

TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD MINUTES

Wednesday February 16, 2011
7:30PM

Mr. Hardt administers the oaths to Vice-Chairman Ralph Taylor and Alt I Leon Jones.

Chairman Johnstone called the meeting to order at 7:32PM.

1. Roll Call

ATTENDANCE:	PRESENT	ABSENT	
	<u>X</u>	<u> </u>	Mr. Rodriquez, Class I
	<u>X</u>	<u> </u>	Mr. Blair, Class II
	<u>X</u>	<u> </u>	Mr. Campbell, Class IV
	<u>X 7:56PM</u>	<u> </u>	Mr. Nagler, Class III
	<u>X</u>	<u> </u>	Ms. Drumm, Class IV
	<u>X</u>	<u> </u>	Mr. Johnstone, Class IV
	<u> </u>	<u>X Excused</u>	Mr. Shemeley, Class IV
	<u>X 7:33PM</u>	<u> </u>	Mr. Chieco, Class IV
	<u>X</u>	<u> </u>	Mr. Taylor, Class IV
	<u>X</u>	<u> </u>	Mr. Jones, Alt. I
	<u>X</u>	<u> </u>	Mr. Renzulli, Alt II
	<u>X</u>	<u> </u>	Solicitor
	<u>X</u>	<u> </u>	Engineer
	<u>X</u>	<u> </u>	Secretary
	<u> </u>	<u> </u>	

2. OPEN PUBLIC MEETINGS ANNOUNCEMENT BY SECRETARY:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by Eastampton Township Land Use Planning Board on January 19, 2011 and the resolution was transmitted to the Burlington County Times and the Courier Post, filed with the Township Clerk and posted on the official bulletin board at the Township’s Municipal Building, filed with members of this body and mailed to each person who has requested copies of the regular meeting schedule and who has pre-paid any charges fixed for such services. All mailings, postings and filings have been accomplished on January 23, 2011.

Let the record reflect that Mr. Chieco arrived at 7:33PM.

3. PLEDGE OF ALLEGIANCE

4. WELCOME TO GUESTS-Chairman Johnstone welcomes all guests to the meeting.

5. OATHS

Leon Jones-Alt I

Swearing in of Vice-Chairperson Ralph Taylor

6. **APPROVAL OF MINUTES** – Regular Meeting of Planning Board – January 19, 2011

A motion is made to approve the minutes.

1st-Mr. Campbell, 2nd-Mr. Blair

Roll Call-All were in favor except Mr. Taylor and Mr. Jones who abstained.

7. **APPROVAL OF RESOLUTIONS**

Resolution 2011-3-Withdrawing application number 2010-7 Ed Pasture, bulk variance for height for construction for garage.

A motion is made to approve the resolution.

1st-Mr. Blair, 2nd-Mr. Taylor

Roll Call-All were in favor except Mr. Jones who abstained.

Resolution 2011-4-Paris Art Label Co-Bulk and Use Variance and Preliminary/Final Site Plan

Ms. Drumm notes one typo on page 6.

A motion is made to approve the resolution.

1st-Mr. Blair, 2nd-Ms. Drumm

Roll Call-All were in favor except Mr. Jones and Mr. Taylor who abstained.

Resolution 2011-5- Mustapha Okusal for property identified as 1369 Monmouth Road with the Solicitor to serve notice for an Order to Show Cause of why previously granted variance should not be stricken for failure of applicant to meet a condition of the approval that a formal site plan for the property be developed and submitted to the Board by its January 2011 meeting.

Mr. Hardt states he spoke to the Applicant's attorney today and he didn't know if Mr. Okusal would show up to the meeting without him. He did not. He advised the Applicant's attorney of the ramifications of not obtaining Site Plan approval as per the Use Variance approval. They have received to extensions and the board was very clear of their intentions. Mr. Hardt will send the attorney and Mr. Okusal a cease and desist letter.

A motion is made to allow Mr. Hardt to send Mustapha Okusal and his attorney a cease and desist letter. Ms. Jamanow asks if board members who were not on the board in 2009 and 2010 during the Applicant's previous approval and extensions can vote on this and Mr. Hardt states yes they can. Mr. Rodriguez and Mr. Nagler can not.

1st-Mr. Taylor, 2nd-Mr. Blair

Roll Call-All were in favor.

COMMUNICATIONS: None

8. APPLICATIONS:

NEW BUSINESS

2011-3

Growmark FS, LLC
308 NE Front St
Milford, DE 19963

2545 Rte 206
Eastampton, NJ
BP Zone

The Applicant is applying for Preliminary and Final Site Plan.

REPORTS

Site Plan dated 12-9-10

Mr. Hardt marks everything into evidence. William Nicholson and Mark Evans are sworn in by Mr. Hardt. Mr. Nicholson has testified before this board before and on the original approval and is recognized as an expert witness. Mr. Evans is the local manager and Growmark owns the property. It is about 23 acres and they bought the property in 2009. They sell and deliver fertilizer and see to local farmers. The orders come in by phone calls and the product usually goes directly to the farms.

The previous application was for the Use Variance and Site Plan. It had several conditions which they have met. The conditions were to remove the existing residence, the above ground fuel tank was removed, the septic tank was capped and the rear wall was capped. Ms. Jamanow had questions about the capping of the septic. It was crushed and it is not the only septic on the property. Board of health was there for that. It was for the main house. There was also questions about the fuel tank. One was removed and other was moved to another location.

Mr. Evans states that right now they do not have enough storage because of the HIP roof. The bags are being stored in the light maintenance building. They are proposing to build a 50'x80' addition. It would not change the operation, the hours or the amount of the employees. It would allow the company to be more efficient and more organized. Ms. Jamanow has several questions and concerns on trailers being used for storage on the property and also with farm equipment on the property. Mr. Evans states that they had a busy fall and with the bad winter weather they were not able to clean up. That was stuff that came from the Bordentown property and most of it is going to NY but he just hasn't had time to get to it. There was a lengthy discussion on the farm equipment and the items stored on the trailer and why it was there and where it would go if the Applicant received approval for the addition. Mr. Evans stated most of the items would be moved into the maintenance building. There was mention of not giving the CO for the addition until the items have been moved off the trailer. Mr. Blair mentioned that that there is a timing issue with that because the building cannot be occupied until a CO is

issued. The board agrees that the items will have to be removed off the storage trailer within 30 days of a CO of the addition if approval granted tonight.

Let the record reflect that Mr. Nagler enters the meeting at 7:56PM.

A motion was made to deem the application complete and to grant requested waivers and conditions.

1st –Ms. Drumm, 2nd-Mr. Blair

Roll Call-All were in favor except Mr. Renzulli who abstained.

There was additional discussion on where the trailer would go once it was empty and what equipment would be staying once the addition was built. There seemed to be some confusion on this between the Applicant and the board and the board's professionals. Mr. Taylor stated that the either stuff is inside or outside. Mr. Evans states that most of the items will be going to New York and that they will have certain pieces of equipment that they own and other equipment that they fix. The equipment that they fix will be there just long enough to fix. Ms. Jamanow had concerns about this equipment because it was not allowed in the original approval yet it is there. It is agreed upon that the Applicant will take an inventory of their equipment and turn it over to Ms. Jamanow. Mr. Johnstone states that the board is not trying to give the Applicant a hard time they just want to make sure the site looks the way it is supposed to and no one is misunderstanding the anything. They are just establishing the facts.

In reference to Ms. Jamanow's completeness letter dated 1/20/11 the certificate of taxes paid has been received and waivers are recommended for #'s 14, 15, 16, 19 and 22. The Applicant agrees to everything else in her letter. Mr. Nicholson has no problem with number 7 concerning the turning template. He actually misconstrued the addition to the original building and he adjusted the plans and it actually sits 2 feet closer to Route 206. All setbacks are still OK and he is OK with the bollards.

Mr. Renzulli had some questions about the doors on the addition and the use or non-use or gravel. Mr. Evans states that the doors are required by construction code and he is not required to put gravel outside. His concern is getting people out of the building in an emergency. The new building will be as consistent with the original as it can be. Concerning the parking, the Applicant doesn't expect to need additional parking spaces. Ms. Jamanow asks what the concrete slab out front is for and Mr. Evans states that it is for making it easy to clean up over spillage.

The application is open to the public. None one from the public is present. The public portion is closed.

Mr. Hardt states the approval would be for amended Preliminary and Final Site Plan with the various Variances granted with the previous approval subject to the items must be removed from the storage trailer within 30 days of the CO being issued for the addition, farm equipment mention in #3 of Ms. Jamanow's letter must be removed, the approved architectural.

The inventory of the equipment and the tractor trailer being used on a regular basis in the loading area and not being used as a storage trailer.

A motion is made to approve the application subjection to conditions Mr. Hardt mentioned.

Mr. Rodriguez and Mr. Nagler can not vote on this approval.

1st-Mr. Taylor, 2nd-Mr. Chieco
Roll Call-All were in favor except Mr. Renzulli who abstained.

The Applicant asks for an At Risk permit.

A motion is made for an At Risk permit.
1st-Mr. Nagelr, 2nd-Mr. Drumm
Roll Call-All were in favor except Mr. Renzulli who abstained.

1. **ANY OTHER BUSINESS**-Ms. Torpey states she will be on vacation next week and will be un-reachable until she returns.
2. **MATTERS TO BE PRESENTED BY THE PUBLIC**-None
3. **MATTERS TO BE PRESENTED BY THE ENGINEER**
Ms. Jamanow states that the Mosque may withdraw their application due to many approvals needed from the County Planning Board and they think it may not be worth it. There may not be a meeting in March. On that note, Ms. Torpey states that she had spoken to Chairman Johnstone in January about the April meeting. Because of how late Easter falls this year, her son's school district moved up April vacation which is now the week of the meeting. Ms. Torpey always goes to Florida to spend Easter with her family. She spoke with Chairman Johnstone and she is going to monitor applications coming in and whether they need to change the meeting date, cancel the meeting or maybe have someone fill in for her. She will be in touch with Chairman Johnstone about this in the coming weeks. Ms. Torpey states that a meeting can easily be rescheduled and noticed in the paper. Mr. Hardt states that the Chairman can call for a meeting change and that you don't

have to notice in paper but that is usually done. Mr. Blair stated that that any of them could do roll call and that the meetings are taped if Ms. Torpey couldn't be here. Ms Torpey states that she just feels bad because even going back to being secretary for 2 meetings a month in Mt. Holly she has always scheduled her vacations around the meeting dates. Ms. Torpey will keep Chairman Johnstone updated on what applications come in.

4. MATTERS TO BE PRESENTED BY THE SOLICITOR-

None

5. MATTERS TO BE PRESENTED BY THE BOARD-None

6. ADJOURNMENT

A motion is made to adjourn the meeting.

1st-Mr. Blair, 2nd-Mr. Campbell

Roll Call-All were in favor.

Jill C. Torpey
Jill C. Torpey
Secretary to Land Use Board

Please call Jill C. Torpey if you are unable to attend this meeting at 267-6633 or 267-5723 x203.

Please forward your email address to planning@eastampton.com