Vice Chairman Sanclimenti 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, James Moretti, Jr. and Michael Sanclimenti. Thomas O'Donnell and Jose Orozco were excused, Paul Sayah was absent and Wendell Nanson was late, arriving at 8:00 p.m.

Also in attendance were Ronald Troppoli, Board Attorney, Charles Cunliffe, 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, Jennifer Beahm, and Matthew Howard were sworn in by Board Attorney Troppoli.

APPROVAL OF MINUTES: Mr. Moretti made a motion to approve the minutes from the February 4, 2019 Zoning Board hearing. Motion was seconded by Mr. Massa and carried with Messrs. Hughes, Massa, Mertens, Moretti and Sanclimenti voting for the motion.

Mr. Hughes made a motion to approve the minutes from the February 11, 2019 Zoning Board hearing. Motion was seconded by Mr. Moretti and carried with Messrs. Hughes, Mertens, Moretti and Sanclimenti voting for the motion.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: There was no correspondence.

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

The Board took a short recess.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA18-07 / 634 Field, LLC

Board Attorney, Ron Troppoli, informed the Board that the Applicant’s Attorney recognized that there is not a full board tonight but he would like to move forward with the testimony and hold the vote so others can certify to vote on this application.

Michael Landis, Attorney for the Applicant, appeared and asked for his witnesses to be sworn in.

Wayne Yarusi, Member of 634 Field LLC, was duly sworn and testified that he is authorized to testify on behalf of 634 Field, LLC. The applicant currently rents the property at 282 Herbertsville Road, but is also the contract purchaser of the property. They are a house and building moving company. They are not furniture movers, they move the actual house but not on the premises. They only store equipment such as steel
beams, trucks and trailers on this property. Mr. Yarusi testified that they bring the equipment out to the job site to move the house and at the end of the job the equipment is brought back to the premises. All work is performed off site. This is a family business that has been operating for 47 years. They have an office in Northern Jersey with three employees. Mr. Yarusi also testified that they have between 3 and 4 other employees and the maximum number that would be on this site would be 5. Their normal business day begins when the employees arrive at 7 a.m., start their trucks and go to a site. When they return at the end of the day they off load equipment and load up for the next day. They are usually back by 6 or 7 p.m. There is no night work associated with his business and between 7:30 a.m. and 5:00 p.m. there is no one on site as there is no office located there.

Ms. Beahm asked if they would be okay with a clause that there would be no maintenance as a condition of approval and Mr. Yarusi said yes as he carries full warranty on all vehicles and send them out for service. He has no intention of doing maintenance.

Mr. Sanclimenti asked how everything is stored and Mr. Yarusi explained that it is like a lay down yard. Everything is palletized and stacked up to 6 feet tall around the perimeter of the site and trucks in the middle. The trucks are parked on an open field.

Mr. Cunliffe said the Board usually requires a concrete pad for the storage of vehicles. This way nothing goes into the ground if a line breaks. Mr. Yarusi said he could park on a road made of steel plates. They are considered road plates and are used to move buildings.

Ms. Beahm also commented and said we need to make sure that equipment is on something other than dirt.

Mr. Landis said this is a bifurcated application and this is just for the use variance. Ms. Beahm responded that she understands that but she needs to make sure there are no negative impacts so this should be dealt with today.

Mr. Yarusi said he could bring the trucks into the open to load them and park them on asphalt in the evening or he could put in a concrete pad. He also testified that he has parking for 5 or 6 cars for employees on either concrete or asphalt.

Mr. Nanson asked if he had any hydraulic jacks and if so, where are they stored. Mr. Yarusi said the jacks are stored on the trucks with a reservoir that is part of the unit. Mr. Yarusi further testified that he owns the steel that is used in his business so there are no deliveries to the site.

There was some discussion on the use of the one story frame dwelling on the premises and Mr. Yarusi testified that if he purchases the site no one will live in the house. It is in need of repair as it hasn’t been maintained. Eventually he would put a roof on it and if he can save it he will but he’s not sure.

The Board took a short recess from 8:19 p.m. to 8:31 p.m.

After the break, Mr. Landis informed the Board that his client will abandon the residence and maintain it for facilities only.

Chairman Sanclimenti asked Mr. Howard if he had any comments and Mr. Howard explained that the code inspectors noticed construction material and vehicles on the site and issued a violation in February 2017 for a construction yard on a residential property. This application abates the case pending approval.
Upon questioning, Mr. Yarusi explained that when he first checked on this property someone was living there and running a construction yard on the site so he thought it was okay. He also said there are still some trucks and equipment on the property from the former tenant and if he is successful in purchasing the property he will dispose of it.

Michael Pierce, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified on the location of the property and the constraints, claiming it is over 6 acres but is rather long and thin. The front is heavily wooded and he is very familiar with the site since he has lived next door since 1973. He also testified that the boundary of the property is pre-cast concrete block along the Blewett’s property and there is an unpaved road coming in from Herbertsville Road.

Mr. Pierce said his property is fairly wooded with a wire fence but he would be interested in maintaining a buffer and there is none presently. Visually he can see the Blewett’s property. He also said he would be very happy if he could develop a buffer when they do the site plan.

During a discussion on the buffers required, Ms. Beahm said she took no exception to the buffer on the Blewett’s side of the property. The lot is only 102 feet wide so there is a hardship involved and the driveway is also located in the buffer area. She would defer the buffer to site plan and work with the Certified Tree Expert for adequate buffering along the southerly property line. She also said that they need a variance for the buffer; how they mitigate is a site plan issue.

Mr. Pierce testified that the property has a number of disadvantages but as a property owner to the south of the property the buffer is a valid concern for him. He also testified that the special conditions that this lot has lends itself to a scaled down commercial use.

Mr. Pierce also put positive and negative criteria on the record. It is a fairly light use with little commotion during the day. He also said that the location on Herbertsville Road immediately adjacent to the Blewett’s operation limits the residential development of this property. The limited nature of the business makes it more suitable than a more intense commercial property. He further testified that there are no negative impacts especially given that there will be some additional buffering and there will be no negative impacts to the zone plan especially with the pre-existing, nonconforming use to the north of this property.

Mr. Cunliffe stated that should the Board look favorably on this application the applicant should address some issues for site plan which include the access drive, location of the storage area in the front yard, setbacks, and an application to Monmouth County Planning Board with possible right-of-way dedications.

Mr. Nanson asked if they could use the portion of the property up to the wall between them and Blewett’s and Mr. Cunliffe said they could but whatever the Board grants goes with the property.

Ms. Beahm said they would need to justify the bulk variances at site plan and they would have to move everything in the front yard or come up with buffering. She suggested that they speak to Ms. Spero, the Board’s Certified Tree Expert and if it can be moved, they should move it. You don’t want it visible from the road.
Vice Chairman Sanclimenti questioned whether the road could be moved towards the Blewett side of the property since it isn’t a paved road. He said that way the south side could be buffered against the residential use. Mr. Cunliffe responded that it could be done but would require tree removal and Ms. Beahm said that is also a site plan issue.

Vice Chairman Sanclimenti opened the hearing up for members of the public and seeing no one interested in this application, the public portion was closed.

Mr. Troppoli reminded the Board members that whoever offers the motion it is for a use variance and requires five affirmative votes. The application was bifurcated and if approved they will come back for site plan approval.

Even though there were only five members available for a vote, Mr. Landis decided to go ahead with the decision for this application.

Mr. Massa made a motion to grant use variance approval for 634 Field LLC. Motion was seconded by Mr. Hughes and carried with Mr. Hughes, Mr. Massa, Mr. Mertens, Mr. Sanclimenti and Mr. Moretti voting for the application.

b. Case No. BA18-37 / CTC Landscaping

Scott Kenneally, Attorney for the Applicant, appeared and recognized that there is not a full board tonight but he would move forward with the testimony and hold the vote until others can certify to vote on this application. He said the applicant is seeking use variance and site plan approval for property owned by the Tilley family.

Christopher Campanelli, Applicant and Owner of CTC Landscaping, was duly sworn and testified that he operates a lawn maintenance and landscaping company for a lot of high end customers for their lawn maintenance in Wall, Manasquan and Brielle. He said 90 percent of his customers are residential and the other 10 percent commercial and his business is seasonal in nature. He has 15 employees during the peak season and 2 in the winter. He does not do fertilizing and he does not use pesticides, he subs that work out to others. He also said he has no plans to get a pesticide license and he dumps all grass clippings at the Monmouth County Reclamation Center and shrubs at Mazza’s. Mr. Campanelli further testified that he has a total of 9 vehicles, with a mix of pick-ups, rack bodies and mason trucks. He also has 15 trailers, both open and closed, a bob cat, mini excavator and a utility vehicle. He has no CDL type trucks. Their hours of operation are 7:00 a.m. to 5:00 p.m. five to six days a week, weather depending and seasonal.

Mr. Campanelli testified that he intends on selling nursery products, plants and stuff, which he can also use on his jobs and that is what currently exists on the site. He said it will be a retail operation on a smaller scale and he is working on cleaning up the site to make it presentable and getting the farm market up and running again. He said he may also do wholesale once he purchases the property.

Mr. Howard said that Mr. Campanelli came in with his realtor and said he is looking to purchase the property and wanted to know what he could use the property for legally as he knew there were several illegal businesses running on site.

Ms. Beahm said Mr. Campanelli is looking to use the property as a farm with retail which is existing and then expand to wholesale as well as storing his vehicles in the building in the rear. Even if the Board does not act favorably on the application, the farm and retail operation can still continue.
Mr. Campanelli said he has made some improvements and just two weeks ago he removed 75 tires from the property but there are still some boats that he needs to get rid of. He also said that Ed Tilley and his wife, the current owners of the property, live in the house and will continue to rent from him and work the farm property and market.

Vice Chairman Sanclimenti asked about the buffering required and Ms. Beahm said that farmland to farmland no buffer is required. She suggested that they seek to provide a buffer from the end of the rear masonry building towards the rear property line which will screen the vehicle storage, but they will still need a variance. She said the vehicles could be accessory to the farm and the positive criteria outweighs the negative. She also thinks this is a better alternative that using another property for the storage of vehicles. She suggested that they put the vehicles on a concrete pad or something and when she asked Mr. Campanelli if any maintenance was being done on site, he said no. She also suggested that any outside storage be screened.

Mr. Howard said that the Township is looking to define this type of use and they are looking to place them in the SED zone but this is an ideal use of this property.

Mr. Campanelli said that he can park the 2 masonry trucks and three dump trucks in the garage.

Mr. Cunliffe asked if the 20’ wide, existing gravel driveway could be improved and if they could even go a little further to provide a turnaround for fire equipment.

Patrick Ward, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Ward testified that they will provide new deer fence and a buffer 50’ off the property line with four season plantings and they will also provide a Knox Box if the gate is locked. Mr. Ward said they are also seeking a waiver for installing curbs and sidewalks as none currently exist in the area. Board Planner Beahm said there is no pedestrian traffic in this area.

Mr. Cunliffe, Board Engineer, said that the applicant will need to apply to Monmouth County Planning Board as this is a County Road. He also asked if the applicant will be storing mulch or topsoil and Mr. Campanelli said he will have mulch for his own use only and topsoil will be picked up at Mazza’s and will go right to the job site. The Chairman said we would like to restrict the size of the pile for the mulch and Ms. Beahm said we also need a general location and it needs to be screened. She suggested putting it in the rear of the property so it is not readily visible from the road. Mr. Campanelli said he also uses stone and dirt but he can get that a truckload at a time and can also use it for the farm. When Ms. Beahm asked if he could limit it to a truckload at a time Mr. Campanelli said he could as he doesn’t get any tractor trailer deliveries, he picks up his own stuff.

Mr. Cunliffe question access with the property to the north and Mr. Ward said there is a physical connection but he didn’t think there were any agreements in place. They would accept a condition that all access is through the main driveway. When Mr. Cunliffe asked if they would agree to a concrete apron for the first 25 to 25 feet at the driveway entrance, Mr. Campanelli said he was thinking of putting asphalt along the entire front to clean it up.

Mr. Ward put the positive and negative criteria on the record for the granting of the use variance and how they relate to this property. He also addressed the “c” variances requested with this application and said they are all for existing conditions which are not exacerbated.
Mr. Ward also testified that there are mapped wetlands on the site and the applicant will be required to provide outside agency approvals and an LOI but no wetlands will be disturbed as a result of the improvements. He also said that Mr. Campanelli has done a Phase I on the site.

Vice Chairman Sanclimenti opened the hearing up for members of the public seeking to ask questions or comment on the applicant and no one appeared so Vice Chairman Sanclimenti closed the public portion.

Since there were six eligible members to vote on this application Mr. Kenneally said he would take his chances with a vote this evening.

Mr. Massa made a motion to grant Use Variance and Minor Site Plan approval to CTC Landscaping. The motion was seconded by Mr. Nanson and carried with Mr. Hughes, Mr. Massa, Mr. Mertens, Mr. Moretti, Mr. Nanson and Vice Chairman Sanclimenti voting for the motion.

Mr. Massa made a motion to adjourn. Motion was seconded by Mr. Moretti and the meeting adjourned at 10:07 p.m.

Respectfully submitted,
Eileen Rubano, Recording Secretary

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