

**THE HAMPTON TOWNSHIP  
PLANNING BOARD**

**Minutes for January 15, 2026**

January 15, 2026

The meeting of the Hampton Township Planning Board was called to order at 7:00 PM by Gerard Ambrosi who led us in the Flag Salute.

Mr. Ambrosi stood and acknowledged the recent passing of long-time Board member, Ronald Ostrander. He thanked him for his years of service to the Planning Board.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Yetter, Absent (Excused); Mr. Zawacki; Absent; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes. Attorney Brady, Engineer Simmons, and Secretary Schroder were also present.

**STATEMENT:** This meeting is being held in compliance with the provisions of PL 1975 Chapter 231, Secs. 4 & 13 of the Sunshine Law. Adequate notice of this meeting has been supplied to the Official Newspapers of the Hampton Township Planning Board, that being the Daily New Jersey Herald and the Sunday New Jersey Herald, and by posting on the municipal website and in the designated public notice area of the municipal building. The notice included the time, date, and location of this meeting. Testimony will not be received after 10:00 PM.

Remote access will be available for the public's convenience when possible, however, the meeting will commence and continue even in the absence or interruption of remote access for any reason. The public may attend the meeting virtually using the following link:

<https://us02web.zoom.us/j/84121804185?pwd=RForZGVwNWZwbU5Zd0JUNy85TDA2QT09>  
Meeting ID: 841 2180 4185 or to attend by phone dial: 929-205-6099, use meeting ID: 841 2180 4185.

**MINUTES:**

A motion to approve the Minutes of December 18, 2025, was made by Mr. Dooley and 2<sup>nd</sup> by Mr. Gunderman. All present board members present were in favor.

**RE-ORGANIZATION**

**SWEAR IN BOARD MEMBERS**

**Dennis Sivulich, Class IV; David Gunderman, Class II; Timothy Dooley, Mayor, Class I; Joseph Santora, Class IV; Lee Ann McCarthy, Alternate IV;** - Members were sworn in by Attorney Brady.

### **APPOINTMENT OF CHAIRMAN**

A motion to appoint Mr. Ambrosi was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Gunderman.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes.

### **APPOINTMENT OF VICE CHAIRMAN**

A motion to appoint Mr. Daniels was made by Mr. Walther and 2<sup>nd</sup> by Mr. Sivulich.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Ambrosi, Yes.

### **APPOINTMENT OF PLANNING BOARD ATTORNEY**

A motion to appoint David Brady of Brady & Correale, LLP was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Gunderman.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

### **APPOINTMENT OF PLANNING BOARD ATTORNEY, SPECIAL COUNSEL**

A motion to appoint Glenn Kienz was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Sivulich.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

### **APPOINTMENT OF PLANNING BOARD ENGINEER & PLANNER**

A motion to appoint David Simmons from Harold E. Pellow & Associates as Engineer was made by Mr. Gunderman and 2<sup>nd</sup> by Mr. Daniels.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

### **DESIGNATION OF NEWSPAPER**



Matt Morris of Harold E. Pellow & Associates presented the reexamination to the Board, he would be the person to delegate that task to.

A motion to approve the resolution was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Sivulich.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

## **APPLICATIONS:**

### **25-15PB      SCCC - Plotts Rd – Block 3301, Lot 2.01 - Athletic Courts** *Courtesy Review*

Attorney Mark Peck stated he is representing Sussex County Community College. They plan to construct 3 tennis courts, 4 pickleball courts, and an outdoor fitness area at their campus on Plotts Road. The area was previously graded for potential excess parking, which was never completed. No additional variances would be required based on the zoning regulations, if this was an official application.

Attorney Brady swore in professionals Frank Tsemberlis and Mark Gimigliano.

Mr. Gimigliano stated his qualifications as an engineer and was accepted by the Board as a professional in his field. He explained the athletic courts will go in the northern section of the campus, next to the parking lot, near the driveway leading out to Plotts Road. A chain link fence surrounding the area will be 10-12 ft high, with other fences on the interior separating the various areas. A paved walkway will be built around the courts and provide access from the parking area.

Six lights will illuminate the area. They will be 50 ft high and hold a total of 16 mounted lights mounted to allow play on the courts at night. Estimated light levels on the courts will be 30 footcandles. According to the manufacturer, typical illumination for high school and recreational sports is approximately 30-50 footcandles. Lights will be directed downward with shields to ensure surrounding area is protected from light pollution. Other options considered such as lowering the light poles or light levels would not allow for adequate illumination for night play. The lights as proposed will be seen from neighboring properties but should not cause light pollution in surrounding lots. This property also has existing additional light poles from the parking area.

Drainage facilities have been added to collect water off the courts and direct it to the stormwater basin. The stormwater basin will be cleaned and expanded to ensure it complies with current stormwater regulations.

No negative impacts on parking are expected. There is already ample parking on site.

Mr. Tsemberlis stated the courts are expected to be used mostly during daylight hours. Lights will be used for scheduled night matches only.

Mr. Daniels asked if an audience is expected to attend matches and if bleachers will be needed. Mr. Tsemberlis stated that there may be spectators but nothing major, similar to a high school tennis match.

Mr. Santora asked how the courts will be secured when not in use. Mr. Tsemberlis stated they will work with their security department to determine best practices, but he expects the courts to be open to the public during the day and locked after dark unless an activity is scheduled in advance.

Attorney Brady asked if the facilities would be open to local schools and if the general public will be able to walk up and use the courts if they are open. Mr. Tsemberlis stated they will be open to the community however the lights will not be turned on unless there is a planned event, and the gates will be locked after dark.

Mr. Santora asked for clarification of what the fitness area will consist of. Mr. Tsemberlis stated it will be a 70 by 70-foot slab with stationary equipment. A portion will have a rubberized floor for exercises.

Mr. Sivulich asked what the curfew would be for the lighting. Mr. Tsemberlis stated that nighttime tennis matches would probably go until 9 or 10 o'clock at night. Mr. Sivulich stated he would like a strict curfew for the lights. Mr. Tsemberlis stated the lights would only be on later for infrequent special events.

Engineer Simmons reviewed his report for the Board. He stated this lot is in an R-3 Residential zone and meets all bulk requirements with exception of Building E which is constructed on the municipal boundary line between Hampton Township and the Town of Newton.

The site location was previously approved as a parking lot but the work was never complete. He feels that the engineer adequately covered the impact this change would have on parking.

Lighting will be similar to under a typical gas station canopy. It exceeds our ordinance but is not out of the ordinary for an outdoor athletic facility.

The disturbed area will be 1.0 acres and therefore is considered a major development. He acknowledged that the project engineer stated they would be updating drainage to meet current stormwater requirements.

Details will be required for the pavement, lighting, fencing/gates, outdoor fitness court, and the proposed schedule and phasing of work.

Required approvals include the Sussex County Planning Board – Site Plan, the Sussex County Soil Conservation District – Soil Erosion and Sediment Control Permit, and the NJDEP – Dam Safety Section (As Required).

The fencing maximum height is 6 ft for a Residential zone and 12 feet for Commercial.

Mr. Gunderman asked the width of the gate into the courts, as they need at least 48 inches to get a stretcher though for emergencies. Mr. Tsemberlis stated that he was not sure of the current plan, but he will make sure the gates meet that requirement.

Chairman Ambrosi opened the meeting for public comment.

A motion to find the application consistent with the Master Plan based on the representations made was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Gunderman.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Yes; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

**25-13PB       SCCC Public Safety Training Academy- 114 Morris Turnpike (Rear) - Block 2701, Lot 15 - Soil Importation Permit**  
*Completeness and Public Hearing*

Attorney Brady stated that while the permit is issued by the Township Committee, the review is completed by the Planning Board.

Attorney Peck stated that this soil importation permit is needed in the construction of the future Outdoor Gun Range previously discussed with the Planning Board and Township Committee. Approximately 3300 cubic yards of soil will be imported from Simpson Moynihan LLC, located at 171 Route 94 in Lafayette, NJ. This soil will be used for the 10-foot berms that will enclose either side of the range. Grading information and Clean Fill Certification has been provided.

Attorney Peck introduced Mark Anis as the LSRP. Attorney Brady swore him and in and Mr. Annis stated his qualifications. The Board accepted Mr. Annis as a qualified LSRP and an expert in his field.

Engineer Simmons reviewed his report dated January 9<sup>th</sup>, 2026. He noted that two samples were taken due to levels of Benzo(a)pyrene detected in the first sample. Section 87-11.I.(2)(d) states "Samples must be biased to the location of the highest suspected contamination concentrations." He asked Mr. Annis to explain the process and reasoning they used.

Mr. Annis stated benzo(a)pyrene is commonly found as the result of asphalt in the soil. Many places can accept and use fill with asphalt millings. Benzo(a)pyrene is a carcinogen that is dangerous to ingest or breathe, however it does not get into the air or leech into groundwater. It is a very stable compound. Based on state standards and the volume of soil, they took ten samples. The DEP has put a threshold of three parts per million on commercial and industrial facilities, but a much lower threshold of one-half part per million for residential use. All samples had benzo(a)pyrene, but most were below the one-half part threshold. Educational facilities are required to comply with residential standards due to children being present. The sections

containing samples that exceeded the residential threshold were sequestered and will not be brought to the site.

Mr. Daniels asked if the dirt is tested once delivered. Mr. Annis stated it is only tested prior to moving.

Attorney Brady asked if all the soil tested would meet the non-residential standard. Mr. Annis confirmed it would. He stated that if this was a police gun range rather than a school, it would be held to the commercial/industrial standard and would be acceptable.

Attorney Brady asked why virgin dirt from a quarry isn't brought in to avoid any of the contaminants. Mr. Annis stated that other dirt may not be suitable for the intended use. He believes the composition of this dirt will be ideal for the berm.

Chairman Ambrosi asked from what material the backstop will be made. Mr. Gimigliano stated the backstop will be a prefabricated metal and concrete structure, specifically designed to allow for the collection of the bullets. Engineer Simmons stated that this will prevent the accumulation of bullets or lead in the soil. Mr. Gimigliano stated the structure will be cleaned out approximately once per year.

Mr. Daniels asked if there is an apron or basin to catch the bullets. Mr. Gimigliano stated that there is a steel box. Mr. Tsemberlis stated it's a five-sided box with a rubber wall facing the shooter. The bullets go through the rubber and get caught inside the box. The bullets are removed and the rubber is replaced when needed.

Attorney Peck read all of Hampton Township Code Section 87-11, Soil Removal and Importation General Regulations. Mr. Gimigliano confirmed this project will meet all requirements.

Chairman Ambrosi asked how long construction should take. Mr. Gimigliano estimated two months.

There were no comments from the public.

A motion to recommend the issuance of the soil importation permit was made by Mr. Gunderman and 2<sup>nd</sup> by Mr. Daniels.

**Roll Call:** Mr. Gunderman, Yes; Mr. Gurick, Yes; Mrs. Kominiak, Yes; Mrs. McCarthy, Yes; Mr. Santora, Yes; Mr. Sivulich, Abstain; Mr. Walther, Yes; Mr. Dooley, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes.

Chairman Ambrosi asked the applicant to stay to address some questions regarding the gun range. Attorney Brady asked for clarification of the exact orientation. Mr. Gimigliano stated the gun range faces west, and while there are some homes in that general direction, they are to the northwest or southwest, not directly beyond the range, should a bullet miss the backstop. Mr.

Tsemberlis stated there is also a hill approximately 30 feet high behind the backstop. Attorney Brady asked them to indicate the orientation on a map that marked nearby houses.

Mr. Daniels pointed out a house approximately 750 feet from range site. Mr. Sivulich stated that this house is much closer than where 62 decibels was measured for the noise study. Mr. Daniels stated that the hill would not protect this house from the range, as he could easily see it from the site. Mr. Sivulich stated people make mistakes at gun ranges and he is concerned with the proximity and orientation of this range.

Chairman Ambrosi asked if they would be willing to build the berms higher. He spoke with a professional that trains state troopers and was told that 20 feet should be the minimum height. He said it could be possible for the height of the backstop and berm could start higher and transition to the original proposed height along the sides. As an NRA Officer that trains people to shoot pistols he has seen mistakes happen and would not personally want to be within a wide range of the backstop, especially if an AR is used. It would be appreciated if the school would look further into what can be done to ensure the safety of the residents.

Mr. Sivulich stated part of that should be recalculating the noise based on the closest house.

Attorney Peck stated Mr. Gimigliano and Mr. Tsemberlis will bring this information back to the school to determine their options.

Attorney Brady stated he would draft a letter to address the concern of the backstop and berm design. Attorney Peck stated they would bring the letter to the school and take these suggestions into consideration.

Mr. Daniels asked why the mentioned property was not noticed. Attorney Brady stated the school has no obligation to come to the Board for the courtesy review or to notice. Mr. Dooley stated that the town sent notice to all properties within 200 feet of the subject lot. Mr. Daniels asked if the school does not take any of our recommendations do we have any recourse. Attorney Brady said he's never had the situation come up, but theoretically the town would likely have to decide whether they were willing to go to court over it, and he's not sure they'd win. Mr. Sivulich stated we will see how they respond to the letter Attorney Brady sends. Secretary Schroder stated that if the properties are adjoining, they would be part of the 200-foot notice, regardless of how far the house is from the property line.

#### **PROFESSIONAL UPDATES:**

Engineer Simmons stated he was able to get in touch with a new contact from Lowes, Thomas Glendenning. Mr. Glendenning stated they have what they need from the town and will use Tony's Concrete to close the Route 206 road opening in front of the Urgent Care in the spring of 2027. Engineer Simmons made sure he understood a traffic control plan is required. Mr. Glendenning stated he would discuss with Tony's Concrete whether they would need help with the traffic plan from Harold E. Pellow & Associates.

Engineer Simmons asked his contact at the NJDOT for a status on the signs that are to be installed on Sid Taylor Road. They stated there is a large queue for projects for the installation crews, but they expect to get us an estimated schedule soon.

Walmart submitted a site plan for the storage of shipping containers. They also removed the shipping containers from the site that had been placed in the parking lot since their last application hearing. Engineer Simmons, Attorney Brady, Zoning Officer LaRocca, and Secretary Schroder agreed that they are in compliance with their resolution and the building permits were approved and issued.

## **DISCUSSIONS:**

### **Ordinance No. 2026-01 – Horses, Ponies and Fowl**

Mr. Gurick stated that he did not see any changes to the ordinance based on Attorney Brady's memo that offered recommendations back in October. Mrs. Kominiak stated this ordinance does not require horses to be in the rear yard and asked if someone could keep a horse in their front yard in a residential neighborhood. Mr. Daniels stated the memo suggested requiring shelters for the horses, but it was not added to the ordinance. It was also lacking any feeding requirements. It was determined the ordinance would be revised before next month's meeting.

## **BILLS**

<b>Brady &amp; Correale, LLP – Planning Board General</b>	<b>\$650.00</b>
<b>Brady &amp; Correale, LLP – Richard Alcaro</b>	<b>\$94.30</b>
<b>Brady &amp; Correale, LLP – Cage Investors</b>	<b>\$92.50</b>
<b>Brady &amp; Correale, LLP – Caroprot, LLC</b>	<b>\$573.00</b>
<b>Brady &amp; Correale, LLP – JP Morgan Chase</b>	<b>\$95.30</b>
<b>Brady &amp; Correale, LLP – Anthony Curcio</b>	<b>\$231.25</b>
<b>Brady &amp; Correale, LLP – Fairclough Properties</b>	<b>\$138.75</b>
<b>Brady &amp; Correale, LLP – G7B LLC</b>	<b>\$231.25</b>
<b>Brady &amp; Correale, LLP – Matthew Garrera</b>	<b>\$238.20</b>
<b>Brady &amp; Correale, LLP – Moonlight Property Enterprises</b>	<b>\$588.35</b>
<b>Brady &amp; Correale, LLP – Sussex Co. Comm. College (Gun Range)</b>	<b>\$237.85</b>
<b>Brady &amp; Correale, LLP – Robert &amp; Ann Scrudato</b>	<b>\$193.80</b>
<b>Brady &amp; Correale, LLP – Wal-Mart Real Estate Business Trust</b>	<b>\$373.20</b>
<b>Brady &amp; Correale, LLP – Wawa</b>	<b>\$143.45</b>
<b>Harold E. Pellow &amp; Assoc. – Hampton Twp Planning Board</b>	<b>\$181.25</b>
<b>Harold E. Pellow &amp; Assoc. – Lowes</b>	<b>\$145.00</b>
<b>Harold E. Pellow &amp; Assoc. – Martin – Harmon/Lowes</b>	<b>\$72.50</b>
<b>Harold E. Pellow &amp; Assoc. – JP Morgan Chase</b>	<b>\$181.25</b>
<b>Harold E. Pellow &amp; Assoc. – Walmart</b>	<b>\$689.50</b>
<b>Harold E. Pellow &amp; Assoc. – Caroprot, LLC</b>	<b>\$326.25</b>
<b>Harold E. Pellow &amp; Assoc. – Cage Investors, LLC</b>	<b>\$36.25</b>
<b>Harold E. Pellow &amp; Assoc. – SCCC (Gun Range)</b>	<b>\$36.25</b>

<b>Harold E. Pellow &amp; Assoc. – Wawa</b>	<b>\$72.50</b>
<b>Harold E. Pellow &amp; Assoc. – Garrera</b>	<b>\$163.50</b>
<b>Harold E. Pellow &amp; Assoc. – Moonlight Property Enterprises</b>	<b>\$603.60</b>

A motion to approve the bills was made by Mr. Daniels and 2<sup>nd</sup> by Mr. Gunderman. All present Board members were in favor.

### **OPEN TO THE PUBLIC**

Chairman Ambrosi opened the meeting for public comment.

Mr. Sivulich asked about the status of a letter that was supposed to be sent to the Township Committee regarding farmhouse maintenance. Attorney Brady stated a letter went to the Township Committee. The Sussex County Agriculture Development Board responded that as they have jurisdiction over all commercial farms. All complaints must come through them to determine whether it falls under the Right to Farm Act. Township code can only be enforced if the SCADB determines the complaint is outside of their rights as a commercial farm. Mr. Sivulich stated the house mentioned in the last meeting has done some work to maintain their property.

### **ADJOURNMENT**

A motion to adjourn at 9:01 p.m. was made by Mr. Sivulich and 2<sup>nd</sup> by Mr. Gurick with all present members in favor and none opposed.

Respectfully submitted,

Kathryn Schroder, Planning Board Secretary