

AGENDA
Regularly Scheduled Meeting
Wharton Borough Planning Board
March 9, 2021 – 7:00 PM

CHAIRMAN: CALL MEETING TO ORDER

CHAIRMAN: READ OPEN PUBLIC MEETING STATEMENT

ROLL CALL: Chairman Ken Loury
Mayor William J. Chegwidde
Councilwoman Nicole Wickenheisser
Ms. Charlotte Kelly
Mr. Roger Steele
Mr. Marc Harris
Mr. Patrick O'Brien
Mr. Peter Rathjens
Mr. Brian Bosworth
Mr. Christopher Fleischman
Ms. Barb Chiappa
Attorney Alan Zakin
Planner Jessica Caldwell
Engineer Christopher Borinski
Secretary Patricia Craven

Pledge Allegiance to the Flag

BILLS:

| | | |
|--------|--------------------------------|---------|
| 1. CHA | Ref: Wharton CHA Urban Renewal | 4356.91 |
| 2. CHA | Ref: Ashour | 2124.60 |
| 3. CHA | Ref: Wharton Industrial | 1586.77 |

OLD BUSINESS:

1. Minutes of the February 9, 2021 Planning Board Meeting

NEW BUSINESS:

1. Application for Klein Outdoor Advertising, LLC

CORRESPONDENCE:

1. Memo from J. Caldwell Ref: Klein Outdoor dtd: January 18, 2021
2. Memo from J. Caldwell Ref: Klein Outdoor dtd: February 17, 2021

WHARTON PLANNING BOARD
REGULARLY SCHEDULED MEETING
February 9, 2021

The regularly scheduled meeting of the Wharton Planning Board was held virtually and was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law as well as a statement regarding allowing the remote meeting and the Judicial Proceeding Statement.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Mayor William J. Chegwiddden, Councilwoman Nicole Wickenheisser, Mr. Roger Steele, Mr. Marc Harris, Mr. Patrick O'Brien, Mr. Peter Rathjens, Mr. Brian Bosworth, Mr. Christopher Fleischman and Ms. Chiappa. Also present were Attorney Alan Zakin, Planner Jessica Caldwell, Engineer Christopher Borinski and Secretary Patricia Craven. Excused was Ms. Charlotte Kelly.

The reading of the bills was next. A Motion was made by Marc Harris and Seconded by Patrick O'Brien to approve the bills as read. YEA – 10 NAY – 0

The Minutes of the January 19, 2021 Reorganization Planning Board Meeting was next. A Motion was made by Barb Chiappa and Seconded by Brian Bosworth to approve the Minutes.
YEA -10 NAY- 0

The Minutes of the January 19, 2021 Regular Scheduled Planning Board Meeting was next. A Motion was made by Roger Steele and Seconded by Brian Bosworth to approve the Minutes.
YEA -10 NAY- 0

Next on the agenda was the update from Engineer Borinski on CCKK, LLC. Chairman Loury mentioned an email from the Borough Attorney William Johnson who informed the Board that CCKK, LLC has been complying with the requirements of the settlement agreement and he sees no reason for additional monthly reviews unless something changes. Mr. Loury agreed. Engineer Borinski stated that with the weather there has been no site work. The electrician is working on Building G. Attorney Zakin stated that if any issues arise, we can go back to updates from Mr. Borinski.

Last item on the agenda was the vote on the Resolution for 170 N. Main St. Chairman Loury went page by page of the resolution and some changes were made. Attorney Zakin stated that the Applicant had some changes and were told by Mr. Zakin that the changes would be made tonight at our meeting and to be sure and log onto the meeting. The applicant was not on the zoom meeting. A Motion was made by Marc Harris and Seconded by Christopher Fleischman to approve the resolution with the changes.
YEA – 10 NAY – 0

The meeting was open to the public. There was one attendee, Connor B with a comment that he just moved into town. The meeting was then closed to the public.

A Motion was made by Brian Bosworth and Seconded by Patrick O'Brien to adjourn at 7:25 pm.
YEA – 10 NAY – 0

Patricia M. Craven - Secretary

Ken Loury - Chairman



**J Caldwell
& Associates, LLC**
Community Planning Consultants

January 18, 2021

MEMORANDUM TO: Ms. Patricia Craven, Planning Board Secretary

FROM: Jessica C. Caldwell, P.P., A.I.C.P., Planning Board Planner

SUBJECT: Klein Outdoor Advertising, LLC
Completeness Review – Site Plan and Use Variance
Block 801, Lot 7.01
320 Route 15
Borough of Wharton, Morris County

Dear Ms. Craven:

The Applicant is seeking Preliminary and Final Site Plan and use variance approval for the installation of a 396 square foot billboard sign on the above-mentioned property. The subject property is in the B-2, Regional Business Zone, where the proposed billboard sign is not a permitted use in the zone.

Items Submitted: The Applicant has submitted the following:

- i. Three (3) sheets of a Preliminary and Final Site Plan entitled, "Klein Outdoor Advertising, LLC, Proposed Billboard Sign, Block 801; Lot 7.01, 320 N.J.S.H. Route 15, Borough of Wharton, Morris County, New Jersey," prepared by Dynamic Engineering Consultants, P.C., dated December 21, 2020.
- ii. Land Survey Plan entitled, "Survey of Property, Tax Lot 7.01, Block 801, 320 N.J.S.H. Route 15, Borough of Wharton, Morris County, New Jersey," prepared by DPK Consulting, dated July 24, 2015.
- iii. Copy of application, checklist and additional supporting documents

1. Completeness Review:

#13. Location, height, dimensions and details of all signs, either freestanding or affixed to a building. **Incomplete. Information regarding the proposed use of the billboard needs to be provided including types of advertisements, time for each advertisement, movement of display, video, sound, hours of operation, etc.**

#22. The proposed location, direction of illumination, power and time of proposed outdoor lighting, including type of standards to be employed, radius of light and intensity in footcandle. **Incomplete. The proposed billboard sign is digital and will be lit. Lighting of the sign and brightness needs to be provided to the Board.**

#30. Traffic Study (where required by the Board). The Applicant should provide a traffic study regarding the proposed billboard, readability of the sign, potential to distract drivers, information on the NJDOT permit requirements, etc. for the Board's review.

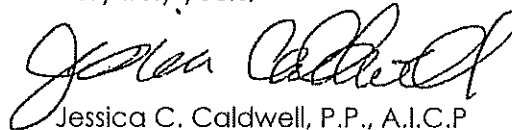
2. B-2, Regional Business Zone Area and Bulk Requirements:

The subject site is located in the B-2, Regional Business Zone. The following table notes the development's compliance/non-compliance with the same.

| Zone Requirement | Zone B-2 | Existing | Proposed |
|--|----------------------|--------------------------|--------------------------|
| Min. Lot Area | 40,000 SF | 56,613 SF (1.3 Acres) | 56,613 SF (1.3 Acres) |
| Min. Lot Width | 150 FT | 230.6 FT | 230.6 FT |
| Min. Lot Depth | 200 FT | 234.51 FT | 234.51 FT |
| Min. Front Yard Setback (NJSH Route 15) | 50 FT | 79.2 FT | 79.2 FT |
| Min. Side Yard Setback | 25 FT | 55.1 FT | 55.1 FT |
| Min. Rear Yard Setback | 40 FT | 101.5 FT | 101.5 FT |
| Max. Building height | 35 FT 2.5 Stories | < 35 FT | < 35 FT |
| Max. Lot Coverage | 40% | 7.6% (4,278 SF) | 7.6% (4,278 SF) |
| Max. Impervious Coverage | 70% | 81% (E) | 81% (E) |
| Max. Floor Area Ratio | 0.35 | 0.08 | 0.08 |
| N/S: No Standard N/A: Not Applicable (E): Existing Non-Conforming (V): Variance | | | |

This application is incomplete until the above-referenced items are provided for review by the Board.

Very truly yours,



Jessica C. Caldwell, P.P., A.I.C.P

J. Caldwell & Associates, LLC

Wharton Planning Board Planner

cc: Via Email Only

- Alan Zakin, Esq., Board Attorney
- Christopher Borinski, P.E., C.M.E., Board Engineer
- Nicole M. Magdziak, Esq., Applicant's Attorney



**J Caldwell
& Associates, LLC**
Community Planning Consultants

February 17, 2021

MEMORANDUM TO: Ms. Patricia Craven, Planning Board Secretary

FROM: Jessica C. Caldwell, P.P., A.I.C.P., Planning Board Planner

SUBJECT: Klein Outdoor Advertising, LLC
Completeness Review #2 – Site Plan and Use Variance
Block 801, Lot 7.01
320 Route 15
Borough of Wharton, Morris County

Dear Ms. Craven:

The Applicant is seeking Preliminary and Final Site Plan and use variance approval for the installation of a 396 square foot billboard sign on the above-mentioned property. The subject property is in the B-2, Regional Business Zone, where the proposed billboard sign is not a permitted use in the zone.

Items Submitted: The Applicant has submitted the following:

- i. Three (3) sheets of a Preliminary and Final Site Plan entitled, "Klein Outdoor Advertising, LLC, Proposed Billboard Sign, Block 801; Lot 7.01, 320 N.J.S.H. Route 15, Borough of Wharton, Morris County, New Jersey," prepared by Dynamic Engineering Consultants, P.C., dated December 21, 2020.
 - ii. Land Survey Plan entitled, "Survey of Property, Tax Lot 7.01, Block 801, 320 N.J.S.H. Route 15, Borough of Wharton, Morris County, New Jersey," prepared by DPK Consulting, dated July 24, 2015.
 - iii. Copy of application, checklist and additional supporting documents.
 - iv. Response memo from Nicole M. Magdziak, Esq., of Day Pitney dated February 10, 2021.
 - v. Lighting Study prepared by Watchfire, dated January 27, 2021.
 - vi. Traffic Study prepared by Dynamic Traffic, dated February 9, 2021.
1. Completeness Review: This application is complete and can be scheduled for a hearing before the Planning Board.

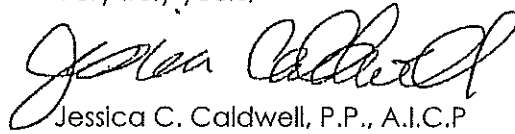
2. B-2, Regional Business Zone Area and Bulk Requirements:

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| Max. Floor Area Ratio | 0.35 | 0.08 | 0.08 |

N/S: No Standard N/A: Not Applicable (E): Existing Non-Conforming (V): Variance

Very truly yours,



Jessica C. Caldwell, P.P., A.I.C.P.

J. Caldwell & Associates, LLC

Wharton Planning Board Planner

cc: Via Email Only

Alan Zakin, Esq., Board Attorney

Christopher Borinski, P.E., C.M.E., Board Engineer

Nicole M. Magdziak, Esq., Applicant's Attorney