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 Wendell Nanson. Paul Sayah was absent.

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. O’Donnell made a motion to approve the minutes from the March 11, 2019 Zoning Board hearing. Motion was seconded by Mr. Massa and carried with Messrs. Hughes, Massa, Mertens, O’Donnell, Orozco, Sanclimenti and Nanson voting for the motion.

Mr. Moretti made a motion to approve the minutes from the March 18, 2019 Zoning Board hearing. Motion was seconded by Mr. Hughes and carried with Messrs. Hughes, Massa, Mertens, O’Donnell, Sanclimenti, Moretti and Nanson voting for the motion.

Mr. Hughes made a motion to approve the minutes from the March 25, 2019 Zoning Board meeting. Motion was seconded by Mr. Moretti and carried with Messrs. Hughes, Mertens, O’Donnell, Orozco, Sanclimenti, Moretti and Nanson voting for the motion.

VOUCHERS: There were no vouchers to approve.

CORRESPONDENCE: The Board Secretary said she didn’t have any correspondence but Mr. Kaplan was in the audience and wished to address the Board regarding the application for Robert and Delores Kowalski. Mr. Kaplan said they were hiring a planner and asked that this application be carried to June 24, 2019 with no further notice. He also granted the Board an extension of time to act on this application through June 30, 2019. Chairman Nanson carried the application of Robert and Delores Kowalski to the Board’s June 24, 2019 meeting with no further notice.

RESOLUTIONS:

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

Mr. Hughes made a motion to memorialize the resolution granting use variance approval to 634 Field, LLC. Motion was seconded by Mr. Sanclimenti and carried with Messrs. Hughes, Massa, Mertens, Sanclimenti, and Moretti voting for the motion.
b. Case No. BA18-37 / CTC Landscaping

Mr. Mertens made a motion to memorialize the resolution granting use variance and minor site plan approval to CTC Landscaping. Motion was seconded by Mr. Massa and carried with Messrs. Hughes, Massa, Mertens, Sanclimenti, Moretti and Nanson voting for the motion.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA18-33 / Prince of Peace Lutheran Church

Mr. Moretti recused himself for this application and left the dais.

Mr. Kaplan, Attorney for the Applicant, addressed the Board and said they made some changes to the plans after hearing the concerns of the Board and Professionals at the last hearing.

Mr. Geller, PE, PP, was reminded that he was sworn previously and remains under oath. He testified on the changes to the plans which include revising the plans to create two (2) 20,000 square foot lots to meet the zone requirements and both lots would front on Woodland Drive. Their environmental consultant, DuBois, prepared the Freshwater Wetlands report dated 3/28/19 and they found no wetlands present and no wetlands buffer on the property. Mr. Geller testified on the proofs required for the granting of the D2 Variance for the expansion of Montessori School, the D3 variance for the church lot which is 4.67 acres where 5 are required and the variance for the buffers and screening.

The applicant agreed to work with Ms. Spero, Board Certified Tree Expert on the transplanting of trees in the buffer and the evergreens they will plant to supplement same.

Ms. Beahm mentioned that the parking lot is a couple of feet off the lot line so they still need a variance. She recommends that they add additional screening. She also said they need a buffer around the entire perimeter and even across the street but the site is heavily wooded so she defers to Ms. Spero who need to be comfortable with the existing screening.

Mr. Geller testified on the waivers required for curbs and sidewalks and said that sidewalks do not currently exist on Woodland, Rustic or Crest Drive. He also testified on the parking where 100 spaces are required and 81 are proposed. He said the church and school use do not coincide and the parish hall is used in conjunction with the church. The parking has also adequately served the site in the past.

Mr. Cunliffe took no exception to Mr. Geller’s testimony. He did say that one of the comments in his review letter was to provide an additional handicapped space and they agreed. Mr. Cunliffe also informed the board that the applicant received conceptual sewer service approval from the Township and now they are required to apply to MRSSA. Without sewer service these lots would be undersized and need a minimum of 40,000 s.f. if they are on septic. They also need New Jersey American Water approval for the residential lots. Mr. Cunliffe also suggested that the applicant get a Letter of Interpretation from the DEP to verify that there are no wetlands on site.

Mr. Howard agreed with Mr. Cunliffe and said that the DEP wants the LOI if there is any thought that there may be wetlands on a site.
Mr. Cunliffe asked Mr. Geller if he would comply with the technical comments in his review letter regarding the plat requirements and Mr. Geller said he would comply.

Mr. Geller testified on the signs and said there are three signs currently existing on the site. They would like the sign that is perpendicular to Aldrich Road as shown in exhibit A-17 to remain for the Church, remove the sign shown in A-15 and replace the wording on A-16 with the wording from A-15.

Ms. Beahm said they are technically in a residential zone so they need relief for the signs. She took no exception to the granting of the relief and said the church sign has been there and they are reducing the size of the sign for the school.

Mr. Kaplan rested his case and respectfully requested that the Board grant the subdivision approval with all variance and waiver relief.

Chairman Nanson opened the hearing up for members of the public and since no one appeared the public portion was closed.

Mr. Massa made a motion to approve the application for Minor Subdivision approval for Prince of Peace Lutheran Church. Motion was seconded by Mr. Orozco and carried with Messrs. Hughes, Massa, Mertens, O’Donnell, Orozco, Sanclimenti and Nanson voting for this motion.

The Board took a recess from 8:15 p.m. to 8:24 p.m.

b. Case No. BA18-27 / Euro Supply Ltd. d/b/a Stone Quest

Mr. Dante Alfieri, Attorney for the Applicant, stated that they started their testimony with a short video at the last hearing and Mr. Geller placed some engineering testimony on the record. The Board had questions on the residential use on the property and Mr. Alfieri said that the applicant is willing to abandon the residential use as a condition of approval.

Michael Geller, PE, PP, was previously sworn and remains under oath. Mr. Geller testified that the applicant purchased the property in 2015 and moved his stone products company to this location. There is a 60,000 s.f. commercial building on the property which is located in the SED-1 Overlay Zone which was created in 2013 allowing uses in the SED Zone with bulk requirements of the ARE-2 zone. The impervious coverage for the ARE-2 zone is 15% whereas the SED zone is 70%. Many of the variances and design waivers are attributed to the existing conditions or the residential dwelling on the property. Mr. Geller said it is an older site that doesn’t meet the design standards. He also testified on the adjacent uses surrounding the properties.

Mr. Geller testified that they are proposing a concrete block manufacturing plant on the southeast portion of the existing building with six (6) hoppers for raw materials, two (2) silos and four (4) storage bins south of the hoppers. The hoppers will be covered by an awning. The storage bins are for storing course aggregate such as various size stone and sand and the silos will be for white and grey cement.

Mr. Geller also testified that they are proposing a gravel storage area south of the existing building and there will be no vehicles or heavy equipment parked overnight on the gravel. There is a drive entrance on Yellowbrook Road and another on Adelphia Road with the first 50’ paved and curbed.
Chairman Nanson asked if it would be a problem to pave the whole drive aisle and Mr. Alfieri agreed.

Mr. Geller testified that the proposed hours of operation would be 8 a.m. to 5 p.m. Monday through Saturday and the Saturday opening would be seasonal in nature. They will have a maximum of 20 employees working one shift as it is a very mechanical operation.

Joseph Morchik, Applicant, was duly sworn and testified that the vibrators are on equipment located inside the building only.

Mr. Geller further testified that the 30’ access drive off Squankum Yellowbrook Road continues through the site to Adelphia Road and both entrances have gates. The gravel storage areas are not curbed therefore they need variances and the water from the gravel driveway and building will go to the stormwater basin. Everything is piped and the overflow goes to the county drainage system. They are proposing 50’ buffers along both frontages. There is 1046’ on Adelphia Road and 1557’ along the Squankum Yellowbrook Road frontage. Both will have plantings, but Adelphia Road will be at grade while Squankum Yellowbrook will be bermed.

Mr. Geller testified on the items in the review letters and said the trash enclosure is an existing condition. Ms. Beahm said she would like to see a block enclosure and Mr. Alfieri agreed. Mr. Geller had no objections with any of the technical comments and agreed to comply and will work with Ms. Spero on the landscaping.

Ms. Beahm said they still need a variance for the buffer and said they are trying to meet the intent of the ordinance but part of the parking area is in the buffer.

Mr. Geller testified that the lighting is for daytime operations and will be set on timers to go off 1 hour after the close of operations. There will be no material brought into the site at night. He also said there are no lights presently on the building or the storage areas and they are not proposing any. He further testified on the three (3) identification signs proposed, there is no sanitary sewer or water, they have septic for the employees and recycled water which they already use.

Mr. Geller also testified on the proofs required for the granting of the use variance. He said they are proposing a block manufacturing plant which is not a permitted use. The manufacturing of stone, glass, clay and concrete was a permitted use until 2017. Now the manufacturing of asphalt and concrete is prohibited. The silos proposed are less than 33 feet where the maximum allowed is 35 feet and they meet most of the bulk requirements of the zone with the exception of impervious lot coverage which is only 15% for the ARE zone and 70% for the SED zone. The existing site has 17.5% and the proposed improvements will bring it to 21.7%.

Ms. Beahm pointed out that the impervious coverage will go up now that they have agreed to pave the driveway and Mr. Geller said he will provide that number.

Mr. Geller testified that they will be utilizing the existing parking as this is not a customer business and they have parking for the small retail area for people to look at the stone. They currently have 55 parking spaces and the block plant will not require any parking so they feel the current parking is adequate but they still need a variance as they have more than a 20% deviation. Mr. Cunliffe took no exception to the parking variance.
Mr. Geller testified that this property was zoned SED in 2002 and then in 2013 it was changed to the SED-1 Overlay Zone. Up until July 2017 both zones (SED and SED-1 Overlay) permitted the manufacturing of stone, glass, clay and concrete products. They are proposing stone block, they currently manufacture stone products and store them on site. This concrete block is no different. They are proposing a batch plant which means they make a large batch of concrete block, large trucks queue in line to load the products and they leave the site. He gave the history and use of this property which has been industrial in nature for a very long time; a mixed use with residential use and in 2015 the stone business was permitted on site. Mr. Geller put planning testimony on the record saying the site was particularly suited for this use. It is at the intersection of two County roads it is in the SED zone which is to provide for a variety of uses, close to rail and highway infrastructure and it advances the purposes of zoning by provide sufficient space for a variety of uses, it is comparable to what is going on now so it is essentially the continuation of the same use. He testified that the variance could be granted without any detriment to the public good as it is not a batch plant and it adjoins another industrial use. The stormwater for the site and buffers along the property don’t currently exist so this would be an improvement to the site.

The Board took a short recess from 9:05 to 9:15 p.m.

Mr. Geller continued his testimony regarding the impervious coverage proposed and said this property is in the SED Zone which was created with the ARE underlay. This creates a hardship on industrial or commercial development. Currently the property is at 17.5% impervious and with the paving of the road they are looking at 25% which is approximately 1/3 of what is allowed in the SED Zone, the NC, HC and HD zones. This zone is the only zone that allows less for commercial development. Mr. Geller also stated that the Fazzio application was granted a variance for impervious cover and they were at 23.5% at the time of the application and that was increased after approval. They have agreed to abandon the residential use and once they remove the structure that will reduce impervious coverage and with the abandonment they will no longer require the buffer.

Ms. Beahm, Board Planner said the corner of the parking lot is in the perimeter buffer so technically they still need relief but since they are extending the buffer along the front she takes no exception and they are trying to meet the intent of the ordinance.

There was some discussion on whether the site could connect to sewer and Mr. Cunliffe said that Monmouth County Board of Health reviewed the application based on the site being in the sewer service area. He suggested that at least try to hook up and if they can’t they will be subject to Monmouth County Board of Health approval for the septic. Right now only lot 1 is in the sewer service area.

Mr. Geller described all the variances noted in the board professionals’ review letters and said that there is a technical difficulty meeting all setbacks as there is no rear yard as they have two large site frontages on an irregularly shaped lot.

Ms. Beahm agreed that they do not have a rear yard and she took no exception to where the outdoor storage is proposed to be located.

Mr. Geller said he agrees with the grading and drainage comments in Mr. Cunliffe’s review letter and Mr. Cunliffe asked Mr. Geller to work with his office on the calculations for the stormwater management.
Mr. Geller described the proposed use and type of block/bricks that will be created. He said they are concrete bricks with a polished face for the exterior finishing of buildings; they are not concrete blocks. He further testified on the stormwater management plan and addressed any overflow onto adjoining sites.

Ms. Beahm commented that Mr. Geller addressed everything in her review letter and Mr. Cunliffe said that Mr. Geller agreed to comply with his plat concerns and he is addressing the stormwater management.

Scott Kennel, Traffic Expert, was duly sworn and testified on the traffic report that he prepared dated February 6, 2019. He said the level of service at the intersection will be a service level “B” before and after the proposed application and both the on-site circulation and parking will be similar to what exists on the site today. In response to questions from the Board Professionals he said that he consider five new employees when he did his traffic report and he also took future traffic from the Fazzio site into consideration.

Mr. Cunliffe said he reviewed the traffic report and he took no exception to any of the findings as this is a signalized intersection.

Chairman Nanson opened the hearing up for members of the public and the following appeared:

Alfred Cafiero, 787 Squankum Yellowbrook Road, who was concerned with the hazards of silica, how it is put into the hoppers and whether it gets airborne. He said this new owner is not as responsible as the prior owner and the maintenance is a big thing for the people that live there. He was also concerned with contaminants getting into the brook which overflows.

Mr. Alfieri responded that the operation is inside the building where cement is pumped into silos then into block. There is no silica like when you cut blocks.

Mr. Cunliffe addressed the stormwater management concerns which must meet current DEP standards and they have done what they are required to do.

Ms. Beahm also commented and said that there is no basin currently on site and this application is creating a basin which would help with runoff. She said they are also creating a landscape buffer around the frontages so you will not see anything. Ms. Beahm also said that they are required to comply with the noise ordinance.

Mr. Morchik responded that diesel trucks make more noise than the equipment used in this operation and everything is contained in the building.

Mr. Troppoli asked Mr. Alfieri if he would agree to a condition of no outside cutting of concrete to address Mr. Cafiero’s concerns about the silica and Mr. Alfieri agreed.

Kathy Giri, 773 Squankum Yellowbrook Road, commented that the notice she received didn’t mention the manufacturing building and Board Attorney Troppoli said that the notice meets MLUL requirements and is legally sufficient. She had additional questions on the berm which Mr. Geller addressed and the increase in truck traffic which Mr. Kennel addressed.

Lee Fankhauser, 51 Richard Road, mentioned that this is not a permitted use, in fact it is a specific prohibited use and it is dangerous to even consider. He also spoke on the development of ARE zones and the last paragraph in the land use element dated July of
2016 mentions that any proposed development be conforming with the current zone requirements and any deviation from the established zoning requirements in the ARE Zoning Districts should be discouraged. He further stated that they are asking for a wide array of variances and waivers. This property was ARE before and there is no other place in town with this zone. This property is surrounded by the ARE-2 zone so he asked the board to consider these factors.

Jeremy Treadwell, 653 Squankum Yellowbrook Road, agreed with Mr. Fankhauser’s statements.

Seeing no other members of the public wishing to come forward and ask questions or comment on this application, Chairman Nanson closed the public portion of the hearing.

Mr. Alfieri made some closing remarks and respectfully requested that the Board approve the plans with all variances and waivers requested.

Mr. Sanclimenti put numerous findings of fact on the record and made a motion to deny the application for Euro Supply. Motion was seconded by Mr. Mertens and carried with Mr. Hughes, Mr. Mertens, Mr. O’Donnell, Mr. Orozco, Mr. Sanclimenti and Chairman Nanson voting for the motion to deny.

Mr. O’Donnell made a motion to adjourn. Motion was seconded by Mr. Moretti and the meeting adjourned at 10:45 p.m.

Respectfully submitted,
Eileen Rubano, Recording Secretary

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