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, Michael Sanclimenti, Paul Sayah, James Moretti, Jr., and Chairman Wendell Nanson. Mr. Orozco was excused.

Also in attendance were Ronald Troppoli, Board Attorney, Charles Cunliffe, Board Engineer, Jack Mallon, Board Engineer, Christine Bell, 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, Christine Bell and Matthew Howard were sworn in by Board Attorney Troppoli.

APPROVAL OF MINUTES: There were no minutes to approve at this meeting.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: There was no correspondence.

RESOLUTIONS:

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

Mr. Massa made a motion to memorialize the resolution granting use variance and preliminary and final major site plan approval to Eihab Human Services, LLC. Motion was seconded by Mr. O'Donnell and carried with Messrs. Hughes, Massa, Mertens, O'Donnell, Sanclimenti, Moretti and Nanson voting for the motion.

APPLICATIONS BEFORE THE BOARD:

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

Mr. Butler, Attorney for the Applicant, appeared and stated that at the last hearing he completed his cross examination of George Thompson and the Board finished with public questions of him as well.

Mr. Doyle, Objecting Attorney, also appeared and was ready to continue with his case.

Andrew Thomas, who was previously sworn, presented an exhibit and then testified on the distances from the homes along Yellowbrook Road, Cranberry Road and West Davinci Way to the roadway. He testified that the distances were all approximate as they were gathered through google maps. The distances were not measured from the homes to the L and L site. When asked why they didn’t measure from the site to the homes, Mr. Thomas said he didn’t know.
When Mr. Butler asked him if he went out and physically looked at these properties to see if the measurements were correct, Mr. Thomas said he did not, he said he checked the Tax Assessor’s rolls.

Mr. Butler asked why he chose these homes when there were other homes he did not include. Mr. Butler said he wouldn’t know if there was any landscaping or other items between these homes and the roadway since he never physically went to the properties.

Mr. Thomas said he picked these houses at random just to get an idea and it isn’t any certain percentage of the homes, just a representation, he didn’t look for the closest or furthest property.

Norman Dotti, Consulting Acoustical Engineer, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Dotti testified that he has not been present at the prior hearings, but he did read the transcripts, reviewed the reports and visited the site. He also drove up and down Yellowbrook Road and Cranberry Road and took pictures. He also testified that he read Mr. Crossan’s report and he has been an acoustical engineer for 47 years and has studied multiple asphalt plants.

Mr. Dotti testified that he saw nothing that said Mr. Crossan did anything more than basic calculations and a typical asphalt plant can have 40 to 50 different noise sources not including the trucks. He also testified on how the berm and barrier will affect the noise and said that trees are not an effective sound barrier as it would take hundreds of feet of dense trees to be a sound barrier.

Mr. O’Donnell pointed out that there are several companies, such as Stavola Asphalt and Eastern Concrete, all making noise in one area and Mr. Dotti said each site stands alone but there is a cumulative effect. Mr. O’Donnell also asked Mr. Howard if there was anything on the record that the companies in the area, Eastern, Anchor, Stavola, can’t operate at night and Mr. Howard said there is nothing as far as he knows and the SED zone has nothing limited, but he knows Anchor Concrete operates in the evening.

Chairman Nanson asked Mr. Dotti if he did any noise monitoring and he said he did not. When Chairman Nanson asked Mr. Dotti if Mr. Crossan did any noise monitoring, Mr. Dotti said yes it is in his report.

Mr. Moretti asked if there was an acceptable level or amount of noise on the highway from trucks and Mr. Dotti said he never heard such a thing and there is no standard on what is acceptable.

It was Mr. Dotti’s opinion that the addition of trucks will result in sound levels that will create an interruption in sleep in the houses in the neighborhood.

Ms. Bell, Board Planner, asked if there was a difference between the trucks he looked at and a garbage truck or a moving van in a residential area and he said a moving van was comparable.

Mr. Mallon, Board Engineer, asked Mr. Dotti how he could analyze the site if he didn’t look at the map and see where the berms were and how the sound might dissipate. Mr. Mallon said the berm is not continuous but they are doing quite a bit to dissipate the sound on the site and Mr. Dotti said he has seen the drawings and they seem like landscape berms.
Mr. Sanclimenti asked Mr. Dotti if he was familiar with the Astec System and he said he was. Mr. Sanclimenti said that the Astec representative said you could make a cell phone call while the plant is operating and Mr. Dotti said he would have to look at that to see what they are talking about. Mr. Sanclimenti also asked Mr. Dotti if trucks would be quieter today than what is referenced in the Volpe report he referred to and Mr. Dotti said no, not in the way it matters.

Mr. Mertens asked if acceleration makes a big difference in noise levels and Mr. Dotti responded no, at lower speed you have engine and exhaust noise and at higher speeds you have tire noise.

The Board took a recess from 9:22 p.m. to 9:38 p.m.

Mr. O’Donnell asked Mr. Howard, Land Use Director, if there were any complaints last year from the residents of Equestra with regards to the businesses on Cranberry Road. Mr. Howard said he was not aware of any but would look into it. Mr. Doyle asked if we could determine if they operate at night and Mr. Howard said that he would have to look at each site separately.

Kevin Murphy, Licensed Engineer and Surveyor, was duly sworn, gave his credentials to the Board and was accepted as an expert. After some objections on the relevance of Mr. Murphy’s testimony he testified that he prepared the height pile survey of the Keasbey site. When Chairman Nanson asked if he had any Geo data prior to 2019 Mr. Murphy said he didn’t have it with him but he could provide it. He also testified to the difference between a boundary survey and a topo survey.

Mr. Butler agreed to provide the survey of the property to the Board. He also asked Mr. Mallon if he was satisfied with that was submitted and Mr. Mallon said yes or he wouldn’t have deemed their application complete.

Mr. Doyle asked Mr. Mallon if he disagreed with Mr. Murphy and Mr. Mallon said he did not. Mr. Doyle also questioned Mr. Mallon on the drainage for the site and Chairman Nanson asked that Mr. Kennedy submit that to the Board as well.

The application of L and L Paving Co. Inc. was carried to April 1, 2019 with no further notice and the Chairman said we should be prepared to stay until 11 p.m. or midnight so we can keep this application moving. It was decided to start the meeting at 6:00 p.m. as well and Mr. Butler granted the Board an extension of time, on the record, through April 30, 2019.

Mr. Moretti made a motion to adjourn. Motion was seconded by Mr. Hughes and the meeting adjourned at 10:31 p.m.

Respectfully submitted,
Eileen Rubano, Recording Secretary

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