

**TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD MINUTES
RE-ORGANIZATION MEETING**

**Wednesday January 15, 2014
7:30PM**

Madame Secretary Torpey called the meeting to order at 7:30pm.

Oaths of Office-Mr. Serlin, Esq administered the oath of office.

1. Roll Call

ATTENDANCE:	PRESENT	ABSENT	
	<u>X</u>	<u> </u>	Mr. Rodriguez, Class I
	<u>X</u>	<u> </u>	Mr. Blair, Class II
	<u>X</u>	<u> </u>	Mr. Zeno, Class III
	<u> </u>	<u> </u>	
	<u>X 7:41</u>	<u> </u>	Mr. Chieco, Class IV
	<u>X</u>	<u> </u>	Ms. Drumm, Class IV
	<u>X</u>	<u> </u>	Mr. Johnstone, Class IV
	<u>X</u>	<u> </u>	Mr. Bayles, Class IV
	<u> </u>	<u>X</u>	Mr. Taylor. Class IV
	<u> </u>	<u>X</u>	Mr. Czerniecki, Alt I
	<u>X</u>	<u> </u>	Mr. Sweeney. Alt II
	<u>X</u>	<u> </u>	Solicitor, David Serlin
	<u>X</u>	<u> </u>	Engineer, Stacey Arcari
	<u>X</u>	<u> </u>	Secretary, Jill C. Torpey
	<u> </u>	<u> </u>	

1. 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 16, 2013 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, 2013.

2. PLEDGE OF ALLEGIANCE

3. WELCOME TO GUESTS

NOMINATION OF CHAIRPERSON

Madame Secretary Torpey opens the floor for nominations for Chairperson. Mr. Bayles nominates Mr. Johnstone as Chairperson. Mr. Blair seconds the nomination. With no other nominations made, the nominations are closed.
Roll Call-All were in favor.

SWEARING IN OF CHAIRPERSON

Mr. Serlin swears in the Chairperson.

NOMINATION OF VICE-CHAIRPERSON

Chairman Johnstone opens the floor to nominations of a Vice-Chairperson. Mr. Blair nominates Mr. Taylor as Vice-Chairperson. Mr. Rodriguez seconds the nomination. With no other nominations made, the nominations are closed.
Roll Call-All were in favor.

SWEARING IN OF VICE-CHAIRPERSON

Mr. Taylor will be sworn in at the next meeting.

APPOINTMENT OF SECRETARY

A motion is made to appoint Jill Torpey as secretary.
1st-Mr. Blair, 2nd-Mr. Bayles
Roll Call-All were in favor.

APPOINTMENT OF SOLICITOR

A motion is made to appoint David Serlin as solicitor.
1st-Mr. Rodriguez, 2nd-Ms. Drumm
Roll Call-All were in favor.

APPOIINTMENT OF ENGINEER

A motion is made to appoint Stacey Arcari of Environmental Resolutions, Inc. as engineer.
1st-Mr. Rodriguez, 2nd-Ms. Drumm
Roll Call-All were in favor.

APPROVAL OF 2014 MEETING DATES (SEE ATTACHED)

A motion was made to approve the 2014 meeting dates.
1st-Mr. Blair, 2nd-Mr. Bayles
Roll Call-All were in favor.

ADOPTING RULES AND REGULATIONS FOR THE LAND USE PLANNING BOARD OF EASTAMPTON TOWNSHIP

A motion was made to approve the rules and regulations for the Land Use Planning Board for Eastampton Township with the revision of the order of the vote of roll call.
1st-Mr. Blair, 2nd-Ms. Drumm
Roll Call-All were in favor.

4. **APPROVAL OF RESOLUTIONS**

Resolution #1-2014-Authorizing award of contract of professional services to David Serlin, Esq

Resolution #2-2014-Authorizing award of contract for professional services to Stacey Arcari of Environmental Resolutions, Inc.

Resolution #3-2014-Establishing official newspapers for notices of the Eastampton Township Land Use Planning Board for the year 2014

Resolution #4-2014-Complying with the notice provisions in the Open Public Meetings Act

Resolution #5-2014-Esatblishing meeting dates for the year 2014 and the date of the 2015 re-organization meeting for the Eastampton Township Land Use Planning Board

Resolution #6-2014-Appointing Land Use Planning Board Secretary

A motion was made to approve Resolutions #1-2014 to #6-2014

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

Roll Call-All were in favor.

Resolution #7-2014- For variances to construct a garage at Block 1001, Lot 6.02 (613 Powell Rd)

A motion is made to approve the resolution.

Roll Call-All were in favor, except Ms. Drumm and MR. Rodriguez who abstained.

Resolution #8-2014-on the application of Essex Enterprises, LLC granting a variance pursuant to N.J.S.A. 40:55D-70d(1) to permit a mixed residential development consisting of eight (8) narrow lot cottages and twenty six (26) attached townhouses without a commercial component on Block 600, Lots 5.02 and 5.03 (1349 Woodlane Rd)

There was discussion on what the resolution was actually approving and was is grating a density variance. Mr. Serlin stated that it only grants the use variance. After much discussion Mr. Serlin states amend the wording and make clarification on the variances

A motion is made to approve the resolution.

1st-Mr. Bayles, 2nd-Mr. Chieco

Roll Call-All were in favor except Mr. Rodriguez, Mr. Zeno and Mr. Sweeney who abstained.

COMMUNICATIONS-Letter from Charles Petrone concerning the Mustafa Okusal application at 1369 Monmouth Rd, Eastampton, NJ

Mr. Serlin states that he has been in contact with Mr. Petrone and the applicant wishes to extend the deadline until September 1, 2014 due to issues with the bank and getting financing. It was discussed that this issue was brought to the township by the state and the applicant has been running a business out of there this whole time while waiting to get approvals and permits. He has all other approvals including site plans; he is just waiting on the bank. It was discussed if the extended September deadline was giving him too much time. It was noted that this application has been ongoing since mid-2009 and actually had approvals become void because the applicant failed to act within times conditioned in previous board approvals. The board agrees to extend the deadline until July 1, 2014 with no further extensions permitted.

A motion is made to approve to extending the deadline until July 1, 2014 with no further extensions.
Roll Call-All were in favor.

5. APPLICATIONS:

CONCEPTUAL

Joseph Primiano
295 Woodward Rd
Manalapan, NJ

2433 Rt 206 South
Eastampton, NJ
Block 1500 Lot 13.04
Highway Commercial Zone

The Applicant is looking for the thoughts on potentially coming back to the board for a Use Variance at the property to allow truck parking on the site.

Mr. Serlin said the board has a policy to allow 15 minutes for conceptual plans. Mr. Primiano is not sure that is enough time. Mr. Serlin states the board has the option to extend the time period.

Mr. Primiano states that he is a licensed architect and sits on the East Windsor zoning board

Mr. Primiano states that he has a vacant lot on 206. He bought it about 10 years ago and cleaned it up. His intent was to build a building and have his practice out of there but he is located in East Windsor.

His brother and his friend drive trucks and they are looking to park their trucks on the lot overnight. They would drive to the lot in their personal cars, leave with the trucks and come back at night and park the trucks and leave in their personal cars. They are fuel trucks. His brother's company is growing and they want to see if it is going to take off in this area.

The board had concerns with fuel trucks sitting on the property. Mr. Primiano stated when they are left overnight, they would be empty. His brother and his brother's friend transport fuel from the refinery's in Paulsboro to various places and return empty.

The board states what if there were circumstances where they could not deliver all the fuel and now a half empty truck is sitting on the property. The board also had concerns that even an empty fuel truck has some residual in it. How would this be supervised? There could also be leakage into the

ground water.

Mr. Primiano states there would be some kind of containment.

It was asked about the other prior approvals he would need. Wetlands, DEP, State DOT. Ms. Arcari states that it is a state highway and he would need a DOT access permit.

Mr. Primiano states that he is looking for temporary approval. He wants to see if his brothers business takes off in this area. If it, does he will then go for all the other prior approvals. He is just looking for temporary approval for about 6 months.

Mr. Serlin states that a Use Variance is subject on all other approvals. Ms. Newcomb states that the use goes with the property. Ms. Arcari states that you cannot occupy the site with the use until you have obtained all other approvals.

Mr. Johnstone asks about idling and sleeping in the trucks.

Mr. Primiano states that this would not happen.

Mr. Chieco states that he could come back and do the approvals in phases.

Mr. Serlin states we can speculate all night on “what ifs” but the applicant would have to have a solid idea of what he wants to do to go farther.

Mr. Primiano says he does not know what the future holds.

6. **ANY OTHER BUSINESS**-Mr. Serlin reminds the board members that when replying to Ms. Torpey’s emails do not use the “Reply All” button as this could constitute a meeting and violate the sunshine laws.
7. **MATTERS TO BE PRESENTED BY THE PUBLIC**-None present
8. **MATTERS TO BE PRESENTED BY THE ENGINEER**-Ms. Arcari thanks the board for her appointment. She also states the Ms. Torpey handed her an application, so there will be another meeting in the next few months.
9. **MATTERS TO BE PRESENTED BY THE SOLICITOR**-Mr. Serlin thanks the board for his appointment.
10. **MATTERS TO BE PRESENTED BY THE BOARD**-None

11. Resolution No.9-2014, RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

The purpose of the Executive Session is to discuss potential litigation. No formal action will be taken.

A motion is made to go into Closed Executive Session at 8:54PM.

1st-Mr. Bayles, 2nd-Mr. Rodriguez

Roll Call-All were in favor.

A motion was made to leave Closed Executive Session and return to regular session at 9:13PM

1st-Mr. Bayles, 2nd-Mr. Rodriguez

Roll Call-All were in favor.

12. ADJOURNMENT

A motion was made and approved to adjourn the meeting.

Jill C. Torpey

Jill C. Torpey_____

Land Use Planning Board Administrator

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