



LEBANON BOROUGH
PLANNING BOARD & BOARD OF ADJUSTMENT
MINUTES
Tuesday, August 13, 2019

The Regular meeting of the Lebanon Borough Planning Board/Board of Adjustment was called to order by Chairman at 7:30 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, William Skene, David Abeles, Joseph Hauck, Henry Hopkins Mayor Pittinger, Councilman Berger and Ron Lapcynski

Absent: William Wilson, , and James Newman

Also present : Karen M. Romano Planning Board Sec.

EXPENDITURE APPROVAL:

No Expenditure

MINUTE APPROVAL:

Mr. Hauck moved, and Dr. Uchrin seconded, a motion for the approval of the Minutes of June 2019.

The motion passed with the following roll call vote:**Ayes:** Saharic, Hauck, Uchrin, Abeles, Hopkins Skene, Lapcynski, Pittinger, Berger**Absent** Wilson, and Newman**Abstain:****RESOLUTIONS:****Mr. Hauck moved, and Dr. Uchrin seconded, a motion for the approval of
Resolution 2019-05****LEBANON BOROUGH PLANNING BOARD / BOARD OF ADJUSTMENT****RESOLUTION AMENDING DIRECTION TO BOARD PLANNING EXPERT
DARLENE GREEN TO CONTINUE AND COMPLETE THE STUDY TO EVALUATE
WHETHER THE STUDY AREA IDENTIFIED BELOW QUALIFIES AS AN AREA IN
NEED OF REDEVELOPMENT AND/OR REHABILITATION UNDER THE LOCAL
REDEVELOPMENT AND HOUSING LAW AS A NON-CONDEMNATION
REDEVELOPMENT AREA AND/OR REHABILITATION AREA****RESOLUTION NO. 2019-05**

WHEREAS, the Lebanon Borough Council, by adoption of Resolution #103-2018 adopted on August 22, 2018 in accordance with N.J.S.A. 40A:12A-6, authorized and directed the Lebanon Borough Planning Board / Board of Adjustment (the "Board") to undertake a preliminary investigation to determine whether a "Study Area", which is described in detail below, is an area in need of redevelopment (a Condemnation Redevelopment Area);

WHEREAS, the Study Area consists of the area bounded by the north side of Route 22 at its intersection with Corporate Drive, and then on a perpendicular course, north to Interstate 78 (eastbound), and then westerly along I 78 to its intersection with Cokesbury Road, and then southerly along Cokesbury Road to Route 22, and then easterly along Route 22 to the point and place of beginning;

WHEREAS, the Board initially engaged Darlene Green, PP, AICP, its planning expert, to conduct a study and evaluate whether the property in the Study Area is an area in need of redevelopment (a Condemnation Redevelopment Area) under the criteria set forth in N.J.S.A. 40A:12A-5 as memorialized in Resolution No. 2018-05 adopted on August 22, 2018;

WHEREAS, due to Ms. Green's schedule which no longer allowed her to sufficient time to complete the study and evaluation, the Board engaged outside planning consultant James Kyle, PP, AICP, to complete the study and evaluation, as memorialized in Resolution No. 2019-03 adopted on February 26, 2019;

WHEREAS, the Lebanon Borough Council, by adoption of Resolution #80-2019 adopted on May 24, 2019 in accordance with N.J.S.A. 40A:12A-6, reauthorized and redirected the Board to complete the preliminary investigation to determine whether a “Study Area”, which is described in detail above, is an area in need of redevelopment, but as a Non-Condensation Redevelopment Area;

WHEREAS, by this time, Ms. Green’s schedule allowed her to complete the study and evaluation so the Board disengaged Mr. Kyle and reengaged Ms. Green to complete the study and evaluate whether the property in the Study Area is an area in need of redevelopment but as a Non-Condensation Redevelopment Area under the criteria set forth in N.J.S.A. 40A:12A-5, as memorialized in Resolution No. 2019-04 adopted on June 19, 2019;

WHEREAS, the Lebanon Borough Council, by adoption of Resolution #99-2019 adopted on July 17, 2019 in accordance with N.J.S.A. 40A:12A-6, amended the authorization and direction to the Board to complete the preliminary investigation to: (a) expand the Study Area to include three (3) driveways / intersections providing ingress, egress and circulation to the Study Area; and (b) include in the Non-Condensation Redevelopment Area investigation whether the Study Area is an area in need of redevelopment and/or rehabilitation;

NOW, THEREFORE, BE IT RESOLVED by the Board, by motion made and seconded on August 13, 2019, as follows:

1. The Study Area shall be expanded to not only consist of the area bounded by the north side of Route 22 at its intersection with Corporate Drive, and then on a perpendicular course, north to Interstate 78 (eastbound), and then westerly along I 78 to its intersection with Cokesbury Road, and then southerly along Cokesbury Road to Route 22, and then easterly along Route 22 to the point and place of beginning, but to also include the driveway entrances and exits of Corporate Drive as well as the intersection of State Highway Route 22 and Cokesbury Road, and to include all public right-of-way areas located therein.

2. Board planning expert Darlene Green, PP, AICP, is directed to complete the study and evaluate whether the property in the Study Area is an area in need of redevelopment and/or rehabilitation as a Non-Condensation Redevelopment Area under the criteria set forth in N.J.S.A. 40A:12A-5, which report shall be submitted to the Board for further action.

The above resolution was adopted on August 13, 2019 by the following vote of Board members:

<u>Member</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
---------------	------------	-----------	----------------	---------------

SAHARIC		X	
UCHRIN		X	
HOPKINS		X	
ABELES		X	
LAPCYNYSKI		X	
HAUCK		X	
WILSON			X
SKENE	X		
PITTINGER	X		
BERGER	X		

ALEX SAHARIC
Chairperson

ATTEST: KAREN ROMANO
Secretary

DATE ADOPTED: August 13, 2019

The motion passed with the following roll call vote:

Ayes: Saharic, Hauck, Uchrin, Abeles, Hopkins Skene, Lapcynski, Pittinger , Berger

Absent Wilson, and Newman

Abstain:

Chairman Saharic request to go into closed session.

Mr. Hauck moved, and Dr. Uchrin seconded, a motion for the approval of Resolution 2019-06

LEBANON BOROUGH PLANNING BOARD / BOARD OF ADJUSTMENT

RESOLUTION AUTHORIZING CLOSED SESSION

RESOLUTION NO. 2019-06

WHEREAS, N.J.S.A. 10:4-12 (the Open Public Meeting Act) authorizes this Board to exclude the public from that portion of a meeting at which this Board discusses certain matters;

WHEREAS, the Board is about to discuss such matters, specifically: (1) legal advice regarding and in response to questions raised regarding the pending redevelopment study, and (2) legal advice regarding the pending Mount Laurel affordable housing declaratory judgment action; where the legal advice regarding both matters falls within the attorney-client privilege and confidentiality is required for the attorney to exercise his ethical duties as a lawyer;

WHEREAS, this Board believes the public should be excluded from those discussions;

NOW, THEREFORE, BE IT RESOLVED by the Lebanon Borough Planning Board / Board of Adjustment on February 26, 2019 that the Board now go into closed session and the public be excluded and that the Board believes that the discussions conducted in the closed session may not be disclosed to the public because they will involve attorney-client privileged advice and information.

The above resolution was adopted on February 26, 2019 by the following vote of Board members:

<u>Member</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
SAHARIC	X			
UCHRIN	X			
HOPKINS	X			
ABELES	X			
LAPCYNKI	X			
HAUCK	X			
WILSON				X
SKENE	x			
PITTINGER	X			
BERGER	x			X
NEWMAN				

LBPB/BOA

6-11-19

7

LBPB
5-10-16
8

LBPB
5-10-16
10

LBPB
5-10-16
14

LBPB
5-10-16
16

LBPB
PAGE 19
6-10-15