



DEPARTMENT OF ENGINEERING AND PLANNING
Division of Planning & Economic Development
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County of Sussex

SUSSEX COUNTY PLANNING BOARD

MINUTES

December 1, 2025

The meeting was called to order by Chairperson Concetto Formica at 4:04p.m. The meeting is being held in compliance with the Open Public Meetings Act, (P.L. Chapter 231.) Proper notice has been sent to the local newspaper, County Website and has been posted on the bulletin board of the County Administrative Center, One Spring Street, Newton, NJ 07860.

MEMBERS PRESENT: John Sheldon
 Concetto Formica, Chair
 Ed Meyer
 Steven Liss
 Jennifer Johnson, 1st Alternate (4:17pm)
 Alan Henderson, Commissioner Member

MEMBERS EXCUSED: Joseph Flanagan, Vice Chair
 Carl Paladino, Secretary

STAFF PRESENT: Matt Sinke, P.E. Assistant County Engineer
 Mark Peck, Esq., Planning Board Counsel
 Christy Degeorgis, Recording Secretary
 Corey Minnick, Senior Planning Aide

ALSO PRESENT: Gary Worley, P.L.S., Applicant Surveyor
 Daniel Benkendorf, Esq., Applicant Attorney
 Larry Allen, Applicant
 Tana Allen, Applicant

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A motion was made by Commissioner Alan Henderson to approve the Minutes of November 3, 2025 as presented. The motion was seconded by John Sheldon. A roll-call vote was taken. Results were as follow: John Sheldon-Yes; Concetto Formica-Yes; Ed Meyer-Yes; Steven Liss-Yes; Alan Henderson-Yes. Motion carried.

SITE PLAN/SUBDIVISION DEVELOPMENT REVIEW COMMITTEE REPORTS

Matt Sinke provided the SCPB members with a summary of the two applications on the November 17, 2025 Development Review report.

MOTION

A motion was made by John Sheldon to approve the Development Review Committee Reports for as presented. The motion was seconded by Steven Liss. A roll-call vote was taken. Results were as follow: John Sheldon-Yes; Concetto Formica-Yes; Ed Meyer-Yes; Steven Liss-Yes; Alan Henderson-Yes. Motion carried.

Mr. Sinke updated the SCPB members on the status of the two pending applications: American Red Crescent, Inc. and Andover Organics, LLC.

APPEALS AND WAIVER REQUESTS

- A. Waiver Request for: SCPB# 32/22 Larry & Tana Allen, Block: 29001 Lots: 102 & 104 C.R. 620, M.M. 3-4, Sparta Township
- Waiver from LDS V.C.5.a.i.(a), Permitted Access
 - Waiver from LDS V.E.1.c, Insufficient Sight Distance (Residential Accesses).

Mr. Sinke briefed the SCPB members on application SCPB #32/22, noting that it is a residential application involving two lots located on Glenn Road in Sparta Township near the Rock Island Club. Using presentation slides, he identified the lot locations and outlined the scope of the application. He explained that Lot 102 is proposing to annex a portion of Lot 104. While this is commonly referred to as a lot line adjustment, it is technically classified as a subdivision, and County standards apply because the property fronts on County Road 620 (CR 620).

Mr. Sinke stated that the County standards do not provide exceptions for single-family lot line adjustments. As a result, the County requires consolidation of multiple access points into a single driveway and verification that all driveways meet required sight distance standards. Currently, Lot 102 contains a circular driveway with two access points onto CR 620, while Lot 104 has one access point onto CR 620, along with a rear access located on a private road. Under County standards, these multiple driveways would be required to be consolidated into a single access point.

He further reported that County Engineering staff conducted field measurements of sight distances at the three driveway locations and determined that all three fail to meet County sight distance requirements. The applicant and their professionals have therefore requested waivers from both the driveway consolidation requirement and the sight distance standards. Mr. Sinke concluded by noting that the decision to grant these waivers rests with the SCPB.

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Daniel Benkendorf, Esq., Applicants Attorney, stated that the application was previously before Sparta Township in 2022 and received approval. Since that time, the original surveyor was unable to continue, and the applicant retained a new surveyor, resulting in continued coordination with the County to resolve some outstanding issues. He noted that an existing easement for Rock Island includes use of the driveway. The Sparta Township Planning Board requested the applicant add a small triangular section of the property to the existing easement as a condition of approval.

Mr. Benkendorf emphasized that the two access points serving the property have existed since approximately 1933–1934, nearly 100 years. He further stated that a recent review of accident records for the past 15 years revealed no reported incidents associated with this location. The applicant indicated that the two driveways are currently used for convenience and operational efficiency and expressed a desire to retain both access points. The applicant also raised concerns that reducing access to a single driveway could require vehicles to back out in order to exit, whereas the current configuration allows vehicles to enter and exit more safely.

Mr. Benkendorf concluded that, if the Board were inclined to approve the application, the applicant would agree to a stipulation prohibiting vehicles from backing out onto the County Road, thereby improving overall site safety.

Mark Peck, Esq. swore in Gary Worley, P.L.S., Surveyor, and was accepted as an expert by the SCPB.

Mr. Sinke reviewed the waivers outlined in the Engineering Report and, using presentation slides, illustrated the site's access points. He discussed the residential access, including the existing driveways and their respective grades, and noted that one of the driveways follows the former alignment of the old County Road. He explained that the road was realigned in the 1930s and that County plans indicate the driveway was constructed by a public entity. Mr. Sinke stated that County Engineering is seeking additional input on the most effective operational configuration for the driveway, as there is currently no clear determination regarding its optimal function.

- Lot 102 (483 Glen Road) - East Driveway Access- If you are looking up the hill you are limited by a horizontal and vertical curve. If you are looking down the hill you are limited by the roadway curving back to right and some vegetation. There is a steep grade coming off the road. Onsite site distance are turn out looking left 308 ft. Turn out looking right 345 ft. The standard is 496 ft. required. It is substandard on both. Onsite stopping distances would be 360ft. which they do not meet.
- Lot 102 (483 Glen Road) - West Driveway Access- Looking back over the hill. There is a guiderail in the middle between the two driveways. There is a slope. Looking to the right you are limited by a horizontal curve in the road and adjacent vegetation. Onsite site distances are turn out Looking Left 295 ft. Turn out looking right 240 ft. The standard is 496 ft. required. The upper driveway has better sigh distance. Has more of a grade coming off the roadway. It does not have the best alignment if you were trying to turn right out of it. Engineering would like to hear testimony on how the driveway functions currently. Mr. Sinke confirmed the fact that he did look at accident data and could not find any accidents involving multiple vehicles on this stretch of road for the period of 2010 thru 2025.
- Lot 104 (467 Glen Road) - The viewpoint looking left is limited by the same vegetation. Looking to the right you are limited by the horizontal curve. Onsite site distances are turn out looking right 446 ft. where 496 ft. is required. It does meet the stopping distance. Turn out looking left 255 ft. where 496 ft. is required.

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Mr. Sinke concluded that all of the driveways are substandard.

Mr. Benkendorf stated that it is important to note that the section of the applicant's driveway does fit on the subdivided portion. If they did not get the subdivision they would still have an encroachment on the neighbor's lot.

Mr. Peck swore in the applicant, Larry Allen.

Mr. Allen testified that the lower driveway is angled in a manner that allows vehicles to exit while traveling downhill with minimal turning. He explained that the upper driveway is used for right-turn movements; however, due to the presence of a guardrail, exiting requires a wide turning radius that may encroach into the opposite lane. As a result, the upper driveway is primarily used for left-turn movements when traveling uphill.

Mr. Benkendorf asked whether, if the SCPB were inclined to approve the application, the applicant would agree to a condition requiring vehicles to use the right driveway when traveling downhill and the left driveway when traveling uphill. Mr. Allen responded in the affirmative.

Mr. Sinke asked about the purpose of the subdivision/lot line adjustment is.

Mr. Allen testified that adjoining restaurant property surrounds their residence and that the applicant is seeking to establish a buffer between the residence and the restaurant, as well as to address the driveway encroachment. Mr. Benkendorf added that this could create future concerns if the property were to be developed, as variances might be required at that time that may not currently be necessary.

Mr. Sinke asked if there is any anticipated increase in intensity of use anticipated on either lot. Mr. Allen stated no. Mr. Sinke restated the County Standards that would require consolidation of all the access points to a single conforming access point. County Engineering will defer to the SCPB's discretion. Mr. Sinke stated that some of the sight lines, particularly a right looking and a left looking out are limited by vegetation along the frontage of another property. The ROW line is a 66 ft. ROW. Which potentially puts a large amount of that vegetation in the ROW. That gives the ability for that vegetation to be cleared. County would issue a permit. He described the different vegetation which could be elevated. County Engineering's recommendation would be if the SCPB is looking to grant this waiver, that it be conditioned upon achieving the greatest possible sight distance from clearing or elevating within the ROW on Lot 103. Engineering would ask the applicant to have their surveyor stake out what the ROW through there. That could be cleared. That is the only thing that can be controlled. And would benefit all the Lots.

There was some discussion between the Mr. Sinke, Mr. Benkendorf, and Mr. Peck on the clearing of the ROW and the neighbors.

Mr. Sinke, using the slides, gave an overview of the entire area and what is involved. He stated that if the SCPB comes to some type of waiver that it relatively measurable and not so open ended.

There was some discussion between the SCPB members and Mr. Sinke about the sight distances coming out of the driveways and how removing the vegetation would affect the sight distance.

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Commissioner Henderson questioned why the existing driveways could not be waived, given that they have operated without issues for many years and that no changes were being proposed to the driveways other than improving sight distance. Mr. Sinke offered that may warrant a deeper discussion amongst the Board in the future, but that current County standards do not provide a mechanism to waive existing nonconforming conditions. As a result, applicants must comply with the current standards. Additional discussion followed between Commissioner Henderson and Mr. Sinke.

Mr. Peck stated that the SCPB should consider the waiver based on if the strict enforcement of the County Standards result in a hardship to the applicant. Also, can the property accommodate the requested waiver without causing a hazard to public health, safety, or welfare.

There was discussion on potential County liability associated with the requested waivers. The discussion included the concept of plan immunity as it relates to this application, as well as the historical construction of the former roadway by a public entity, based on a review of archival plans.

Mr. Sinke asked Mr. Peck whether he believed the property and the requested waivers could function without creating a hazard to public health, safety, or welfare. Mr. Peck responded that, given there is no change in use, he did not anticipate any such concerns.

There was some discussion between SCPB members about enforcing right and left hand turns and who would be responsible for enforcing such condition. Mr. Liss added that the SCPB forcing them to take down vegetation that has been there for years with no issues, is not reasonable.

There was some discussion among Mr. Sinke and the SCPB members.

Mr. Sinke recommended that right turns be made from the west leg and left turns from the east leg, with no backing movements onto the County Road. He also noted that the County would be willing to issue a permit to allow vegetation clearing within the right-of-way.

MOTION

A motion was made by Commissioner Henderson to approve the waivers for SCPB #32/22, Larry & Tana Allen, Block: 29001 Lots: 102 & 104 C.R. 620, M.M. 3-4, Sparta Township subject to the following conditions: right turns shall be made from the west leg, left turns shall be made from the east leg, and no backing movements shall occur onto the County Road.

The motion was seconded by Jennifer Johnson. A roll-call vote was taken. Results were as follow: John Sheldon-Yes; Concetto Formica-Yes; Ed Meyer-Yes; Steven Liss-Yes; Jennifer Johnson-Yes; Alan Henderson-Yes. Motion carried.

CORRESPONDENCE

None

DIVISION REPORT

None

UNFINISHED BUSINESS

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None

NEW BUSINESS

Meeting Date Resolutions for Planning Board & Development Review Committee for 2026. Staff reviewed the meeting date resolutions for the 2026 Planning Board & Development Review Committee meetings with the Board. There was a correction to the Planning Board December meeting date listed in the resolution. The correct meeting date in December is December 7, 2026 not December 2, 2026 as listed.

MOTION

A motion was made by John Sheldon to approve the Meeting Date Resolutions for Planning Board & Development Review Committee for 2026 as corrected. The motion was seconded by Steven Liss. A roll-call vote was taken. Results were as follow: John Sheldon-Yes; Concetto Formica-Yes; Ed Meyer-Yes; Steven Liss-Yes; Jennifer Johnson-Yes; Alan Henderson-Yes. Motion carried.

OPEN TO PUBLIC

Chairperson Formica opened the meeting to the public. No public was present. Chairperson Formica closed the meeting to the public.

ADJOURNMENT

All business having been completed, a motion to adjourn the meeting was made by John Sheldon. The motion was seconded by Steven Liss and carried unanimously. The meeting adjourned at 4:59p.m.