and 26**

WHEREAS, Joseph P. Moglia and Daughters, LLC and tenant Bobby DiFazio of Williams Harley-Davidson 100 US Highway 22 West, Lebanon, NJ 08833 have filed the application with the Lebanon Borough Planning Board/Board of Adjustment (hereafter Board), sitting as a Planning Board, seeking approval to remove two parking lot lamp post on a commercial property designated as Block 5, Lot 26 in the COMM-ROMM 100,000 square foot zone (the zone district) located on the south side of New Jersey State Highway Route 22 (Route 22); and

WHEREAS, the removal of two parking lot lamp posts requires site plan review and approval or a waiver; and

WHEREAS, the Board was willing to review the matter in this manner since no variances or other relief was required; and

WHEREAS, all procedural requirements of the MLUL and local ordinances were met, thereby conferring jurisdiction upon the Board; and

WHEREAS, the Board makes the following finding of facts and conclusions of law:

1. The proposed development is shown on the drawing submitted to the Board. The drawing is attached as Exhibit A and shows the removal of the two lamp posts on the far east end of the parking lot at Lebanon Plaza owned and managed by Louis P. Moglia & Daughters Block 5, Lot 25 and 26, Lebanon, NJ titled "Sketch Showing Motorcycle Training Area"

2. The applicant is the owner of the subject property which has significant frontage on the south side of Highway Route 22. It is a 1.01 ± acre lot which is presently developed with a one story frame building used as a postal annex and a number of delineated parking spaces.

3. The applicant is also the owner of the adjacent property known as Block 5, Lot 25. That lot is a 10.98 ± acre parcel which is also located on the south side of Highway Route 22. An extremely large commercial structure known as the Lebanon Plaza Shopping Center is located on the said Lot 26.

4. The applicant proposes to lease and occupy the premise for the purpose of operating a motorcycle training school which is a suitable use in the zone district.

5. Block 5, Lot 25 has numerous parking spaces located on the east, west and south sides of the main Lebanon Plaza Shopping Center building. A number of parking spaces are also located on the subject property, Block 5, Lot 26.

6. There are a total of 33 parking spaces which are located entirely on Block 5, Lot 26. A total of six additional spaces are located on the subject property and adjacent Lot 25. There are numerous other spaces located on adjacent Lot 25 as shown on of the drawings (Exhibit A).

7. The subject of this particular application is to remove two existing lamp posts from the east side of the parking area.

8. The details shown on the drawing demonstrate that the removal of the two lamp posts complies with all ordinance requirements and that no variance relief or waiver relief of any type is required.

9. The Board is satisfied that the information which was supplied can be approved as a site plan wavier. Considering the location for the proposed motorcycle training school is in the same general area as the unregistered vehicle parking and the spaces were previously determined to be excess parking, this Lebanon Borough Planning Board/ Board of Adjustments has no objection to a site plan waiver.

10. The Board is satisfied that the plan may be approved subject to conditions.

NOW, THEREFORE, BE IT RESOLVED by the Lebanon Borough Planning Board/Board of Adjustment (sitting as a Planning Board), County of Hunterdon, State of New Jersey that the application of Joseph P. Moglia and Daughters, LLC to remove two lamp post as shown on the drawing discussed above is hereby approved subject to the following conditions:

1. The applicant shall obtain approval from all agencies having jurisdiction over the subject matter of this application including but not limited to the office of the construction official and the zoning officer.

2. The approval shall be subject to any requirements of the construction official for compliance with appropriate codes. If that compliance requires minimal changes to the drawing but does not require any variances, no further application to the Board is necessary.

3. The motorcycle training school shall occupy approximately 88 spaces. The prior use variance to permit the parking of the unregistered vehicles has been abandoned and is hereby nullified.

4. The light poles to be removed shall be replaced at the termination of the lease.

5. The parking spaces shall go back to their original state after resurfacing of the school area, or after termination of the lease.

6. The school shall be operated only on Saturdays from 9:00am to 5:00 pm and on Sundays from 9:00am to 2:00pm. The applicant shall obey by the current noise ordinance. No

activity before 8 am.

7. Although only temporary signage and/or barricades is proposed the Board shall retain jurisdiction in placement to discourage normal plaza traffic from trying to circulate through the area proposed for the school by the zoning official.

8. All signage shall conformance with ordinance #2009-03.

9. The applicant shall have a continuing duty to replenish all necessary escrow funds upon written notification. Neither the Board nor its employees will perform any services in furtherance of this approval if there is a deficiency in any escrow or inspection fee account. The applicant shall have a continuing duty to maintain a positive balance in all accounts until all conditions have been satisfied and all charges have been paid.

Alex Saharic, Chairman

Attest:

Karen Romano, Secretary
DATE MEMORIALIZED: May 10, 2016

The motion passed with the following roll call vote:

Ayes: Saharic, Uchrin, Hauck, Lapcynski, Reino, and Hopkins

Absent: Berger, Skene, Abeles, Newman and Wilson

Abstain:

GLADSTONE EQUITIES:

OPEN PUBLIC SESSION

Chairman Saharic opened the floor for public questions. There being no comment the floor was closed.

MISCELLANEOUS:

None

ADJOURN

Dr. Uchrin moved, Mr. Hopkins seconded a motion to adjourn, there being no further business to come before the Board. The motion was passed by unanimous vote. The meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Karen Romano
Planning Board Secretary

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