

MINUTES OF JACKSON ZONING BOARD FEBRUARY 16, 2022

The February 16, 2022 Jackson Township Board of Adjustment Meeting was called to order at 7:01 p.m. with a salute to the flag by all present. Board Attorney Sean Gertner read the Open Public Meetings Act Statement and announced that adequate notice has been provided for this meeting.

ROLL CALL: Jeanine Fritch; Carl Book; Stephen Costanzo, Vice Chairman; James Hurley (via Zoom) Scott Najarian, Chairman; Stephen Costanzo; ToniAnn Comello (absent); Michelle Russell; Lynne Bradley, Alt #1; John Spalthoff, Alt #2 (absent)

Also Present: Sean Gertner, Board Attorney; Evan Hill, Board Engineer; Ernie Peters, Board Planner; Jeffrey Purpuro, Zoning Officer; Anthony Jacob, Township I.T. Representative; Fran DiBella, King Reporting and Zoning Board Recording Secretary

Mr. Gertner asked for a motion to appoint King Reporting as recording secretary. Motion/Bradley. Second/Costanzo. Voted: Book, Fritch Hurley, Bradley, Costanzo, Najarian, Russell

Board professionals sworn in by Mr. Gertner

Approval of Resolutions:

- 1) 2022-09: A&A Truck Parts, Inc., Block 401, Lot 9 Wright-Debow Road. Approving a one-year time extension for a project that received preliminary and final site plan approval by Resolution 2019-35, dated August 7, 2019. Motion/Book. Second/Bradley. Voted: Book, Fritch, Hurley, Bradley, Costanzo, Najarian
- 2) 2022-10: Lowenthal, Block 15803, Lot 1, 8 Francesca Court. Granting a use variance to construct a fence. Motion/Costanzo. Second/Fritch & Bradley. Voted: Fritch, Hurley, Russell, Bradley, Costanzo, Najarian.
- 3) 2022-11: Concourse Office Building/Concourse Holdings, LLC, Block 13801, Lot 7.01. 1197 E. Veterans Highway. Approving a one-year time extension for a project that received preliminary and final site plan approval by Resolution 2017-18, dated March 15, 2017. Motion/Bradley. Second/Fritch. Voted: Fritch, Hurley, Russell, Bradley, Costanzo, Najarian.

Motion to approve regular meeting minutes from February 2, 2022 by Book, Second by Bradley. Yes: Book, Fritch, Hurley, Russell, Bradley, Costanzo, Najarian

APPROVAL OF VOUCHERS: Motion to approve a voucher for King Reporting in the amount of \$250.00 for February 2, 2022 and Francesca DiBella in the amount of \$150.00 as recording secretary. Motion/Book. Second/Bradley. Voted: Book, Fritch, Hurley, Russell, Bradley Costanzo, Najarian

Applications Carried:

Application No. 4, Dubin Contracting, LLC/Abraham Jacobs, Variance 3394, Block 7501, Lot 4, 283 Metedeconk Trail, to be carried to March 16, 2022 waiving time to March 31 and without further requirement of further notice

Application No. 6, Michael Rosenberg, Variance 3399, Block13601, Lot 22, 6 Denmark Lane, to be carried to April 6, 2022, waiving time through April 30 and no further notice

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APPLICATIONS:

- 1) Edward & Janine Mitreuter, Block 1002, Lot 14, 2 Topaz Drive , Variance 3390. Applicants duly sworn. Mr. Hill explained the applicants started their testimony earlier (11/17/21) at which time the board asked them to obtain a more recent survey. Applicants are proposing a single-story addition into the front yard of their house, they are a corner lot, extending towards **Sapphire Drive. The addition would consist of some sitting area living space**, a bedroom, bathroom, a closet, a pantry, and a revised septic system approval for their mother-in-law. The survey, dated January 8, 2022, indicate that they are seeking variance relief from the front yard setback of 28' 7" on Sapphire Drive and there's no impact on the well. Mr. Book asked if there would be a separate exterior entrance. Mr. Mitreuter said entry is the main entrance of the house and it's all interconnected inside. Mr. Gertner confirmed that there is no deed restriction necessary; the experts confirmed. Public session opened/closed. Mr. Gertner represented that the board would have jurisdiction to grant a C2 variance in this particular case given the level of infrastructure in the backyard. The applicants agreed. Motion/Costanzo. Second/Bradley. Yes: Book, Fritch, Hurley, Russell, Bradley Costanzo, Najarian.
- 2) Spiros Vlahos, 643 Herman Road, Block 2201, Lot 52, 643 Herman Road. Applicant's attorney, Vincent E. Halleran. 1st Witness: John Ploskonka, Prof. Engineer, Concept Engineering testified the property is a single-family home and driveway. Applicant does road repairs/site repairs. He, his son, and possibly five employees would come to the site in the morning, take equipment, leave their cars there, leave for the day, and then come back empty in the **evening and return the equipment, tools, and vehicles, etc.** No activity on location during the day; activity is early morning and late evening. The property is surrounded by commercial activity. Hours are 7:00 to 7:00, Mon-Fri. Some Saturdays (if needed). Applicant would like to construct approximately 1600 square feet of new impervious surface to allow for six parking spaces on the site and two spaces on the garage on the site with parking bumpers on the parking lot spaces. On site would be four trailers for keeping tools, 8x40x12' **high. The** equipment would be stored between the trailers (tag-along trailers, dump trucks, box trailers, pickups, storm tractor, bobcats, scissor lifts). No curbing/sidewalks on Herman Road, but they'll contribute to pedestrian safety fund. After meeting with Evan Hill, the plans were revised to have an infiltration system for stormwater management. No site lighting proposed. Only security lighting is requested. No storage of hazardous materials and no dumpsters. Witness No. 2, Jim Higgins, Professional Planner. Witness No. 3, Spiros Vlahos, Applicant. Motion by Hurley granting D-1 variance subject to site plan approval. Second/Book. Yes: Book, Fritch, Hurley, Russell, Bradley, Costanzo, Najarian
- 3) Allman Properties, LLC, Block 18201, Lot 17, 1366 W. Veterans Highway. Applicant Attorney: John Paul Doyle, Esq. Witness No. 1: William J. Allman, principal of the company for 38 years, looking to construct a building and warehouse. Approximately 15 pieces of equipment will be stored on site. No smells or odors. Applicant is looking for a contractor-type of tenant. Applicant is looking to stockpile clean stone and filtered sand in bins made out of concrete road barriers with a maximum height of 10' per bin. Witness No. 2, Graham MacFarlane, Professional Planner and Engineer. Exhibit 1 (Aerial) Subject site is NC, 4 acres, and the plan is to construct a building of 8,000 square feet, 7,000 square feet would be dedicated to the warehouse use and 1000 square feet would be dedicated to office use. The office will be one story; no mezzanine. Exhibit A-2 (site plan). **A-3 (landscaping plan). Landscaping at the front of the site, some shade trees. Mr. Peters did point out the need for us to provide a 10-foot landscape buffer along western property line. A-4 (preliminary elevations of building)**

Proposals: Aboveground diesel tank; six-foot high chain link; stormwater management basin located at the front of the site because the topography slopes from the rear to the front and will be maintained by property owner; one concrete bin in the western part of the site for clean stone which has to be confined; Those other three piles are loose piles that would be for pipe/other products necessary for business operation. Another area will be dedicated for storage of vehicles and equipment, dump trucks, trailers, backhoe, excavator, etc., to be used in connection with his business and that may also be used by any prospective tenants. The building contains five bays right now; two bays that would be **available for rental for tenants to utilize**. **Sand, gravel, pipes, manhole castings** will be stored there. Certificate of filing from the Pinelands was obtained. The lighting plan indicates that the lighting is to be turned off at 9:00 p.m. along the **access drive along the front of the building and the property line**. **No light spillage** on to adjacent properties. Sidewalk along the front of the site and applicant would make contribution to the pedestrian safety fund. Two bulk variances: Freestanding/nonbacklit sign, 60 square feet; ordinance allows 25 square feet. Height of sign. Witness No. 3, John Rea. 15 parking spaces proposed. Traffic will operate at a service level of B or better. Public portion opened: Jane and Peter Perrina, 1352 W. Veterans Highway (east of Applicant's property) Walking out their front door, we will see stockpiles of sand and gravel. Why are these piles allowed? Shouldn't they be stored indoors? Will there be truck noise? Diesel machines make a lot of noise/odor. We already hear the ATV/motorcycle noise. Motion/Costanzo. Second/Hurley. Yes: Book, Hurley, Russell, Bradley, Costanzo, Najarian. No: Fritch

(**APPLICATION NO. 4 CARRIED)

5) Miguel Santana, Block 17001, Lot 24, Zone R-3, 257 Osprey Place.

1st Witness: Kenneth Slotman, PE, PP testified that the existing residential structure is dilapidated and the purpose is to replace with a new two-story single-family **residential structure**. Bulk variances requested are associated with the lot area and **lot depth, there is an existing side yard nonconformity with the existing structure**. There's a 25 foot required side yard space, a side yard set back. **The proposed structure would actually align and be 25 feet off of that side yard so we would actually be eliminating one existing nonconformity from the site**. Mr. Hill pointed out that the Pinelands certificate of filing is not for demolition of the building. Mr. Peters stated **the architect plans were from October of 2020. The certificate of filing is from March of 2021 and no engineering plans are from July of 2021 so it's obvious the engineering plans have never been reviewed by Pinelands because the certificate of filing predates it**. The witness advised he will go back and speak with his client. Mr. Gertner suggested carrying this to the April 20, 2022 meeting without the requirement for of further notice. The applicant has waived time until April 30, 2022.

Motion to adjourn at 10:25 p.m. by Costanzo. Yes: Book, Fritch, Hurley, Russell, Bradley, Costanzo, Najarian

Respectfully submitted by,

Fran DiBella

Zoning Board Recording Secretary