

TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD MINUTES

Wednesday May 16, 2012
7:30PM

Mr. Johnstone called the meeting to order at 7:33PM.

1. Roll Call

ATTENDANCE:	PRESENT	ABSENT	
	X	_____	Mr. Rodriquez, Class I
	X	_____	Mr. Blair, Class II
	X	_____	Mr. Campbell, Class IV
	_____	X	Mr. Nagler, Class III
	X	_____	Ms. Drumm, Class IV
	X	_____	Mr. Johnstone, Class IV
	X	_____	Mr. Shemeley, Class IV
	_____	X	Mr. Chieco, Class IV
	X	_____	Mr. Taylor, Class IV
	X	_____	Mr. Jones, Alt. I
	X	_____	Mr. Renzulli, Alt II
	X	_____	Solicitor, David Serlin, Esq.
	X	_____	Engineer, Stacey Arcari
	X	_____	Secretary, Jill C. Torpey
	_____	_____	

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 18, 2012 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, 2012.

3. PLEDGE OF ALLEGIANCE

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

Mr. Rodriguez steps down from the dais as he is a council member.

APPLICATIONS:

NEW BUSINESS

2012-3

**Mustapha Okusal
91 Vincent Dr
Burlington, NJ**

**1369 Monmouth Rd
Eastampton, NJ
R-A Zone
Block 400 Lot 13 & 13.01**

The Applicant seeks a Use Variance for a garage for minor services for his trucks and truck parking.

David Serlin is sitting in for Fred Hardt. Mr. Serlin asks Mr. Petrone if he has received the engineer's letter dated May 7, 2012 and he has.

Mr. Petrone is the attorney for the Applicant. They had submitted for the Use Variance in the past and were granted it for 5 trucks with possibly more when they came back for Site Plan. Because of the economy and other factors they did not submit the Site Plan in a timely manner and are now resubmitting the Use Variance and Site Plan. Only the Use Variance is being heard tonight. If granted, they are just waiting for the Environmental Impact Study and are hoping to have that by June 1, 2012 to come back for Site Plan at the June 2012 meeting. Mr. Serlin states the board can continue the meeting until next month and do everything at once when everything is in.

Mr. Blair states that they were granted a Use Variance in 2009 for 5 trucks and a condition of the approval was to come back for Site Plan in April of 2010. They did not and have been in municipal court a couple of times. His concern is they have been expanding without approval. Mr. Blair took pictures tonight and there are 9 trucks on the site with a stock pile of tires stored outside and heavy repairs taking place. This is not consistent with the approval of the Use Variance.

Mr. Petrone states that they will testify to the number of trucks in Site Plan inside and out.

Mr. Blair also states the original Site Plan called for a 5000 square foot garage and now it is 6000 square feet.

Mr. Petrone states that the garage is still 5000 square feet; they are adding 1000 square feet for office and storage.

Mr. Blair also states 9 trucks are parked behind the “wood line” and he is concerned this is a wetland buffer which would be a violation of DEP.

Mr. Serlin swears in Bob Hall, Teal Jefferis and Mustapha Okusal.

Mr. Jefferis is a Professional Engineer in NJ, PA, DE and Ohio. The board accepts his qualifications and deemed him an expert to testify.

Mr. Jefferis states that this property is on the north side of Monmouth Rd and there is driveway access on Monmouth Rd. There is a residential house and employee parking to the east. The truck parking, garage , office space will be 60’x100’. 5000 square feet for the garage and 1000 square feet for the office. The residential building will be 1200 square feet. A new residential building will replace the existing one and the existing one will be demo’d before the new one is built. The garage will hold 6 trucks and 9 trucks will be parked outside. There will be 2 handicapped accessible spaces adjacent to the office.

The building has to be where the plan indicates now because of wetlands and wetland buffers on the site. The Applicant did receive a LOI from the state. Where there is stone on the wetland buffer now the stone will be removed and the area restored. The north side is undeveloped woods.

Mr. Petrone states that the lot is 14.98 acres where 15 acres is required. 5.2 acres is wetlands and 9.4 acres is wetland buffer. No trees in the wooded area will be removed but about 5 or 6 around the actual proposed building site will have to be removed. There will be natural buffers to the site. They will be adding trees and fencing will be put up. They will work with the engineer on landscaping as long as what is decided is readily available.

Ms. Knewcomb, Zoning Officer, was concerned about over growth extending in the wetlands. A fence with mesh will be added to prevent this from happening. They will need to go to the Health Department for approval of septic and well water if they cannot get public water. There will be one septic for both buildings. The residential property and office space will be owner occupied. There will be no additional businesses in there.

There was a concern why there was a kitchenette on the first floor and the

mezzanine and Mr. Okusal said these will be available for his staff and possible mechanic. The shower on the second floor will make it easier for employees to clean up before going home. There is no intention for someone to live there.

Mr. Petrone goes over the variances requested. The lot is 14.98 acres when 15 is required. When the right of way is widened it goes down to 14.76 acres. The existing dwelling is 67.9' +/- and with the right of way widening it will be 57.9'. He proceeds to discuss the height of the sign but Ms. Arcari stated she did not review the sign as part of the Use Variance.

Mr. Blair asks about the additional sign that is there now for Total Trucking. All current signs will come down when the new sign is added.

There will be light pole lighting and building mounted lighting. The mounting for the poles will be 20'. The lights in the parking lot will be on a timer to go off at 10pm. The building mounted lights will stay on for security purposes. They will all be shoebox mounted.

Ms. Drumm questions the two types of fences. Split rail fencing will be along the top near retaining wall and a privacy fence up front. The owner will walk to the garage/office and it suggested that some kind of walkway be installed and a gate.

Mustapha Okusal is the Applicant and the owner of M & M Trucking Company. His family will live in the residential building. The garage is needed for maintenance of the trucks. He will do light repairs of changing oil, tires, brakes and lights. Once in a while he will do body work, such as removing a dent. Ms. Arcari states he will have to meet DEP regulations. The oil will be picked up by a third party and they will dispose of it. His oil storage containers will be stored in the garage. All repairs on the trucks will be done inside the garage. No washing of the trucks or fueling of the trucks will be done. The only fuel storage will be for the lawnmower. He will be repair trucks from his fleet, he owns five, or the 4 other contracts he has.

Ms. Newcomb questioned the storage of snow plows on the property. Mr. Okusal stated he has a contract with the state for snow removal and he is waiting for the state to pick them up.

Mr. Petrone stated that if a condition of the approval is there will be no outside storage then nothing will be stored outside.

Mr. Serlin asked if it will ever get to the point that Mr. Okusal lives at the house but does not run the business.

Mr. Petrone that right now that is not the intent.

The hours of operation will be from 5am to 5pm Monday thru Friday with the exception of snow removal during snow storms ion the winter.

The material he will haul will be stone, gravel, sand, clean dirt and asphalt. No hazardous or liquid materials which can be spilled. The trucks will leave in the morning full and return in the evening empty. All repairs will be done inside.

Right now there are 5 employees including him. He is hoping in the future to hire a mechanic and additional office staff. There will no negative noise impact and he has not received any complaints from neighbors currently there.

Most routine repairs will be done during the day however emergency repairs may be done at other times to keep the fleet moving. Mr. Okusal stated there is usually a spare truck available.

Ms. Newcomb asked if the residential house he lives in now in Burlington will be kept or sold. Mr. Okusal states he is keeping it.

Mr. Campbell asked if there is farming on the property. There is a part of the land used for farming in the past but currently it isn't being farmed.

Bob Hall is a Professional Planner for 30 years. He has testified on this application and before other boards. The board accepts him as an expert witness.

There have been some changes on the site but there are no changes to affect the Master Plan and no substantial change to affect the ordinance. The home is a permitted use and the truck garage is not a permitted use. Immediately east of the site are 3 residential dwellings, west is a flag lot and farther west is another trucking operation. The proposed buildings are set back from the street and across the street is Township owned land. A potential use for that is a golf course. This application is consistent with the Master Plan goals of the township and will create new jobs.

Ms. Arcari wants a clarification on the easement. Is it an easement or

dedicated right of way. Mr. Jefferis believes it is a dedicated easement. Ms. Arcari states then it should not affect the front yard setback.

Ms. Drumm asked Mr. Hall what other uses are permitted in R-A. Mr. Hall states agricultural, golf courses, recreation, public garages, and child care centers.

Mr. Blair would like to set a time limit on the Site Plan. Mr. Pertone is hoping if the Use Variance is granted tonight and he receives the Environmental Impact Study in time they will be before the board at the June 2012 meeting.

The application is open to the public. With no one wanting to be heard, the public portion is closed.

A motion is made for Mr. Serlin to draft a resolution approving the Use Variance with the following conditions:

Site Plan to come before the board within 6 months

No hazardous or liquid material to be transported in the trucks

Hours of operation 4:30am to 6am through 3pm to 5pm with the exception of emergency snow removal

Trucks will be stored empty on the lot

Light repairs only to be performed

No washing or fueling of the trucks

No outside storage

The stockpile of used tires outside to be removed

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

Roll Call-All were in favor.

Mr. Rodriguez left the meeting at 9:30pm

1. **ANY OTHER BUSINESS**
2. **MATTERS TO BE PRESENTED BY THE PUBLIC**
3. **MATTERS TO BE PRESENTED BY THE ENGINEER**
4. **MATTERS TO BE PRESENTED BY THE SOLICITOR**
5. **MATTERS TO BE PRESENTED BY THE BOARD**

Mr. Johnstone states that the subcommittee met with the Dunkin Donuts application and everything worked out nicely.

6. **ADJOURNMENT**

A motion is made to adjourn the meeting

1st-Mr. Renzulli, 2nd-Mr. Jones

Roll Call-All were in favor.

Jill C. Torpey

Jill C. Torpey_____

Secretary to Land Use Board