Chairman Nanson called the meeting to order and the Administrative Officer read the opening statement.

ROLL CALL: The roll call showed the following members present: Matthew Hughes, Herbert Massa, Richard Mertens, Thomas O’Donnell, Jose Orozco, Michael Sanclimenti, James Moretti, Jr., and Chairman Wendell Nanson. Paul Sayah was excused.

Also in attendance were Ronald Troppoli, Board Attorney, Charles Cunliffe, Board Engineer, Jack Mallon, Board Engineer, Jennifer Beahm, Board Planner, Matthew Howard, Director of Land Use and Eileen Rubano, Board Secretary

PLEDGE OF ALLEGIANCE:

SWEARING IN OF BOARD PROFESSIONALS: Charles Cunliffe, Jack Mallon, Jennifer Beahm and Matthew Howard were sworn in by Board Attorney Troppoli.

APPROVAL OF MINUTES: There were no minutes to approve.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: There was no correspondence to review or act on.

RESOLUTIONS: There were no resolutions to memorialize at this meeting.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA18-25 / Eihab Human Services, Inc.

The Board Secretary informed the Chairman that Mr. Sanclimenti has certified and is now eligible to vote on this application.

Mr. Pape, Attorney for the Applicant, appeared and stated that they completed their testimony on January 28, 2019. All witnesses testified but there were questions on the architectural design and the full board was not present so they decided to come back. Mr. Pape said that Ms. Beahm sent requirements for the southern and eastern sides of the buildings.

Ms. Beahm said she has been working with the architect on the facades facing the Home Depot and West Farms Road and she takes no exception to working with Mr. Pape’s office as a condition of resolution compliance.

Mr. Troppoli said that we have done very well in the past with Ms. Beahm working with the applicants to satisfy the Board.

Mr. Pape closed his case and asked the Board to render a favorable decision for the applicant.

Chairman Nanson asked Mr. Pape to have the engineer work with Ms. Spero on the landscaping.
Mr. O’Donnell made a motion to grant Use Variance and Preliminary and Final Major Site Plan approval to Eihab Human Services, Inc. Motion was seconded by Mr. Hughes and carried with Messrs. Hughes, Massa, Mertens, O’Donnell, Sanclimenti, Moretti and Nanson voting affirmatively.

b. Case No. BA18-06 / L and L Paving Co. Inc.

Mr. Michael Butler, Attorney for the Applicant, appeared as well as Mr. John Paul Doyle, Objecting Attorney.

Mr. Doyle continued his case with George Thompson’s testimony.

Mr. Thompson was reminded that he is still under oath.

Mr. Thompson testified on RAP (recycled asphalt products) and said there is no area designated on the site plans to store this and explained how the DOT sets limits for the amount of RAP you can include in the mix. Mr. Thompson testified that you could store approximately 37,000 tons of RAP on an acre of property at 30’ high and Mr. Butler objected since Mr. Thompson was not an engineer. Both Mr. Mallon and Ms. Beahm said they had in their notes that the applicant testified they could store RAP at 35’ high.

The Board took a short recess from 8:50 p.m. to 9:00 p.m.

Andrew Thomas, PP, AICP, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Thomas testified that he prepared exhibit O-7 which shows the proposed L and L site with concentric circles extending out from the site at 10, 20 and 30 miles.

Mr. Thompson used exhibit O-7 to show the limitation on how far an asphalt truck can deliver product. He explained that temperature is a deciding factor since it can’t compact if it is too cold. He said that the L and L site could deliver more than 30 miles and would cover most of Central NJ which is an active, growing market.

Mr. Sanclimenti had several questions for Mr. Thompson on the Astec System and whether it was a state of the art plant for this industry. Mr. Thompson said he was familiar and it was state of the art. He also said you would probably never change a whole plant, just the components which can be updated and today’s systems are even better than the ones from 10 years ago. Mr. Sanclimenti also asked if they run quieter today and Mr. Thompson said yes, especially since 20 years ago. Mr. Thompson also said that loading the silos is fairly quiet but there can be some noise from the conveyors. He also explained that some drivers spray diesel in the back of the trucks to prevent the asphalt from sticking. He agreed that there are environmentally acceptable sprays but he said they don’t work as well as diesel and it is hard to break the truckers from doing this. When asked if he would allow truckers to use diesel he said no.

The Board took a recess from 9:50 to 10:00 p.m.

Mr. Butler started his cross examination of Mr. Thompson.

Mr. Thompson testified that in preparing for his testimony he did not have any conversations with the applicant. He never spoke to the applicant about his business, how he plans to use this facility, how they pay their truckers whether it is by the load or by the hour. Mr. Thompson did say that he reviewed the site plan and he reviewed the testimony from all the hearings. Mr. Butler also asked him if the amount of RAP used in a mix
reduces the amount of tonnage a plant can use in an hour and Mr. Thompson said yes. Mr. Thompson also agreed that if the RAP is wet it can lower the tonnage and if it is wet it takes longer to dry in the drum. When Mr. Butler asked him the production level of asphalt in Monmouth County, Mr. Thompson said he had no idea. Mr. Butler also said that Mr. Thompson testified that he was familiar with the Monmouth County market but he didn’t know if it was 70/30 or 80/20. Mr. Thompson also didn’t know the number of producers of asphalt in Monmouth County, he just knew of Stavola who paid him to come and testify on this application.

Mr. Thompson testified that he didn’t know how many facilities Stavola had in Monmouth County and Mr. Doyle said it was irrelevant and proprietary.

Mr. Butler asked Mr. Thompson if emissions were regulated and he said yes. He also said the percent of RAP is regulated but he didn’t know if the height of the stockpiles of RAP was regulated. Mr. Butler said the height is regulated at 35 feet and Mr. Thompson said he was shocked to hear this since he has seen piles higher than that.

When Mr. Butler completed his cross of Mr. Thompson, Chairman Nanson opened the hearing up for members of the public for questions only of Mr. Thompson, no comments, and the following appeared:

John Dougherty, 25 East Grimaldi Drive, who asked about night work.

Abraham Chasnoff, 20 West Baccio Lane, who wanted to know if the plant in Keasbey that was used for comparison was comparable in size to the L and L plant and Mr. Thompson said it was about the same. He also asked about the size and capacity of the Stavola plant and if Kerr Concrete was a competitor of the Keasbey plant and Mr. Thompson said he didn’t know about Stavola and Kerr was not a competitor. Mr. Chasnoff also asked about the amount of time it would take to enter the plant drop milling and exit and whether six trucks could load at the silos as the same time. Mr. Thompson said they only had two scales so they can only load two trucks at a time.

Les Spindell, 46 West DaVinci Way asked if Mr. Thompson would ask for a use variance if a use wasn’t permitted.

Adam Seyhan, 22 East Milan Boulevard, asked about this type of plant compared to a batch plant.

Rich Brugger, 183 West Renaissance Blvd, asked if he ever applied for a variance for the companies he worked for.

Seeing no other members of the public wishing to ask questions of Mr. Thompson, Chairman Nanson closed the public portion of the hearing.

Some discussion took place regarding the next scheduled hearing date and whether Mr. Doyle would have someone available to testify. Mr. Troppoli informed Mr. Doyle that this application needs to keep moving and we need a witness here on the 18th. He said we can’t keep adjourning and it is Mr. Doyle’s call but the Board would not look kindly upon holding this up.

The Board Secretary informed Mr. Doyle that we have set aside March 18th, April 1st, April 15th and April 29th for this application.
Chairman Nanson made an announcement for members of the public that the application of L and L Paving Co. Inc. would be carried to March 18, 2019 with no further notice.

Mr. O’Donnell made a motion to adjourn. Motion was seconded by Mr. Orozco.

Meeting adjourned at 10:58 p.m.

Respectfully submitted,
Eileen Rubano, Recording Secretary

NOTE: A CD or DVD of this meeting is available on request.