

CHESTERFIELD TOWNSHIP PLANNING BOARD

June 14, 2011

The meeting of the Chesterfield Township Planning Board was called to order by Chairman Panfili at 7:30PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Donald Coover; Lawrence Durr; Richard LoCascio; Glenn McMahon; Joseph Malison; John Nunziato; F. Gerry Spence; Brian Wilson; Jeremy Liedtka; Mary Acevedo (7:35); Chairman Panfili. Professional staff present: Douglas Heinold, Solicitor; Christopher Trebisky, Township Engineer.

MINUTES

April 12, 2011 Minutes & Executive Minutes

A motion was made by Mr. Spence, seconded by Mr. Malison, to approve the May 10, 2011 Regular Minutes and Executive Minutes. The vote was in the affirmative with the exception of Mr. Coover, Mr. McMahon, and Mr. Liedtka who abstained. Motion carried.

RESOLUTIONS

None

APPLICATIONS FOR ACTION

Walter and Sherry Eib: Block 501, Lot 7.03 Use Variance

Walter and Sherry Eib were sworn. They would like to erect a pole barn to operate a mobile truck repair shop. They have 1.66 acres located at 62 Margerum Road which is zoned agricultural therefore a use variance is required. Mr. Eib explained that this would be a temporary operation and that he is looking for a space on the highway to conduct his business in the future. The barn will be used for large jobs and in bad weather with a turn around time of 1 to 2 days. Trucks will be worked on only inside the barn with doors closed to cut down on noise. He is willing to insulate if necessary. Mr. Eib stated that he would be the only one driving the trucks in and out. Mr. Heinold stated that Mr. and Mrs. Eib would need to be more specific with their testimony. They need to explain why this site is suitable for their operation. Mr. Eib stated that the barn would be used mostly for storage. It will be used part time and he will not be running his business from there. Mr. Trebisky went through his review letter dated May 25, 2011 to which all items were addressed by Mr. and Mrs. Eib.

Chairman Panfili opened the meeting for public comment.

Steve Palmari – 61 Margerum Road was sworn. He stated he is a neighbor residing across the street. He believes the use does not meet the requirement of the neighborhood. This would also have a negative impact on property value. He feels that Mr. Eib may not keep the doors closed on a hot summer day. Another issue would be the air pollution and noise pollution caused by the trucks idling. He stated that the utility lines are low and

may interfere with the trucks going down the driveway. He is concerned that the business will grow on site over time.

Gary Pollick – 59 Margerum Road was sworn. He expressed the same concerns as Mr. Palmari. He mentioned that once the property is zoned commercial it stays with the property for ever. He stated his concern that this may not be temporary and that the business may expand. He also stated his environmental concern with oil, antifreeze etc. on site.

Nancy Scarafile – 65 Margerum Road was sworn. She also agreed with her neighbors and is strongly opposed. Her concern is the environmental impact with the destruction of the trees and the impact on wildlife. She stated that the driveway is close to her residence and she expressed the noise it may cause on such a very quiet street.

After a short discussion the board decided that they would take action on the application and not give direction to the applicants.

A motion was made by Mr. Nunziato, seconded by Mr. Coover to deny the application for the reason that positive and negative criteria was not met. Roll call was taken, Mr. Coover-yes; Mr. McMahon-yes; Mr. Malison-yes; Mr. Nunziato-yes; Mr. Spence-yes; Mr. Wilson-yes; Chairman Panfili-yes. Motion carried.

DISCUSSION

Memo from Bonnie Haines regarding Ordinance 2011-14 and 2011-15

The Board had no questions or concerns regarding Ordinance 2011-14 Amending Chapter 130-86 Governing “Fences and Walls”. Mr. Trebisky gave the board an overview of Ordinance 2011-15 Amending Chapter 130, Section 15 “Area, Yard and Bulk Requirements” in the Agricultural district to repeal and replace the table of acre, yard and bulk requirements incorporated therein to provide a new standard for accessory building lot coverage for lots greater than 1 acre and less than 3.3 acres. After a lengthy discussion it was decided that the board did not want to make any changes. Mr. Heinold recommended the board send it back to the Township Committee stating that it is deemed consistent with the Master Plan.

A motion was made by Mr. Spence, seconded by Mr. Malison to recommend the Township Committee approve both Ordinances as written. All were in favor with the exception of Mr. Durr and Mr. LoCascio who abstained, motion carried.

CORRESPONDENCE

Letter from Burlington County regarding Beneficial Bank – Acceptance of Maintenance Guarantee

Mr. Spence mentioned that he had a complaint from a resident in regard to the flood light on County Route 528 that points towards Matthews Lane. The board asked Mr. Trebisky to follow-up with the County in regard to moving this light. He was also asked to inquire on the site plan to see where the light should be.

INVITATION FOR PUBLIC TO SPEAK

Chairman Panfili opened the meeting for public comment.

There being none the public portion of the meeting was closed.

Mr. Heinold spoke to the board in regard to Holloway Land. Mr. Wilson excused himself from the board and sat with the public at 8:45. Mr. Heinold informed the board that he and Mr. Trebisky will meet again with SADC regarding the additional issues that remain open, the access driveway and the traffic study. It was mentioned that there is a tent up on Harker Road and the board thought this was only going to be for one year. Mr. McMahon will look into the approval from last year and will get back to the board. Mr. McMahon informed the board that Mr. Riccardi the Construction Code Official went to the farm on Chesterfield-Georgetown Road regarding the barn which has been renovated with out permits. Under UCC regulations they are required to do several things, they must have a port o john on site, the barn must have a permit for renovations, they must fill in the troughs that were there with concrete, and there also must be a designated area for handicap parking. Mr. Heinold stated that we are through mediation and are currently at the hearing stage. During the process it was decided that UCC regulations are a separate issue.

In regard to South State and the operation on Rt 528, Mr. Liedtka removed himself from the board and sat with the public at 8:50. Mr. McMahon and Mr. Trebisky met with DEP and the Vice-President along with the Site Manager from South State and discussed the cost of a site plan along with the taxes and roll back taxes that are due. Mr. Trebisky informed the board that the cost will be approximately \$40,000.00. Mr. McMahon stated that they will notify us of their decision by e-mail within a day or so. The lease on that property ends in July. Mr. Trebisky stated that in the lease agreement it states that South State must return the property to its original condition upon leaving. Mr. Trebisky stated that the opinion of DEP is that if South State decides they are not staying then they should submit a plan on how they are going to restore the property, either way a plan must be submitted. Mr. Heinold stated that DEP can issue violations to the owner and operator of the site as can the Township.

ADJOURNMENT

There being no further business, a motion was made by Mr. Spence seconded by Mr. Wilson to adjourn. All were in favor, meeting adjourned @9:03 PM.

Respectfully submitted,

Aggie Napoleon, Secretary