

WEST WINDSOR DEVELOPMENT REVIEW BOARD
Tuesday February 12, 2019
Adopted Minutes

Members Present: Jane Hoisington, Shannon Harrington, Barbara Truex, Bruce Boedtke, Courtney McKaig and Dick Beatty by phone. Requesting interested person status: Chris Nesbitt, Jeffery Hermanson, Roger Klene, Tom Kenyon, Lauren Stevens, Dennis Brown, David Jaacks, Dennis Alexander, and Amy Yates.

- 1) Site Visits Cancelled due to inclement weather
- 2) Call to Order – DRB Chair, Shannon Harrington called the meeting to order at 6:30 PM
- 3) Changes or Addition to Agenda – None
- 4) Hearing-Application # 2705 Friends of the Brownsville General Store, LLC to amend Conditional Use Permit #2679 to erect a larger sign than previously permitted. Shannon read both hearing warnings, #2705 and 2706. Shannon ask for the board to disclose any possible conflict of interest or exparte communication. Dick and Bruce both recused themselves as they are a part of the Friends group. Shannon stated she did have a conversation with Lauren to find out more about what was up with the sign after the December 4th DRB meeting, she believes conversation will have no adverse effect on the outcome of the hearing. Interested persons were sworn in. Chris Nesbitt spoke on behalf of the Board of Managers of the Friends group referring to his understanding of the December 4th meeting. He believed after discussion, the Board said they liked design, (paraphrasing) and to go ahead with the having it made. Lauren had submitted a sketch of the larger dimension sign at the meeting. Lauren and Peter had the sign built at their own expense. It now exists and is in the basement of the BB&P. Unwittingly they were going to erect the sign in the State Right of Way but have now realized that the place where the footings were mis poured is outside of their property line. They plan to relocate the sign wholly on the BB&P property. He seeks the Boards agreement with the broad statements he has described, and with the good faith effort of Peter and Lauren and money that has been spent they would like to have the board agree to hang the sign of the dimensions already made within their boundary line at the location depicted on the map on their property. (Exhibit A) Lauren added that from the meeting in December it was her understanding the store had been permitted a number of signs and she could use cumulative square footage of all of those signs. The proposed new sign (Exhibit C) is 28.41 sf which is less than the cumulative square footage of all permitted signs. Shannon countered her memory was such that they didn't have the cumulative square footage of all the signs because the purpose of the meeting was more for the placement of the sign. Admittedly, the Board did talk about the sign, but the Board wasn't aware the size of the sign was in discussion until that evening when Lauren introduced it. They discus it at length and did agree that it would be bigger than the current regulations would allow, which is one 30 sf flush mounted sign or two 15 sf free standing signs. Laurens was 28sq feet which is less than the wall mounted but more than the free-standing size. The Board in good will, thought they could accept the sign. The focus was the placement, and Shannon had said that the DRB was and having discussion about the signage, not a hearing. Lauren then said she was trying to make it clear in the meeting she needed to decide about the size, because she need to have it made ASAP, as not having a sign is detrimental to their business. She wanted to determine

that at least the size was ok and talk a different time about the location. Shannon then recapped the decision of June 26th Conditional Use Hearing. The approved sign was to be installed in the previous location and to the previous permitted size. (15 square feet). Unfortunately, the contractor poured the footings in the wrong location. Historically the BGS has been approved for 54 square feet but what was erected was less. The 54 square feet included 3 additional conditional uses. Barbara said in a DRB allowed for additional signage to cover 3 additional conditional uses the store had added: Prudent Living, Show Pony and one other. She also said, while the Brownsville Butcher & Pantry not three different shops they do encompass three distinct uses--Café, butcher, and pantry or store. Jane said for her it was more about the location of the sign. David Jaacks said a large sign would benefit the neighborhood. As a close neighbor, he gets about 6 cars per week in his driveway asking where the BB&P is. Tom said there are not site distance issues with a larger sign. Perhaps if the road curved the other way it would be a problem but the way it curves it actually adds to the sightlines. Shannon asked about lighting. Lauren said they had planned gooseneck downward lighting, manually controlled inside. It would only be lit when necessary during times of business. Shannon ask the board if they would have a problem if the light was accidentally left on all night. No one thought that would create a problem. Shannon said, **“Based upon the January 8, 2109 application materials, historical approved and built signage at the General Store and discussions which took place between the DRB and the Applicant on 12/4/2018, I make a motion to approve the proposed 28.4 sf sign, (Exhibits B&C) as presented, to be located within the lands of the Owner as indicated on the latest submitted plot plan (Exhibit A) outside of the State Highway ROW. The top of the sign structure shall be no higher that 15’ above the ground. A light shall be placed near the top of the sign, pointed downward with the gooseneck/LED fixture type (Exhibit E). The sign lighting will be controlled manually and shall be lit as needed during business hours.”** Barbara seconded, and the motion passed unanimously. Shannon made a motion to close the hearing at 6:50. Barbara seconded, and it passed unanimously.

- 5) Hearing Application #2706 Amy Yates (applicant) and owner Dennis Brown for a 2-lot subdivision. Amy was sworn in. Shannon noted that Dick Beatty and Bruce Boedtger are now participating in the hearing. Amy explained her Aunt and Uncle would like to split off a 4.55 acre for her to build a house essentially using the same general location as the trailer that was just removed. (Exhibit A) She plans to put up a Morton building as a single-family residence. Morton buildings are highly insulated metal building that go up very quickly. It is a 1,200-sf building with a silo on the end that will be a bedroom. They will use the existing water and wastewater system from the trailer, which they have received an updated waste water permit. (Exhibit D). Dick asked what the purpose of the 25 ft ROW bisecting Lot 3 was. Dennis said it was for access to the back of his property. Barbara said Lot 3 was nicely terraced and it looked like the house site sat out of the floodplain. Deb confirmed this. Because the subdivision did not have frontage on a public road, the subdivision was referred to the DRB to approve the access ROW. David Jaacks said he has a deeded ROW to access his well that is on Lot 1. David requested the deed reflect the ROW giving him complete access his well and the ability to service and maintain the well and buried waterline. Amy said she would build it in. Deb said there is an existing driveway and because of the trailer the property already has 911 number. Shannon asked if there were any other questions. **Barbara moved to accept the application as prepared for the two-lot subdivision of parcel 3-214, with the condition that the final plat be submitted within 6months. All**

voted in favor of the decision. Shannon moved to close public hearing 2706 at 7:15. Dick seconded, and the motion carried unanimously.

- 6) Approve Minutes of December 4, 2018. **Barbara moved to approve June 12th minutes as written. Jane seconded the motion and it passed with Bruce, Dick and Courtney abstaining.**
- 7) Other Business The board discussed the need for site visits and the difficulty of holding them directly before hearing during the winter when it is dark. Deb said she would check if they can have the site visit a few hours before the meeting during daylight. Barb also suggested in the winter they have a back-up date ready in of inclement weather. Deb said they can open the meeting with a quorum, even on conference call, and entertain a motion continue to a future date and time specific.
- 8) Adjourn: **Dick moved for the meeting to adjourned at 7:40 PM all agreed by unanimous consent.**

Respectfully Submitted,
Deb Shearer