



LEBANON BOROUGH
PLANNING BOARD & BOARD OF ADJUSTMENT
MINUTES
Wednesday, October 13, 2020

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.

MOMENT OF SILENCE

Chairman Saharic called for a moment of silence for our fallen soldiers.

ROLL CALL:

Members Present: Alexander Saharic, Dr. Christopher Uchrin, Councilman Berger, Henry Hopkins, David Abeles, Mayor Pittinger, and Joseph Hauck,
Absent: William Skene, William Wilson, Ron Lapczynski and James Newman
Also present: Karen M. Romano Planning Board Sec.

MINUTE APPROVAL:

Councilman Berger moved, and Dr. Uchrin seconded, a motion for the approval of the Minutes of September 2020.

The motion passed with the following roll call vote:

Ayes: Saharic, Hauck, Uchrin, Abeles, Hopkins, Pittinger, and Berger

Absent Skene, Wilson, Lapcynski, and Newman

Abstain:

EXPENDITURE APPROVAL:

No Expenditure

WETZEL BLOCK 13.02 LOT 33 APPLICATION FOR VARIANCES

Mr. Wetzel presented the variance for a 4-foot extension of a front porch on Block 13.02 Lot 33. Due to the unforeseen circumstance the professional were unable to attend. Chairman Saharic Request the approval of the Board to move the Wetzel hearing to November 10th. With no objection.

Mr. Hauck moved, and Councilman Berger seconded, a motion to extend the hearing for Block 13.02 Lot 33 to November 10, 2020 at 7 pm.

The motion passed with the following roll call vote:

Ayes: Saharic, Hauck, Uchrin, Abeles, Hopkins, Pittinger, and Berger

Absent Skene, Wilson, Lapcynski, and Newman

Abstain:

**ORDINANCE 2020-08 NEW MULTI-FAMILY ZONING MASTER PLAN
CONSISTENCY REVIEW.**

Mr. Hauck moved, and Mr. Hopkins seconded, a motion to confirm Ordinance 2020-08 is consistent with the Master Plan.

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

ORDINANCE NO. 2020-08

AN ORDINANCE OF THE BOROUGH OF LEBANON, COUNTY OF HUNTERDON, AMENDING AND SUPPLEMENTING CHAPTER 295, ENTITLED "ZONING", TO CHANGE THE BOROUGH ZONING MAP AND TO ESTABLISH A NEW R-MF-12, MULTIFAMILY RESIDENCE 12 DISTRICT, AND TO SET FORTH THE STANDARDS AND CRITERIA APPLICABLE THERETO

WHEREAS, the Borough of Lebanon has a constitutionally mandated obligation to provide through its zoning ordinance a realistic opportunity for the creation of its fair share of the region's need for affordable housing; and

WHEREAS, the Borough Council has created the realistic opportunity for the creation of affordable housing and desires to create additional opportunities for the creation of affordable housing within the Borough; and

WHEREAS, the Borough Council has determined that certain lands known as 400 and 500 Corporate Drive, identified as Block 4, Lots 1.03 and 1.04, respectively, are suitable for inclusionary development: and

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Lebanon that a new multi-family residence district shall be established and designated as R-MF-12, Multi-Family Residence 12 District, with the zoning map to be changed to reflect the new district, and to set forth standards and criteria in the district as follows:

SECTION 1.

Chapter 295 entitled "Zoning", Subsection 295-5 is revised to modify and include the following definitions:

MAXIMUM BUILDING COVERAGE – The maximum area of a lot permitted to be covered by buildings or structures, principal and accessory.

MAXIMUM LOT COVERAGE – The maximum area of the lot permitted to be covered by any buildings and structures as defined in "maximum building coverage" and other impervious surfaces.

STREET, PUBLIC – A thoroughfare, however designated, which is open to travel, public or private, and designated by the Borough Council or other governmental entity as a publicly-owned street.

STREET, PRIVATE – A street that has not been dedicated or accepted by the Borough or other governmental entity as a public street.

SECTION 2.

Chapter 295 entitled "Zoning", Subsection 295-101 is revised to add the new zone district of Multifamily Residence 12:

§295-101. Zone Districts.

A. Designation of zoning districts. For the purposes of this Chapter, the Borough of Lebanon is hereby divided into the following districts or zones, which terms may be used interchangeably, to be designated as follows:

One-Family Residence (20,000 square feet)	R-1-20
One-Family Residence (15,000 square feet)	R-1-15
One-Family Residence (professional)	R-1-15P
Multifamily Residence	R-MF
Multifamily / Affordable Housing Element	R-MF/AH
Local Business	C-LB
Research-Office-Manufacturing	ROM-100,000
Research-Office-Manufacturing/Commercial	ROM-C-200,000
Research-Office-Manufacturing/Commercial	ROM-C-100,000
Multifamily Residence 10	R-MF-10
Multifamily Residence 12	R-MF-12

SECTION 3.

Chapter 295 entitled “Zoning”, Subsection 295-115 is hereby deleted in its entirety and replaced as follows:

§ 295-115. Multifamily Residence 12, R-MF-12 District

A. Definitions. The following definition shall apply only to the Multifamily Residence 12 District:

TRACT – The area encompassed by Block 4, Lots 1.03 and 1.04. The MF -12 District shall have access from Corporate Drive, a private road.

B. Permitted Principal Uses.

- (1) Multi-family dwellings.

C. Permitted Accessory Uses.

- (1) Public or private recreation facilities, including pools and decks.
- (2) Fences and walls.
- (3) Off-street parking.
- (4) Parking garages and/or deck incorporated into the building design.

- (5) Trash enclosures.
- (6) Signs.
- (7) Public and private utilities.
- (8) Leasing and management office, mail room, lounges, game rooms, and similar interior tenant amenities.
- (9) Storage spaces unattached to the units, but used by occupants of units, which are incorporated into, and located within, the multi-family residential building. Storage spaces shall be a minimum of 300 cubic feet per unit.
- (10) Dog spa or pet grooming facility, not including boarding or veterinarian services, intended only for the residents of the multi-family development and located within the principal structure.
- (11) Electric vehicle charging stations.
- (12) Emergency generators.

D. Area, Bulk and Yard Requirements.

- (1) Minimum tract area – 22 acres, inclusive of Corporate Drive.
- (2) The standards in subsection (3) through (10) below shall apply to the entire tract.
- (3) Minimum building setbacks:
 - (a) Front yard setback (measured from the Corporate Drive right-of-way and/or easement) – 20 feet.
 - (b) Rear yard setback (Route 78) – 30 feet.
 - (c) Side yard – 40 feet.
- (4) Density – 12.7 units per acre, up to a maximum of 280 units.
- (5) Minimum distance between buildings – 22 feet.
- (6) Maximum building length of any facade – 350 feet.
- (7) Maximum building coverage - 15%.

- (8) Maximum lot coverage - 60%.
- (9) Maximum building height – 4 stories and 55 feet, which is measured to the midpoint of a pitched roof.
- (10) Maximum number of principal buildings – two per lot, four per zone.

E. Affordable Housing Requirements.

- (1) Fifty-six (56) units shall be reserved for, and affordable to, very-low, low- and moderate-income households regardless of tenure. The affordable units shall be family rental units.
- (2) The income distribution of the affordable units shall be: twenty-eight (28) units reserved for moderate-income households, twenty (20) units shall be reserved for low-income households, and eight (8) units shall be reserved for very-low income households.
- (3) The affordable units shall have at least a thirty- (30) year deed restriction. Any such affordable unit shall comply with UHAC, applicable affordable housing regulations, the Fair Housing Act, any applicable order of the Court, and other applicable laws.
- (4) The bedroom distribution shall be: twelve (12) three-bedroom units, thirty-three (33) two-bedroom units, and eleven (11) one-bedroom units. Each income distribution of the affordable units shall be proportionally distributed across each bedroom category.
- (5) The developer shall be responsible for retaining the Borough's Administrative Agent, or an approved equivalent as permitted by the Borough, at the developer's sole cost and expense.
- (6) All necessary steps shall be taken to make the affordable units provided creditworthy pursuant to applicable law.
- (7) The affordable units shall be dispersed throughout the site and provided in accordance with the phasing schedule in N.J.A.C. 5:93-5.6(d).

F. Lighting.

- (1) LED lights of the warm white category, 2,700K color temperature, shall be used in parking areas.
- (2) Parking lot lighting shall be no more than twenty (20) feet in height.

- (3) A minimum of one-fifth (0.2) footcandle and an average of one (1) footcandle shall be maintained within parking areas. A minimum average of 0.3 footcandle shall be maintained over all pedestrian walkways.
- (4) Parking lot fixtures shall be full cut off, with no light emitted above 90 degrees.
- (5) Footcandles at the tract boundary shall not exceed one (1) footcandle, except where there are entrance/exit driveways and common access drives.
- (6) The entire outdoor lighting design shall be analyzed using industry standard lighting software.

G. Parking Requirements.

- (1) All parking spaces shall measure no less than nine (9) feet in width by eighteen (18) feet in length, except ADA accessible parking designed in accord with ADA standards.
- (2) Off-street parking shall be provided in accordance with RSIS.
- (3) There shall be no parking of recreational vehicles, trailers, or boats.
- (4) Hairpin striping shall be utilized to delineate parking spaces.
- (5) Off-street parking shall be designed to prohibit vehicles from backing up into any access driveway within fifty (50) feet of the curblineline of an intersecting street.
- (6) Up to four (4%) percent of the parking may be compact spaces, which shall measure no less than eight and one-half (8.5) feet by sixteen (16) feet. If compact spaces are utilized, they shall be clearly marked as such.
- (7) Handicapped parking shall be located and detailed as per State regulations.

H. Pedestrian Circulation.

- (1) Walkways and/or sidewalks shall link all buildings within each section of the development. Said walkways/sidewalks shall be a minimum of four (4) feet wide.
- (2) Where walkways and/or sidewalks traverse streets, driveways, and/or access aisles, crosswalks shall be delineated by striping of a contrasting color or material.
- (3) Benches shall be located throughout the site along the pedestrian network. Benches shall be installed, at a minimum of one (1) for every six hundred (600) linear feet of walkway.

I. Recreation and open space.

- (1) A minimum of five (5%) percent of the tract shall be open space for the use of residents. This may be linear walking paths, passive spaces, active recreation areas or the like.
- (2) Due to the zone's location, on the opposite side of Route 22 as the Borough's park, an active recreation area shall be provided for children living within the development. This recreation area shall include, at a minimum, three pieces of equipment. Examples include, but are not limited to swings, slide, nets, and climbers.

J. Building Design.

- (1) There shall be no market-rate units containing more than two bedrooms. Any market-rate units proposed to include a den shall include a lease restriction prohibiting the use of the den as a bedroom.
- (2) In order to avoid long, monotonous, uninterrupted walls or roof planes, building wall offsets, including projections and recesses, shall be provided in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall.
- (3) The maximum spacing between such offsets shall be sixty (60) feet. The minimum projection or depth of any individual vertical offset shall not be less than one (1) foot.
- (4) Vertical offsets can include, but are not limited to, pilasters, projecting bays, changes in façade materials, canopies, and balconies.
- (5) The architectural treatment of a façade shall be completely continued around all street-facing façades of a building. All sides of a building shall be architecturally designed to be consistent regarding style, materials, colors, and details.
- (6) Roofline offsets, such as dormers and gables, shall be provided along any roof measuring more than ninety (90) feet in length to relieve the visual effect of a single long roof. The maximum spacing between such offsets shall be forty-five (45) feet.
- (7) Building façades visible from any public or private street shall consist of durable, long-lasting materials such as brick, stone, cast stone, vinyl, HardiePlank or other high-quality material.
- (8) If the building has a flat roof, a parapet shall project vertically to hide any roof-mounted mechanical equipment.

- (9) Windows shall be vertically proportioned.
- (10) All building entrances shall be clearly articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.
- (11) Heating, ventilating and air-conditioning systems, utility meters and regulators, emergency generators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving devices shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

K. Landscaping.

- (1) Areas of the property not used for buildings, parking or other impervious surfaces shall be landscaped.
- (2) Landscaping shall be provided to promote a desirable visual environment, to accentuate building design, define entranceways, screen parking areas, mitigate adverse visual impacts, provide windbreaks for winter winds and summer cooling for buildings, and enhance buffer areas. Plants and other landscaping materials shall be selected in terms of aesthetic and functional considerations. The landscape design shall create visual diversity and contrast through variation in size, shape, texture, and color. Plant selection shall consider susceptibility to disease and insect damage, wind and ice damage, habitat, soil conditions, growth rate, longevity, root pattern, and maintenance requirements.
- (3) Parking lot landscaping.
 - (a) One (1) landscaped area of at least 162 square feet, shall be provided for every twenty (20) surface parking spaces. Said landscaping may be located around the perimeter of the parking area, within five feet of the curb, instead of within the parking area.
 - (b) The landscaped area shall contain one (1) tree with a caliper of at least three (3) inches or three (3) shrubs planted at a height of at least two and a half (2.5) feet.
 - (c) Parking areas visible from Corporate Drive shall be screened by landscaping at least four (4) feet in height at the time of planting, except within sight triangle easements.
- (4) Foundation plantings shall be provided around all buildings. These plantings shall include species that provide seasonal interest at varying heights to complement and provide pedestrian scale to the proposed architectural design of the buildings. The

foundation planting shall incorporate evergreen shrubs and groupings of small trees in order to provide human scale to building facades and winter interest.

- (5) Street trees.
 - (a) Street trees shall be provided along Corporate Drive, planted at an average of fifty (50) feet on center.
 - (b) Existing trees may be counted in meeting the requirement if they are within fifteen (15) feet of the cartway.
 - (c) Street trees shall be a minimum three (3) inch caliper.

L. Signs. The following types of signs shall be permitted:

- (1) Monument sign.
 - (a) A maximum of three monument signs shall be permitted.
 - (b) The maximum sign area for each sign (excluding the base) shall be forty (40) square feet per side.
 - (c) The maximum sign height shall be five (5) feet, including based/ pedestal.
 - (d) Monument signs shall be setback a minimum of ten (10) feet from any driveway, accessway, and/or public or private street right of way.
 - (e) Monument signs may be internally illuminated.

M. Refuse.

- (1) Trash and recycling receptacles shall not be visible from any public or private street and shall be located in the rear or side yard.
- (2) All trash and recycling receptacles shall be screened by a solid fence or decorative masonry wall on three sides and a heavy-duty gate on the fourth.
- (3) Trash and/or recycling may be stored inside the buildings.

N. Utilities. All utilities shall be underground.

O. Fences and walls.

- (1) Fences and walls between the building façade and Corporate Drive shall be a maximum of four (4) feet in height.

- (2) Retaining walls located elsewhere on the site shall be a maximum of thirteen (13) feet in height. Fall protection shall be provided in accordance with State law.
 - (3) Fences and/or walls around trash and/or recyclable containers may be a maximum of eight (8) feet in height.
 - (4) Where a fence is installed on top of a retaining wall and located within six feet of the face of the wall, the height of the fence shall include the height of the retaining wall. Safety fences four (4) feet or less in height shall be excluded from this provision.
 - (5) The use of barbed wire, razor wire, or similar is prohibited, unless the use of such fence is required by state or federal statute or regulation.
- P. Site Improvement Standards. Streets, curbs, gutters, sidewalks, pavements, street signs, parking lots, water supply system, fire hydrants, and sanitary sewer system shall be designed in accordance with the Residential Site Improvement Standards.
- Q. Stormwater management. Stormwater management and control shall comply with Chapter 252 entitled "Highlands Region Stormwater Management Program and Stormwater Control".
- R. Off-site improvements.
- (1) In order to assess the design and circulation patterns on-site and off-site, including vehicular and pedestrian circulation, a traffic report shall be submitted with any application within the R-MF-12 Zone.
 - (2) This analysis shall include any necessary vehicular and pedestrian improvements at the intersection of Corporate Drive and Route 22, Corporate Drive and Cokesbury Road, and Route 22 and Cokesbury Road.

SECTION 4.

Whereas, upon adoption of this Ordinance, the Borough Engineer is directed to amend the official Zoning Map of the Borough of Lebanon to illustrate the location of the Multifamily Residence 12 (R-MF-12) District on Block 4, Lots 1.03 and 1.04.

SECTION 5. Severability.

The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 6. Repealer.

Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

SECTION 7. Effective Date.

This Ordinance shall take effect upon final adoption and publication in accordance with the law.

ATTEST

BOROUGH OF LEBANON

Karen Romano, Administrator/Clerk
Vote after public hearing and upon final adoption:

Richard Burton, Council President

Berger 1

Burton 1

Junge 1

Saharic 0

Harris 0

Baldinger 1

Ordinance approved by the Governing Body and presented
To the Mayor on _____, 2020

Veto in Whole or Part:

Approved:

James P. Pittinger, Mayor
Date:

James P. Pittinger, Mayor
Date:

Returned to Borough Clerk with statement attached on _____, 2020.

NOTICE

TAKE NOTICE that the above ordinance was introduced at a regular meeting of the Borough Council of the Borough of Lebanon on September 16, 2020 and will be considered for final passage after public hearing at a regular meeting of the Borough Council of the Borough of

Lebanon to be held on October 21, 2020 at 7:30 p.m. in the Municipal Building, located at 6 High Street, Lebanon, New Jersey.

Karen M. Romano, RMC, CMR
Administrator/Borough Clerk

The motion passed with the following roll call vote:

Ayes: Saharic, Hauck, Uchrin, Abeles, Hopkins, Pittinger, and Berger

Absent Skene, Wilson, Lapcynski, and Newman

Abstain:

PUBLIC COMMENT:

Chairman Saharic opened the floor for public comment. There being none the floor was closed.

MISCELLANEOUS:

ADJOURN

Mr. Abeles moved, Dr. Uchrin 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 7:55 p.m.

Respectfully submitted,

Karen Romano
Planning Board Secretary

LBPB

5-10-16

17

LBPB
5-10-16
20

LBPB
5-10-16
23

LBPB
5-10-16
24

LBPB
5-10-16
25

LBPB
5-10-16
26

LBPB
PAGE 28
6-10-15