

**HARDWICK TOWNSHIP PLANNING/LAND USE BOARD MINUTES**  
**February 9, 2023**

Meeting was called to order by Chairman McKim at 7:00 pm.  
Flag Salute

Chairman McKim Read the following statement:

Adequate notice of this meeting has been provided in accordance with the Open Public Meeting Act, P.L. 1975, Notice of this meeting was posted on township website and on the bulletin board of the municipal building at 40 Spring Valley Rd.

Those present were.

Fred Butcher, Lorraine Gold, Robert Hann, William Hughes, Nichole Meuse, Mayor Chris Jacksic and Chairman McKim. Also present: Attorney Gavan and Engineer Williams  
Cynthia Caffrey was absent.

**MINUTES APPROVED:**

**January 12, 2023, Land Use Board Meeting.**

**Motion made by Jacksic, second by Meuse and approved by roll call vote Butcher—yes, Gold—yes, Hann—yes, Hughes—yes, Jacksic—yes, Meuse—yes, McKim—yes January 12, 2023, meeting minutes with corrections.**

**OLD BUSINESS: None**

**NEW BUSINESS:**

**#22-007 Bryan Rybicki, Block 301, Lot 14.01-Public Hearing**

**Bryan Rybicki was sworn in.**

**Mr. Rybicki stated that he is looking to put an addition on his house with an attached 2 car garage. The only place where he can put the garage is 20 feet into the setback.**

Township Engineer Williams read through her report which was prepared on January 25, 2022.

**Comment 1. Applicant shall provide testimony on the current existing conditions of the lot. It is recommended that the applicant provide a detailed description of the current use and features of the area for the proposed house addition, and the detached one-story garage.**

Mr. Rybicki stated that the lot currently has a 3-bedroom, 2 bath home which is approximately 1300 square feet. Also on the lot is a shed and sea boxes that sit on a concrete pad.

Township engineer Williams asked Mr. Rybicki what will be removed on the lot? Mr. Rybicki responded that the sea boxes will be removed, as well as part of the driveway.

**Comment 2. Applicant shall provide testimony regarding the proposed location of the house addition. Applicant should testify as to why the addition cannot be moved to meet the setback requirements.**

Mr. Rybicki stated that the location of the well limits the placement of the attached garage.

**Comment 3. Applicant shall provide testimony as to the use of the detached one-story garage such as a home occupation or business or if it will be a private use garage. If the applicant is proposing home occupation or business in the 1-story garage, the applicant shall provide testimony on how it complies with Section 13-11.3 of the ordinance.**

Mr. Rybicki responded that the detached garage would be used for holding equipment and parking his extra vehicles to stay out of the weather.

**Comment 4. The applicant is seeking a c(1)(a) variance which is a variance sought due to exceptional narrowness, shallowness or shape of a specific piece of property. Applicant must show a variance can be granted without causing a substantial negative detriment to the public good and won't substantially impair the intent and purpose of the municipal zoning ordinance and municipal master plan. a. The existing driveway is a concern to this office. The driveway has shown signs of washout and has been reported icing issues on Millbrook Road. The applicant is not required to provide a stormwater report per the stormwater ordinance. However, Hardwick LUB – Rybicki Residence Variance Application Page | 3 of 3 the applicant is increasing the impervious area of the site, which increases the amount of runoff and washout down the driveway. It is recommended that the board consider the applicant require a mix of a trench drain, drywell, and re-grading of the site to mitigate the icing and washout. b. Should the board require the applicant to pave the driveway, this could potentially trigger a stormwater report and require a permit from the county for paving in the right-of-way. It is recommended that should this be a requirement from the board, the review of the stormwater report and the approved permit be a condition of approval.**

Mr. Rybicki's responded he will re-grade the driveway to elevate water going down his driveway. Mr. Rybicki's stated that his driveway is at the lowest part of the road and the catch basins are located on the other side of the road at his neighbors, so water sits at the bottom of his driveway. Chairman McKim stated he did take a look at Mr. Rybicki's driveway and can confirm that it is the lowest part of the road.

Ms. Meuse asked the cost for re-grading and a trench drain. Mr. Rybicki has equipment to do the project himself so will be a minimal cost. The trench drain can also be done by Mr. Rybicki, with 2x4 with clean rock diverting the water off to the side.

**Comment 5. The applicant is seeking additional bedrooms and a bathroom to connect to the existing septic system. The applicant shall seek approval from the Warren County Board of Health. a. It is recommended to the board that the applicant seek approval from the Health Department prior to a technical review of the application. This office is concerned that the department may require improvements to the system, thereby increasing the limit of disturbance of the proposed project.**

Mr. Rybicki stated that the home will stay at a three bedroom so there will be no need to reach out to the Warren County Health Department.

**Comment 6. It is recommended that the applicant provide elevation views of the detached one-story garage for the board's consideration.**

Mr. Rybicki provided plans. The detached garage will be a 3 Bay garage door with a single door in the front and nothing on the sides. Material is unknown at this time and will depend on cost.

**Comment 7. In accordance with §13-12.2.c, "Minimum setback for principal or accessory building or structure from side lot line: fifty (50) feet" The applicant is seeking a variance.**

Mr. Rybicki stated that statement is correct.

**Comment 8. A preliminary search on NJGEOWEB indicates that there may be potential wetlands on the parcel in question. It is recommended that the applicant seek wetland verification from an environmental specialist and submit their findings to the board for consideration.**

Potential wetland is located on the north lot line. Attorney Gavan advised the board that the applicant should be made aware of the potential wetland but it is not something the board should be concerned with.

Miss Meuse asked where the closest neighbor is to where the attached garage will be located. Mr. Rybicki stated that his house sits in between two flag lots.

Attorney Gavan asked if the detached garage needs any setback relief? Mr. Rybicki stated that it will be within the footprint. Chairman McKim did inform Mr. Rybicki if he chooses to move the detached garage further away from the wetland he is able to since the setbacks have been changed for accessory building to 50 feet from 100 feet.

Chairman McKim asked if any of the board members had questions for the applicant. Mr. Hughes had a question regarding the driveway. It originally was grandfathered in and is now being changed is it required now to be brought up to code? Attorney Gavan stated that it does not need to be brought up to current specs.

Mrs. Gold had concerns of the detached garage that it is being built and if it is being used for a home business with the type of equipment that is being stored in the building.

Attorney Gavan asked Mr. Rybicki if the equipment is used for a home business which Mr. Rybicki replied no. The only vehicle he will be using for work is his work truck that he takes to and from work every day.

Mrs. Gold had concerns about the driveway and asked what re-grading will be done. Mr. Rybicki stated he will divert the run off at the top of the house into the woods. The driveway will be re-graded with gravel to slow down any water that is going down the driveway.

No further comment from the board and the Township engineer and with no public present for public comment.

Mr. Hughes requested Township Engineer Williams to state what would be the best way handle drainage from the driveway. Engineer Williams stated the best way would be to re-grade the driveway.

**Motion was made by Jacksic, second by Meuse and approved by roll call vote: Butcher—yes, Gold—yes, Hann—yes, Hughes—yes, Jacksic—yes, Meuse—yes, McKim—yes with two conditions which are the two existing pods will be removed and the driveway to be regraded to encourage natural run off to the South of the existing grass area. Motion to approve the variance of the side yard structure.**

#### **MEMORIALIZING RESOLUTIONS:**

IN THE MATTER OF Princeton-Blairstown Center VARIANCE AND SITE PLAN APPLICATION BLOCK 401, LOT 7 APPLICATION NO. 22-009.

**Motion was made by Hughes, second by Gold and approved by roll call vote Butcher—yes, Gold—yes, Hann—yes, Hughes—yes, Jacksic—yes, Meuse—yes, McKim—yes with the noted changes.**

#### **OTHER BUSINESS:**

Liaison Update-General Township Matters

Mayor Jacksic reported that NJDEP came back with changes for the Spring Valley Rd. project to the county engineer which will be corrected and sent back to NJDEP for approval.

Mayor Jacksic stated that the FCC put out a coverage map for broad band and were giving 13 days to dispute the coverage. 2% of new jersey was disputed 1.4% was Hardwick so Hardwick is being noticed and is on the map for discussion.

Mr. Hughes asked if there is any update on the cell tower near Camp No Bee Boscoe. Mayor Jacksic stated that SBA turned it down because they do not have a vendor, but the township is still looking for a provider.

Chairman McKim stated that the open space plan is moving forward and once completed it will be presented to the Township committee for approval, then it would be presented to the land use board committee for approval and to be entered in as part of the master plan.

Mrs. Gold question if the board should consider having an ordinance dealing with oversized buildings being built on a small lot. Attorney Gavan said that currently township looks into that by impervious surface coverage which ties the lot size with all the things that are on it.

**Public Comment:**

No public Comment

**CORRESPONDENCE:**

No Correspondence

**PAYMENT OF BILLS:**

No payment of bills

**ADJOURNMENT:**

**Motion made by Meuse, second by Jacksic and carried to adjourn the meeting at 8:10 pm.**

**Respectfully Submitted**

**Kristin Shipps**