

**HOPE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REORGANIZATION MEETING  
FEBRUARY 2, 2023**

The monthly meeting of the Hope Township Zoning Board of Adjustment convened at 7:30 p.m., with the following Board Members present: Tom Gabel, Gary Green, Shawn Patton, Steve Larena and Brian Kathenes. Also present: Board Attorney Roger Thomas, Board Engineer Stefanie Williams, and Interim Board Secretary Robin Keggan.

The meeting was called to order by Mr. Thomas and he led the Board in the Pledge of Allegiance. The Board Secretary read the "Open Public Meetings Act" statement and Board Attorney Thomas administered the oaths of office to Brian Kathenes, Steve Larena and Shawn Patton.

**Reorganization:**

**Nomination of Chairman**

Mr. Larena made the motion to nominate Tom Gabel as Chairman. Motion seconded by Mr. Kathenes. With there being no other nominations, a roll call was taken in favor: Green, Patton, Kathenes, and Larena. Abstaining: Gabel

**Nominations for Vice Chairman:**

Mr. Kathenes made the motion to appoint Gary Green as Vice Chairman. Motion seconded by Mr. Larena. With there being no other nominations, a roll call vote was taken in favor: Kathenes, Larena, Patton and Gabel. Abstaining: Green.

**Meeting Time Change:**

The Interim Board Secretary noted that she was asked to have the Board consider a time change from 7:30 PM to 7:00 PM. A motion was made by Mr. Larena to change the time from 7:30 PM to 7:00PM and seconded by Mr. Green. Roll call vote was taken in favor: Green, Kathenes, Larena, Patton and Gabel.

**Adoption of Meeting Dates/Designation of Official Newspapers**

Mr. Green made the motion to adopt the meeting dates for the year as distributed along with the designating the official newspapers as the NJ Herald and Express Times NJ Zone Edition, same as the Governing Body. Motion seconded by Mr. Larena. Voice vote in favor: Green, Kathenes, Larena Patton and Gabel.

**Adoption of Resolution - Professional Services/Appointment of Board Secretary**

Mr. Larena made the motion to appoint the Board Professionals and to adopt the prepared Resolution. Motion seconded by Mr. Green. Roll call vote in favor: Green, Kathenes, Larena, Patton and Gabel.

**Annual Report for 2022**

Not available.

**Approval of Minutes:**

Mr. Kathenes made the motion to adopt the minutes of December 12, 2022. Motion seconded by Mr. Gabel. Roll call vote in favor: Green, Kathenes, Patton, and Gabel. Abstaining: Larena.

**Hearing:****#22-001 Grupo La Providencia, LLC Block 3600, Lot 100**

Brian Grace, Esq. was present on behalf of the Applicant. Mr. Grace reviewed the proposal of his applicant as it pertains to the use of the Tramontin building at the Route 80 interchange. His applicant is in the process of purchasing the property and is seeking a use variance to continue their operation within a pre-existing, non-conforming use. Mr. Thomas reviewed the differences between a D1 and a D2 variance. A D2 variance is when a “like business” is being put in place of a “like business” where a pre-existing, nonconforming use is already in place. A D1 variance is a totally new use. He also made note that a use variance requires 5 affirmative votes and that at this evening’s meeting, there are only 5 members present.

Board attorney Thomas swore in Robert Tramontin as a witness. Mr. Tramontin appeared via speakerphone to give his testimony. He reviewed the history of the Tramontin building as well as the history of the business that was conducted there, which entailed sales of Harley Davidson motorcycles (new and used) and apparel, service of motorcycles. The building also had designated office space. No occupants have been in the building since Tramontin closed. He averaged 20-25 customers per day during the week and weekends were a bit more. His hours of operation were M-F 10 am – 5 pm; Saturday and Sunday 10 am – 3 pm. He had approximately 20 employees during the summer months and half of that number over the winter. Discussion also took place regarding the parking situation at the building for the Tramontin employees and where they parked. Mr. Thomas inquired if any Board members had any questions, and then opened up the meeting to the public.

Board attorney Thomas swore in Lilia Rios as a witness. Ms. Rios described her role with the company and stated that the business had been in existence for 18 years and services 22 states through its different warehouse and retail store locations. They became interested in the Tramontin building as they are landowners in the Blairstown area and are looking to possibly build a home there, making this location ideal. The proximity to Route 80 and the set-up/configuration of the building lend itself to use of the building for their distribution business. They bring in products from their varying warehouses and distribute them to supermarkets and stores, primarily in the Latino market. They currently have 5 employees on site and their hours of operation are Monday through Friday from 8 am – 4 pm. They do not work weekends. The deliveries they receive via tractor trailers fall within the hours of operation (no early morning/late night deliveries). Their products are currently shipped via commercial vans (Mercedes Sprinter vans) and they have one box truck. The vehicles are parked within the fenced area of the Tramontin property. There are no retail operations and no customers allowed on the site of 480 Hope Blairstown Road. No changes have been made to the building, nor are any contemplated at this time. The applicants were reminded they would need to re-appear before the Zoning Board should this application pass and they decided to make changes to the building. Ms. Rios reminded the Board that she is currently only renting the building, it has not been purchased yet, so she is unable to make any changes relating to the outside/structure of the building. A question regarding the propane tanks was asked by Mr. Kathenes, as propane distribution was part of the Tramontin business. Ms. Rios stated that they would not be distributing propane and, in fact, are looking to remove one of the propane tanks currently on-site. Signage was discussed and Ms. Rios explained that she intends to keep the signage as is (leaving it the Tramontin building) as long as

the Tramontin family has no objection to same. Ms. Rios also stated that no manufacturing would occur inside of the building. Shipments are made daily from the building with the use of their commercial vans, their box truck, UPS, USPS and FedEx. The Board engineer asked about the commercial vehicles and any graphics that they have. Ms. Rios noted that they are wrapped with the company's name, etc. The Board engineer noted that commercial vehicles are not permitted to be parked in residential areas, another reason this variance is needed. Mr. Larena asked the applicant why she had not pursued changing the building out of the LDAR and having it put into the POP Zone where it should properly be. The applicant stated that that is her intention to pursue same, however, a use variance is needed at this time in order to continue operating the business until that can be accomplished by the Township.

Board attorney Thomas swore in the applicant's engineer James Hill of Frye Engineering. He provided his curriculum vitae and that was marked as Exhibit A-1 by Mr. Thomas. Discussion took place regarding stormwater runoff into the detention basin that is on-site, as well as the logistics of tractor trailer deliveries in relation to the building and surrounding businesses, turning radius of the tractor trailer in order to make the deliveries to the site, parking that is on-site at this time and the condition of the asphalt. It was noted that the site is ADA compliant as there is handicapped parking in place. Tractor trailer deliveries will not impact the daily operations or the parking for employees as there is ample space for the deliveries to be made.

A current Hope Township zoning map was distributed by Mr. Grace and marked as Exhibit A-2 by Mr. Thomas. This map shows that the Tramontin building is surrounded by the POP Zone, NC Zone and Quasi Public areas and that making this building part of the POP Zone would make sense for its intended use.

It was noted that no outside lighting changes are proposed.

A new drawing was presented to the Board and marked as Exhibit A-3 (Sheet C-2 dated December 30, 2022). This drawing showed the maneuverability of tractor trailers and their ability to deliver on-site.

The Board engineer inquired as to the container that is currently on-site. Ms. Rios explained that it is a long-term lease left over from their flooding situation in another of their warehouses which was impacted by Storm Ida. She intends on getting rid of it once the lease is up, but it will be on-site and situated in the fenced-in area for some time. There is no outdoor storage proposed. Ms. Williams also inquired about trash pick-up. Ms. Rios explained that the dumpster is located within the fenced-in area and she has service by Sanico. It is in the same spot as the Tramontin business had it.

Ms. Williams went over her December 9, 2022 report with the Board members. A discussion took place regarding stormwater runoff and the fact that the site is grandfathered into DEP regulations that were in place before the current stormwater requirements. She did note that a complete change of use (D1 variance) would trigger a stormwater report needing to be completed.

The meeting was opened up to the public for questions relating to the application. No comments were made.

In closing, Mr. Grace reiterated his argument that the current applicant’s use of the building very closely resembles that of the Tramontin’s use of the building. It is for retail and distribution purposes, no manufacturing. He noted that the current applicant’s use of the building is actually on a lesser level, as no customers are permitted on site. They have few employees, no changes to the building or parking areas need to be made. The use of the building is consistent with the surrounding lots/businesses in the POP Zone. Ms. Rios noted that per State requirements, she will need to put signage on the building with her business name and address. Mr. Thomas stated she should work with her engineer in order to stay in compliance with the signage ordinance already in place.

A motion was made by Mr. Larena to approve a D2 use variance for the site. Mr. Green seconded and roll called in favor: Mr. Green, Mr. Kathenes, Mr. Larena, Mr. Patton and Mr. Gabel.

Board attorney Thomas noted that conditions such as: no outdoor storage; no lighting changes; no changes to the outside structure or parking; no manufacturing on-site; elimination of retail sales; elimination of vehicle servicing and things of that nature will be integrated into the approving Resolution.

**Other Business:**

None.

**Bills/Vouchers:**

**NJ Planning Officials**

Re: Dues 185.00

**French & Parrello**

Re: Inn at Mill Race 140.00

Re: Grupo La Providencia, LLC 540.00

**Roger Thomas**

Re: Grupo La Providencia, LLC 273.55

Mr. Larena made the motion to pay the vouchers/bills and it was seconded by Mr. Green and roll called in favor: Green, Kathenes, Larena, Patton and Gabel.

**Open to the Public:**

Chairman Gabel opened the meeting to the public. With there being no public comment, the meeting was closed to the public.

**Planning Board Report:**

None

**Adjournment:**

With there being no further business a motion was made and seconded to adjourn the meeting at 9:36 p.m. Voice vote in favor: Green, Kathenes, Larena, and Gabel.

Respectfully Submitted:

Robin L. Keggan, Interim Board Secretary  
2/2/2023