



**BOROUGH OF ALPHA
LAND USE BOARD**

1001 East Boulevard
Alpha, New Jersey 08865

REGULAR MEETING AGENDA

Borough of Alpha Municipal Building
April 19, 2023 7:00 PM

1. CALL TO ORDER and PUBLIC NOTICE

2. ROLL CALL

Mr. Bodogh, Mr. Castro, Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, Mr. Fritts, Mr. Gable, Mr. Schwar, and Mr. Seiss.

3. RESOLUTIONS

➤ **RESOLUTION 2023-06**

RESOLUTION RECOMMENDING THE LAND CONSERVANCY OF NEW JERSEY TO ASSIST IN THE DEVELOPMENT OF AN UPDATED OPEN SPACE AND RECREATION PLAN

➤ **RESOLUTION 2023-07**

RESOLUTION OF EXTENSION – THIRD BOROUGH OF ALPHA LAND USE BOARD FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING AN APPLICATION FOR PRELIMINARY AND FINAL MAJOR SITE PLAN AND VARIANCE RELIEF AS TO BLOCK 100, LOT 10 & 10.01 (75 INDUSTRIAL DRIVE) PETRUCCI DEVELOPMENT

➤ **RESOLUTION 2023-08**

RESOLUTION OF EXTENSION – FIRST BOROUGH OF ALPHA LAND USE BOARD FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION REGARDING THE APPLICATION OF 1603 SPRINGTOWN, LLC FOR PRELIMINARY SITE PLAN APPROVAL, FINAL SITE PLAN APPROVAL AND VARIANCE RELIEF FOR BLOCK 97, LOT 10

4. APPROVAL OF MINUTES

- Meeting Minutes of 10/19/22
- Meeting Minutes of 01/18/23

5. PRELIMINARY, FINAL and PUBLIC HEARING

- Borough of Alpha - Application #2023-01, Block 100, Lot 10.02

6. OLD BUSINESS

7. NEW BUSINESS

- Request for Third Extension of Final Site Plan Approval – JERC Partners (Block 100, Lot 10 & 10.01) 75 Industrial Drive
- Request for Extension of Final Site Plan Approval - 1603 Springtown, LLC (Block 97, Lot 10)
- Discussion to set a hearing date for the Open Space and Recreation Plan

8. CORRESPONDENCE

9. PUBLIC COMMENT

10. EXECUTIVE SESSION (As Needed)

11. NEXT MEETING

- **May 17, 2023**

12. ADJOURNMENT

**BOROUGH OF ALPHA
COUNTY OF WARREN
STATE OF NEW JERSEY
LAND USE BOARD
RESOLUTION 2023-06
RESOLUTION RECOMMENDING THE LAND CONSERVANCY OF NEW JERSEY TO
ASSIST IN THE DEVELOPMENT OF AN UPDATED OPEN SPACE AND
RECREATION PLAN**

WHEREAS, the Borough of Alpha Land Use Board desires to develop an updated Open Space and Recreation Plan (“OPEN SPACE PLAN”) as an element of the Borough Master Plan: and

WHEREAS, The Land Conservancy of New Jersey is a nonprofit organization whose mission is to preserve and protect open space for natural, historic, agricultural and recreational purposes and to assist municipalities in the stewardship of open space lands;

WHEREAS, The Land Conservancy of New Jersey is qualified to prepare Open Space and Recreation Plans; and

WHEREAS, the cost for completing the Plan Update has been determined to be reimbursable from the Highlands Council through the Borough’s Plan Update Conformance Grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Alpha, County of Warren, State of New Jersey as follows:

1. That the Land Use Board of the Borough of Alpha recommends to the Borough Council the entry into the agreement with the Land Conservancy of New Jersey for the provision of services to assist the Land Use Board in the development of an updated Open Space and Recreation Plan.

Approved: _____

**RESOLUTION 2023-07
RESOLUTION OF EXTENSION - THIRD
BOROUGH OF ALPHA LAND USE BOARD
FINDINGS OF FACT AND CONCLUSIONS OF LAW REGARDING AN
APPLICATION FOR PRELIMINARY AND FINAL MAJOR SITE PLAN AND
VARIANCE RELIEF AS TO BLOCK 100, LOT 10 & 10.01
(75 INDUSTRIAL DRIVE)
PETRUCCI DEVELOPMENT**

The Land Use Board of the Borough of Alpha in the County of Warren and State of New Jersey, upon motion of _____, seconded by _____, adopts the following findings of fact, conclusions and resolutions:

Findings of Fact:

1. The applicant, Petrucci Development, by its predecessor in title Ferguson Containers received approval of an application for Preliminary and Final Major Site Plan and Variance Approval which was memorialized by way of Resolution adopted by the Board on April 17, 2019.
2. On June 15, 2022, the Board granted the applicant's request for two, one year extensions of the approval pursuant to N.J.S.A. 40:55D-52 to April 17, 2023.

3. By way of correspondence dated March 13, 2023, the applicant by its attorney, Mark Peck, Esq. has requested its third and final one year extension of approval pursuant to N.J.S.A. 40:55D-52 to April 17, 2024. The request is based on the “disruptions from the covid pandemic resulting in the subsequent sale to Petrucci Development, as well as supply chain delays.”

4. N.J.S.A. 40:55D-52 provides:

If the developer has followed the standards prescribed for final approval, and, in the case of a subdivision, has duly recorded the plat as required in section 42 of P.L.1975, c.291 (C.40:55D-54), the planning board may extend such period of protection for extensions of one year but not to exceed three extensions.

5. A motion to grant a third one year extension of final site plan approval to April 17, 2024 subject to conditions was made by _____, seconded by _____. Members in favor:

Conclusion:

A majority of the Board agreed that in light of the size of the project and current market conditions a third and final one year extension of final site plan approval was warranted

Resolved:

NOW THEREFORE BE IT RESOLVED, that the request for a third one year extension of the final major site plan approval is granted conditioned upon the applicant complying in all other respects with the prior resolution of approval and maintaining all escrow balances current sufficient to permit continued professional review on the application and compliance.

Applicant shall comply with all conditions of the approval by April 17, 2024.

Application #: 2020-01

Approved:

**RESOLUTION 2023-08
RESOLUTION OF EXTENSION - FIRST
BOROUGH OF ALPHA
LAND USE BOARD
FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION
REGARDING THE APPLICATION OF 1603 SPRINGTOWN, LLC FOR
PRELIMINARY SITE PLAN APPROVAL, FINAL SITE PLAN APPROVAL AND
VARIANCE RELIEF FOR BLOCK 97, LOT 10**

The Land Use Board of the Borough of Alpha, in the County of Warren and State of New Jersey, upon motion of _____, seconded by _____, adopts the following findings of fact, conclusions and resolutions:

Findings of Fact:

1. Applicant, 1603 SPRINGTOWN, LLC has filed this application for preliminary site plan approval, final site plan approval and variance relief as to property located at Block 97, Lot 10. By way of Resolution adopted by the Board on July 21, 2021, the Board granted preliminary and final site major site plan approval with variance relief to construct a two-story office/retail building on Block 97 Lot 10 within the B-1 General Business Zone of the Borough. The two-story building is proposed to have a footprint of 6,000 sf. with 8,300 sf. of office and retail space and 3,700 sf. of storage/garage space and is proposed to be constructed at the center of the property.

2. By way of email correspondence dated February 9, 2023, the applicant by its attorney, William R. Edleston, Esq. has requested its first one year extension of approval pursuant to N.J.S.A. 40:55D-52 to July 21, 2024. The request is based on “An inordinate amount

of time passed to obtain Warren County Planning Board approval and an additional amount of time was involved in getting information from certain subcontractors which information was delayed by COVID 19.”

3. N.J.S.A. 40:55D-52 provides:

If the developer has followed the standards prescribed for final approval, and, in the case of a subdivision, has duly recorded the plat as required in section 42 of P.L.1975, c.291 (C.40:55D-54), the planning board may extend such period of protection for extensions of one year but not to exceed three extensions.

4. A motion to grant a one year extension of final site plan approval to July 21, 2024 subject to conditions was made by _____, seconded by _____. Members in favor:

Conclusion:

A majority of the Board agreed that in light of the size of the project and current market conditions a one year extension of final site plan approval was warranted

Resolved:

NOW THEREFORE BE IT RESOLVED, that the request for a one year extension of the final major site plan approval is granted conditioned upon the applicant complying in all other respects with the prior resolution of approval and maintaining all escrow balances current sufficient to permit continued professional review on the application and compliance.

Applicant shall comply with all conditions of the approval by July 21, 2024.