

**EASTAMPTON TOWNSHIP
LAND USE PLANNING BOARD MINUTES**

**Wednesday October 18, 2017
7:30PM**

Mr. Johnstone called the meeting to order at 7:33pm.

1. Roll Call

ATTENDANCE:	PRESENT	ABSENT	
	<u>X</u>	<u> </u>	Mr. Springer, Class I
	<u>X</u>	<u> </u>	Mr. Blair, Class II
	<u>X</u>	<u> </u>	Mr. Apgar, Class III
	<u>X</u>	<u> </u>	Mr. Bayles, Class IV
	<u>X</u>	<u> </u>	Mr. Chieco, Class IV
	<u>X</u>	<u> </u>	Mr. Johnstone, Class IV
	<u>X</u>	<u> </u>	Mr. Casella, Class IV
	<u>X</u>	<u> </u>	Mr. Taylor, Class IV
	<u>X</u>	<u> </u>	Mr. Sweeney, Class IV
	<u> </u>	<u>X</u>	Mr. Cooper, Alt I
	<u> </u>	<u>X</u>	Mr. LoRusso, Alt II
	<u>X</u>	<u> </u>	Solicitor ,David Serlin
	<u>X</u>	<u> </u>	Engineer, Stacey Arcari
	<u>X</u>	<u> </u>	Secretary, Jill C. Torpey
	<u> </u>	<u> </u>	

1. OPEN PUBLIC MEETINGS ANNOUNCEMENT BY SECRETARY:

The notice requirements provided for in the "Open Public Meetings Act" have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by Eastampton Township Land Use Planning Board on January 18, 2017 with the Township Clerk and posted on the official bulletin board at the Township's Municipal Building, filed with members of this body and mailed to each person who has requested copies of the regular meeting schedule and who has pre-paid any charges fixed for such services. All mailings, postings and filings have been accomplished on February 6, 2017

2. PLEDGE OF ALLEGIANCE

3. WELCOME TO GUESTS-Mr. Johnstone welcomed all guests to the meeting.

4. MINUTES

Regular meeting-July 19, 2017
Regular meeting-September 20, 2017

A motion was made to approve the minutes.

1st-Mr. Blair, 2nd-Mr. Springer

All were in favor except Mr. Johnstone who abstained to the September 20, 2017 minutes and Mr. Taylor who abstained to the July 17, 2017 minutes.

5. APPLICATIONS:

2017-5

**Total Site Improvements,LLC
1423 Woodlane Rd
Eastampton, NJ 08060**

**B-800 L-4.01-4.03
1423 & 1427 Woodlane
BP-LD Zone**

The applicant is seeking a d (1) Use Variance and Conceptual Plan and self-storage facility for a 6,217 square foot single story office/work are building a 2 story brick building.

Mr. Apgar and Mr. Springer recuse themselves from the application because it is a Use Variance.

Pat McAndrew is the attorney for the applicant.

He will have 3 witnesses. Tom Chamberlain, who has the construction yard on the back part of the property, Nolan Aspell, who is looking to use the front part of the property and Mike Avila, who is a Professional Planner and a Professional Engineer.

All are sworn in by Mr. Serlin.

Mr. McAndrew said the application was bifurcated to apply for the Use Variance for the house/office, the construction yard in the back and the self-storage in the front. The property is zoned Professional Office. If approved, they will work on their plans and come back.

Nolan Aspell owns the Sonic Drive In in Hainesport. He states the self-storage would have 2 employees and the office would be open 7am to 7pm 7 days a week. There will be access 24 hours a day with key fob access.

The 1st floor of the house will be used as the office and the 2nd floor will be the caretaker's residence.

Mr. McAndrew asks if there is a demand for this use.

Mr. Aspell replies yes especially with all the construction going on in town. He states that it is an exciting time for the town.

It is asked by Ms. Arcari if RV's or boats will be stored on site.

Mr. Aspell states that not at this time but if there is a need they will come back to the board.

Mr. Serlin clarifies that this application does not include storage for boats or RV's.

Mr. Bayles asked if there is going to be 24 hour access about lighting and asked if motion sensors could be used.

Mr. Aspell states that that is no problem.

Mr. McAndrew states that there is an easement for 1 main access. If approved, they applicant will come back for a subdivision.

Tom Chamberlain is the owner Total Site Improvements. He states they do underground utility work for commercial businesses and has been in business since 2008.

Mr. Chamberlain states the office will be open from 8:30am to 4-5pm. He states that some of the guys may arrive at 6am to pick up supplies but mostly everything is on the job sites.

For office staff, he has an estimator, a bookkeeper, himself and his wife who is the office manager.

Mr. Serlin asks about the trucks on site.

Mr. Chamberlain states he has 6 pickups, a low boy, dump truck, roll off, back hoe, 2 excavators, 4dozers, and loaders.

Mr. Blair asks if they are all on the property at a given time.

Mr. Chamberlain states that mostly they are on job sites.

Mr. Blair asks if they will be repaired on site.

Mr. Chamberlain states that if they break down on the job site they will be repaired on the job site. But there will be times when they are on the property to be repaired.

Mr. Serlin states they have been there for a year.

Mr. Blair states that they have several violations for occupying the property without approval.

Mr. Chamberlain states that he was told by Mr. Miller that he was going to obtain all the approvals.

Mr. McAndrew states that they submitted the application in March or April and had an informal meeting in June and then amended the application for August to include the self-storage.

Mr. Blair asked about site work material.

Mr. Chamberlain states that crushing is done on site for his personal use.

Mr. Blair states if there is rock crushing you need DEP approval.

Mr. Chamberlain states that if you sell it, you need DEP approval. If it's for personal use, you do not.

Mr. Blair states that all crushing on site needs DEP approval. There is an employee of DEP on the board.

Mr. Sweeney states that DEP can do a surprise site visit and he would have to submit storm water permits based on the equipment.

Mr. McAndrew states that there will be some exceptions for emergencies on the weekend and that the trucks could come back to the yard between 5-6pm.

Mr. McAndrew asks Mr. Chamberlain about the garage on site.

Mr. Chamberlain states there is a 40'60' pole barn. It will be used as a shop to work on equipment.

Mr. McAndrew asks is the site is suited for the use and had there been complaints from neighbors.

Mr. Chamberlain states that yes and they have had no problems with neighbors.

Mr. Serlin asks to go back to the pole barn.

Mr. Chamberlain states it is a steel building with an open span. All equipment can clear the building.

Mr. Blair asked if there it is paved surface,

Mr. Chamberlain states it is stone parking.

Mr., Blair states that DEP will require all surfaces to be paved.

Mr. Serlin asks the applicant why the property is suited for the use.

Mr. Chamberlain states the room is good and the office is nice. He also says the location is good. It is close to 295, NJTP and 206.

Mr. Blair states that the property was occupied before approvals. He asked if any renovations were done.

Mr. Chamberlain states that they did some painting, repaired drywall and put in hardwood floors.

Mr. Blair asks how the septic is.

Mr. Chamberlain states that they have not had any issues.

Mr. Blair states that this property has been occupied twice before without any approvals or permits. The 2nd tenant, Dolphin Boats, stock piled boats.

Mr. Johnstone states that in the photo, the boats are in the wetlands.

Mr. Serlin confirms that Mr. Miller is not involved with the property anymore and he is told that is correct. Mr. Chamberlain states in the contract with Mr. Miller it states that Mr. Miller was going to take care of all the approvals. Mr. Chamberlain states that he took over the lead after Mr., Miller withdrew.

Mr. Blair asks who the current owner is.

John Muradito of M & M Development is sworn in by Mr. Serlin.

Mr. Muradito states Mr. Miller was the Managing Partner and handled the day to day operations. He states Mr. Miller was a complete nightmare to work with. He had to get legal to get involved to get rid of him. He states he was stealing money. He was collecting money from multiple tenants.

Mr. Muradito states that he is responsible for the property now and is willing to work with the township. He will get the boats out.

Mr. McAndrew asks of that was the business that was affected by Sandy.

Mr. Blair makes it clear that he was not affected by Sandy. That he moved his boats from a marina in Willingboro.

Mr. Serlin asks Mr., McAndrew if they would like the board to vote on the Use Variances collectively or separate.

Mr. McAndrew states they will see how the meeting goes.

Mike Avila is sworn in by Mr. Serlin. He goes over his credentials and is accepted as an expert by the board on a motion by r. Blair and seconded by Mr. Chieco. On voice vote all were in favor.

Mr. Avila states that now the property is zoned Professional Office. He said access is provided by a road in the center. Se states there are several buildings. He goes over the site.

He goes over the adjoining properties and their uses.

Mr. Johnstone states that Block 700 Lot 9 is now zoned adult community and there will be several hundred houses built to the back of the property.

Mr. Avila says the lot(s) meet the frontage requirements so the new possible subdivision won't have a flag lot. It will be an irregular lot.

Ms. Arcari asked about the new easement and how it will align with the houses across the street.

There was discussion between the board and the applicant about the alignment of the new access and how it will affect the properties across the street.

Mr. Avila started to reference the traffic engineers report but Mr. Serlin stated that since he was not here to answer questions, that can't really be taken into consideration.

There was discussion about the noise and affecting the neighbors.

Mr. Blair suggested that the rear door to the pole barn to the closed off and a side door be added to elevate the noise to the new homes in the rear of the property.

Mr. Availa goes over the reasons the Use Variance should be approved.

Ms. Arcari asks Mr. Availa about the wetlands and the buffer and if they can meet the state requirements.

Mr. Availa states that as a planner he believes they can co-exist. Mr. Availa states that there was in informal meeting in June 2017 and that they made the public storage to look more residential and that it will be in the front to be a buffer to the construction yard.

Mr. Nolan states the contracts will state they can have no cars, chemicals, hazardous materials, etc....in the unit

Mr. Blair states they will need full fire suppression.

Ms. Arcari states that if they receive approval there will be comprehensive landscaping needed. She also states the ordinance requires some kind of bike bath in the R.O.W. If not, they will need a variance for that.

Mr. Avila states that they have an informal meeting request in with the county.

There was some discussion on the actual footprints of the buildings and it is decided to go with the figures in Ms. Aracri's letter.

Mr. Johnstone that the area where the applicant is asking for the approval, is part of the Township Town Center. He said the intention of it is to promote business for people coming in town for the day to work and to attract customers to the town. He has heard some testimony about the Commercial/Highway zone. He states there is that planned for 206 but not Woodlane Road. His personal opinion is that he doesn't see them overcoming the barriers for Woodlane Rd. He states there are sites on 206 better suited for this use.

Mr. McAndrew asks when this was put in place. It is stated that the reexamination was passed in January of 2017.

Mr. Taylor states that this was planned in the late 1990's the early 2000's.

Mr. Blair expands on Mr., Johnstone's comments. He also states that MLUL allows a board to deviate from the intent of the Master Plan.

Mr. Johnstone states he has an issue with the deviation from the planned use.

Mr. Taylor states he has the same concerns.

Mr. Casella agrees.

Mr. Johnstone is concerned with the consistency with the Master Plan.

Mr. Blair states the property has been vacant since God made it to present day. There is now a low impact use on it and it is a good ratable.

Mr. Casella states that maybe something more consistent will come along in the future, but no one can know for sure.

Mr. Avila states that it has been vacant since 1998 and now it is almost 20 years later. It went through the building boom in the early 2000's and it is still vacant. He states for a 30,000 square foot office, there would need to be a massive septic overhaul.

The application is open to the public at 9:42pm.

Kathy Newcomb, the Zoning Officer, states that over a year ago the Township Manager received a complaint and then sent it to her. She has pictures from August 18, 2016

showing the site being used without permission. She spoke to Mr. Miller and nothing happened. She finally had to send violations. Ms. Newcomb states that over 9 years Mr. Miller has had tenants there illegally and he has always asked for forgiveness, not permission.

She shows pictures out the Total Site portion and asks about the material/junk. The complaint came in because it is on wetlands.

Ms. Newcomb's pictures are marked into evidence as Newcomb 1, 2, 3.

Mr. Bayles asked is the junk is still there and it is.

Mr. Bayles states if the variance is granted, the applicant has to get rid of it.

No materials can be on site outside and the vehicles have to be on pavement or in the pole barn.

Mr. Serlin asks Ms. Newcomb since she received the initial complaint have there been others and she states no.

With no one else from the public wishing to be heard, the public portion was closed at 9:55pm.

Mr. Aspell states that he thinks this approval will help with the evolution of the Township. He is not here to create an embarrassment.

Mr. McAndrew states that they would like 2 votes on this.

Mr. Serlin states that the applicant is amending the application at the blue line to bifurcate the application.

A motion is made to approve the Use Variance for Total Site Improvements with the conditions noted by the board solicitor.

1st-Mr. Bayles, 2nd-Mr, Taylor

Roll Call-All were in favor except Mr. Johnstone who voted NO.

A motion is made by Mr. Bayles to approve the self-storage.

Mr. Casella asks a question. If he votes no now, does that mean he can't say yes in the future.

Mr. Serlin states that if the applicant comes back with a tweaked application he can say yes later. No is not no forever.

The applicant asks for a 5 minutes break at 10:09pm.

The meeting resumes at 10:17pm.

Mr. McAndrew states they will come back with better visuals a better finalized product. The applicants aren't sure this is what they want to do.

Mr. Blair is confused. Is Total Site involved with the self-storage.

Mr. Chamberlain states yes.

Mr. Chamberlain states there is no use spending more money if it is not going to be approved.

Mr. Serlin states that some board members may be swayed if they see better architectural.

Mr. Serlin states there was a motion but not a second.

The applicants request another break at 10:21pm.

At 10:25pm the meeting resumes.

Mr. Serlin states that for clarification that the board does not want full site plan, just better architectural.

A motion is made to table the Use Variance for the self-storage until December
1st-Mr. Blair, 2nd-Mr. Casella
Roll Call-All were in favor.

Mr. Apgar and Mr. Springer return to the meeting.

6. ANY OTHER BUSINESS

Mr. Serlin states that Lennar is going to have to come back because they only want to do parking on one side of the street. Ms. Arcari will reach out to them to let them know the next meeting is December 4, 2017.

7. MATTERS TO BE PRESENTED BY THE PUBLIC

The meeting is open to the public at 10:30pm. With no one from the public wishing to be heard, the public portion is closed at 10:30pm.

8. MATTERS TO BE PRESENTED BY THE ENGINEER-NONRE

9. MATTERS TO BE PRESENTED BY THE SOLICITOR-NONE

10. MATTERS TO BE PRESENTED BY THE BOARD

NONE

11. ADJOURNMENT

A motion is made to adjourn the meeting at 10:31pm.

1st-Mr. Bayles, 2nd-Mr. Blair

On a vote of voice, all are in favor.

Jill C. Torpey

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Land Use Planning Board Administrator