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

Prior to the attendance being taken the following members were sworn in:  Mr. Sayah was reappointed to fill the unexpired term of Mr. Sanclimenti as a regular member.  Mr. Moretti was reappointed to fill the unexpired term of Mr. Sayah as Alternate 1 and Glenn Cantor was appointed to fill Mr. Moretti’s unexpired term as Alternate 2.

Mr. O’Donnell made a motion to appoint Mr. Sayah as Vice-Chairman replacing Mr. Sanclimenti.  Motion was seconded by Mr. Moretti and carried with Mr. Hughes, Mr. Mertens, Mr. O’Donnell, Mr. Sayah, Mr. Moretti, Mr. Cantor and Chairman Nanson voting for the motion.

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

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:  There were no minutes to approve.

VOUCHERS:  There were no vouchers to approve.

CORRESPONDENCE:  The Board Secretary announced that she received a letter from Allen Kaplan, Attorney for Robert and Delores Kowalski, which was carried to tonight’s agenda.  Mr. Kaplan said his client has been ill and physically unable to come tonight and he asked that the application be carried to August 26, 2019 with no further notice.  He also granted the Board an extension of time to act on the application through September 26, 2019.  The Board Secretary said she checked with the conflict attorney and he is available on August 26, 2019.  Chairman Nanson made an announcement for members of the public that the application of Robert and Delores Kowalski would be carried to August 26, 2019 with no further notice.

The Board Secretary also had an email from Catherine Elston regarding the Nieto application but she doesn’t have an answer on this application yet.  The Chairman said they need a use variance so they would need a new application.  Ms. Beahm said she did contact her and Mr. Cunliffe to see what they would need.
RESOLUTIONS:

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

Mr. Hughes made a motion to memorialize the resolution granting Use Variance, Bulk Variances, Waivers, Preliminary and Final Site Plan approval and Woodlands Management Plan approval to L and L Paving Co. Inc. Motion was seconded by Mr. O’Donnell and carried with Mr. Hughes, Mr. O’Donnell and Chairman Nanson voting to memorialize.

b. Case No. BA16-10 / SMC Properties, LLC

Mr. Mertens made a motion to memorialize the resolution granting a One-Year Extension of Time to SMC Properties, LLC. Motion was seconded by Mr. Sayah and carried with Messrs. Hughes, Mertens, O’Donnell, Sayah and Nanson voting to memorialize.

APPLICATIONS BEFORE THE BOARD:

a. Case No. BA05-05A2 HHC III LLC

Todd Cohen, Attorney for the Applicant, appeared and mentioned the prior approvals for the site. He said the applicant moved in three months ago and they are here for the installation of a generator within the 50 foot buffer.

Rich DiFolco, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. DiFolco testified on the 2 variances required for the generator. He explained that the power comes into the building on that side of the building so no matter where they put the generator it would be in the buffer. He said the power meters are also there and the generator will serve both buildings on the site. The generator will be 15 feet from the primary structure and will be fenced on the front, back and north side with a 6’ high vinyl fence and will not be seen from the street.

The Chairman asked if they could put some landscaping around it and the Board Planner, Jennifer Beahm agreed with the Chairman and asked if they could at least put it along the frontage. Mr. DiFolco said he would supply a plan to Shari Spero, Certified Tree Expert, for the front and north side.

Board Engineer, Charles Cunliffe, asked if there would be any impact on the grading and Mr. DiFolco said it would be set at grade so there would be no impacts and all landscaping has been installed. Mr. Cunliffe just reminded him that they must comply with all prior conditions.

Mr. DiFolco also testified that it is a natural gas generator and would be tested according to the Township ordinance as listed in Ms. Beahm’s review letter. Mr. Cohen said it would be tested once a week for twenty minutes.

Chairman Nanson opened the hearing up for members of the public wishing to ask questions or comment on the application and the following appeared:

Donald Kunz, 39 Golden Springs Dr, Lakewood, who spoke in favor of the application.
Seeing no other members of the public coming forward the Chairman closed the public portion of the hearing.

Mr. Cohen respectfully requested that the board grant the variance relief and said that landscaping will be provided.

Mr. Hughes made a motion to approve the application for HHC III LLC. Motion was seconded by Mr. Mertens and carried with Messrs. Hughes, Mertens, O’Donnell, Sayah, Moretti, Cantor and Nanson voting in the affirmative.

b. Case No. BA19-06 Restoration Family Worship Center

Dante Alfieri, Attorney for the Applicant, appeared and stated that this was a minor site plan application with use variance and bulk variances as well.

Brian Murphy, PE, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. Mr. Murphy testified on the location of the site and surrounding uses and said this application was for approval to add two restrooms, each 8’ by 8’ onto the front of the house of worship which is at least 100 years old. Right now elderly and handicap parishioners need to go to another building to use a restroom. He said the hours of operation are between 8 a.m. and 12:00 noon on Sunday and the annex is open on Tuesday, Thursday, and Friday nights between 7 and 9 p.m. for religious education. The site is serviced by public sanitary sewer and well water. He also testified on the variances required due to setbacks some of which are existing. The granting of the variances can be done without any detriment to the Master Plan or the zone ordinance as both variances are very minor. They do require a D2, expansion of a non-conforming use, but the site predates the ordinance. He testified that the use is not the issue it is the intensity of the use and this site has functioned this way for 100 plus years and they are not intensifying the use and there are no detriments to the surrounding area. He further testified on the architectural makeup of the addition.

Mr. Cunliffe, Board Engineer, took no exception to Mr. Murphy’s testimony as this is an existing site with no changes to the parking or drive aisles. There will be no increase in seating for the church, no changes in signage and runoff will be minimal. Mr. Cunliffe said he defers to the fire bureau with regard to circulation of the site and the applicant will still need all outside agency approvals.

Ms. Beahm, Board Planner, took no exception to the testimony. She said they are seeking a D2 and the site can accommodate the use, they are only adding facilities for convenience and will benefit the facility.

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

Mr. Moretti made a motion to approve the minor site plan application with use variance and bulk variances for Restoration Family Worship Center. Motion was seconded by Mr. Sayah and carried with Messrs. Hughes, Mertens, O’Donnell, Sayah, Moretti, Cantor and Nanson voting for the motion.

The Board took a short recess from 8:20 p.m. to 8:30 p.m.
c. Case No. BA18-17 / John Blewett Inc.

Christopher Olszak, Attorney for the Applicant, appeared and said they are seeking minor subdivision approval to create a new lot for an existing residence. There will be no new construction, the residence has been in existence since 1953 and is for family members of the business.

Kevin Murphy, PE, PLS, was duly sworn, gave his credentials to the Board and was accepted as an expert. He testified that he prepared the subdivision plans.

John Blewett, Owner, was duly sworn and testified that his father started the business and wants to give the house to his youngest daughter. He also spoke about the business lots and said the minor subdivision will straighten out the lot lines.

Ms. Beahm, Board Planner said the purpose of the subdivision was to move lot lines but the site would still function as one site. She said they are proposing new lot 10.04 to be just a little larger than half an acre and all lots would have access to Herbertsville Road. Ms. Beahm requested that since the lots are oversized she would like to see lot 10.04 increase to be two acres minimum in size which would be more in keeping with the intent of the zone. Mr. Blewett said that wouldn’t be a problem so Ms. Beahm suggested that they stay to the wet of the wall and leave the wall as the property line. Part of the new lot would still be in the ARE-6 zone but it would be more in keeping with the zone. She said this would also eliminate area relief and the depth issue.

Sid Husain, PP, was duly sworn, gave his credentials to the Board and was accepted as an expert. He said the front yard setback relief is for the residence and is an existing condition. The house is 30 feet from the road and predates the zoning ordinance. The yard will continue to operate as it does today. He placed testimony on the record for a D2 use variance and said the site can accommodate the use as the site has been there.

Ms. Beahm said they will still require some relief but she takes no exception to the granting of the relief as the property is maintained exceptionally and there are no negative impacts with readjusting the lot lines. She said they will also require buffer relief as they require a 50’ landscape buffer between the commercial and residential properties but they can’t accommodate that requirement. They lot is as wide as it can physically be. A 50’ buffer would cut the lot in half and the house is existing and occupied by family. She would support the request for the variance for the buffer.

Mr. Cunliffe, Board Engineer, commented that the original plan did not have any right-of-way dedication but the second one does. The County requested this as the property is on a county roadway. Mr. Cunliffe said he prefers a right of way but he doesn’t know if the Board can approve without knowing the end result.

Mr. Murphy said he is concerned with getting a commitment from the County.

Ms. Beahm said the Township is more supportive of an easement especially given the other constraints with the property. She agrees with Mr. Cunliffe especially with a coverage issue of 15%. If the applicant has to dedicate additional property they would have to come back to the Board. If they only have to do an easement they would not.

Mr. Cunliffe also asked about wetlands on the north side of the property and Mr. Husain said when they did a pole barn back in 2010 they received an LOI and there were no
wetlands. Ms. Beahm suggested they get a presence/absence report on the residential property as a condition of approval.

Chairman Nanson opened the hearing up for members of the public but seeing none the public portion was closed.

Mr. O’Donnell made a motion to grant Use Variance, Bulk Variance and Minor Subdivision approval to John Blewett Inc. Motion was seconded by Mr. Sayah and carried with Messrs. Hughes, Mertens, O’Donnell, Sayah, Moretti, Cantor and Nanson voting to approve.

Mr. Moretti made a motion to adjourn. Motion was seconded by Mr. Sayah and carried. Meeting adjourned at 9:00 p.m.

Respectfully submitted,
Eileen Rubano, Recording Secretary

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