

BOROUGH OF ALPHA LAND USE BOARD -

September 21, 2022, Regular Meeting

Municipal Building 1001 East Blvd., Alpha, New Jersey

The regular meeting of the Borough of Alpha Land Use Board was called to order at 7:01 p.m., by Chairman Fey.

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 Ledger and the Hunterdon County Democrat; 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.

Roll Call:

Present: Mr. Dragotta, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Schwar, and Mr. Seiss. Absent: Mr. Cartabona, Ms. Dalrymple, and Mr. Gable.

Resolutions:

Motion made by Mayor Dunwell to lay on the table Resolution 2022-06. Motion seconded by Mr. Schwar.

Chairman Fey asked Attorney Gruenberg to weigh in on the matter that resulted in tabling the resolution. He stated that the applicant had email issues had been trying to email Attorney Gruenberg all day with their comments to the resolution. They finally resolved that issue and Attorney Gruenberg sent their comments directly to the board and the engineer and was concerned if they had enough time to review the comments, especially from an engineering standpoint. Mayor Dunwell said that after our engineer weighs in and feels we are good to vote, we can vote down the motion to lay this resolution on the table and vote to pass it.

Mr. O'Brien review the revisions and deemed them to be minor from an engineering perspective, and he takes no issue with the changes. Attorney Gruenberg takes no issues with the changes as well and the board can act on this if they feel comfortable with the representation from Mr.

O'Brien and himself. Mayor Dunwell pointed out some minor edits that did not change the representation of the resolution. Mr. Gruenberg made those minor changes.

Roll Call: Ayes: Fritts. Nays: Dragotta, Dunwell, Fey, Schwar, and Seiss. Absent: Cartabona, Dalrymple, and Gable.

Motion made by Mr. Seiss to adopt Resolution 2022-06 as amended. Motion seconded by Mr. Dragotta. Roll Call: Ayes: Dragotta, Dunwell, Fritts, and Seiss. Nays: None. Absent: Cartabona, Eligible to Vote: Dragotta, Dunwell, Fritts, and Seiss.

Approval of Minutes:

Motion made by Mr. Schwar to approve the regular meeting minutes of 7/20/22. Motion seconded by Mr. Seiss. All were in favor.

Motion made by Mr. Schwar to approve the regular meeting minutes of 7/20/22. Motion seconded by Mr. Seiss. All were in favor.

New Business:

Mayor Dunwell brought to the board our intention to procure a new water storage tank and relocate that tank at a new location. Bihler of America has agreed in principle, to give us a 10,000 sq. ft. piece of their property fronting on Edge Rd in exchange for a lot owned by the Borough of the same size. Once our water tower is relocated, we will remove the old tower and then deed to Bihler that piece of property. Mayor Dunwell asked if we must have a site plan and subdivision requiring Bihler to bring an application to this board or could they do a deed of dedication to the Borough. Attorney Gruenberg stated that generally the law states that if the municipality is the applicant, it can be done by way of a courtesy review before the board as opposed to a formal application for relief. If the municipal property owner is the applicant owner, that would require relief from the board. Mr. Gruenberg suggested that the Borough attorney advise as to how it should be presented to the board. The Borough would come before the board seeking variance relief since a water tower is not a permitted use on this piece of property. Mayor Dunwell's desire is to have the Borough come before the board triggering a notice to the adjacent property owners, giving them an opportunity to be heard. There was concern about a resident's property close to the location of the proposed tower location.

After reviewing the law, Attorney Gruenberg stated that public buildings and utilities are a permitted use in that zone. Mayor Dunwell stated that this tower will exceed the permitted height in that zone. Our tax assessor or an independent appraiser will need to weigh in on the transaction. Mr. Gruenberg reiterated that he and the Borough attorney need to look at the plan together to see if it needs to be done by way of subdivision as opposed to a deed of dedication. Mr. Schwar will weigh in after he drives by the property. Mayor Dunwell stated that this tower will hold about 400,000 to 500,000 gallons of water.

The November meeting will be on November 9, 2022.

Next Meeting: October 19, 2022.

Adjourn:

There being no other business on the agenda, Mr. Schwar moved to adjourn the meeting at 7:30 PM. Mayor Dunwell seconded the motion. The motion carried unanimously,

Respectfully submitted,

Donna L. Messina,

Land Use Board Secretary

Approved: 10/19/22