

**Township of Lumberton
Land Development Board
Regular Meeting
February 21, 2008**

The regular meeting of the Lumberton Township Land Development Board was called to order by Chairman Bennett on Thursday, February 21, 2008 at 7:15 p.m.

Chairman Bennett read the following statement:

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner:

On January 2, 2008 advance written notice of this meeting was posted on the bulletin board in the main lobby in the Town Hall; was mailed to the Burlington County Times and the Courier Post; was filed with the Clerk of Lumberton Township and was mailed to all persons who requested and paid for such notice.

Please note that unless otherwise modified by Resolution of the Land Development Board, all meetings shall begin at 7:30 p.m. and no new matter shall be initiated after 11:00 p.m., except where the Land Development Board, by majority vote of those present, shall specifically authorize the extension of the meeting beyond 11:00 p.m.

Those testifying before the Board on any application are required to be sworn in. The Board's Engineer and Planning Consultant have taken an oath upon their agreement and their testimony on an application is under oath on a continuing basis.

Roll Call

Citizen Member	Thomas Ammerman Robert Bennett, Chairman Thomas Bintliff Sheldon Evans Robert Morton Bradley Regn John Pagenkopf	
Representatives of Governing Body	James Conway, Jr. Beverly Marinelli	
Alternate #1	Nancy Bleznak	(Absent)
Alternate #2	Craig Potter	
Alternate #3	Doug Alba	(Absent)
Alternate #4	Mike Petty	
Solicitor Consulting Engineer & Planner	Peter Emmons, Esq., Gibbs, Gregory & Emmons Gregory J. Sullivan, P.E., P.P., Remington, Vernick & Arango	
Board Secretary	Catherine Borstad	

Minutes

A. Reorganization Meeting Minutes for January 17, 2008

Motion was made by Mr. Regn, seconded by Ms. Marinelli to approve the Reorganization Meeting Minutes of January 17, 2008. The vote was unanimous and the motion carried.

B. Regular Meeting Minutes for January 17, 2008.

Motion was made by Mr. Regn, seconded by Ms. Marinelli to approve the Regular meeting Minutes of January 17, 2008. The vote was unanimous and the motion carried.

Correspondence

There was none.

Resolutions

- a. 2008-5 Walmart Route 38, Block 22, Lot 8.02, Site plan application. Continued to February 13, 2008 Special Meeting.

Motion was made by Mr. Ammerman, seconded by Ms. Marinelli to approve Resolution 2008-5. The vote was unanimous and the motion carried.

- b. 2008-6 Mt. Holly MUA, Edward Street Pump Station, Block 13.02, Lot 6.01. Continued to February 21, 2008 meeting.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to approve Resolution 2008-6. The vote was unanimous and the motion carried.

- c. 2008-7 STA Seal, 13 Maple Avenue, Block 14, Lot 2.01. Minor Site Plan. Continued to February 21, 2008 meeting.

Motion was made by Mr. Evans, seconded by Ms. Marinelli to approve Resolution 2008-7. The vote was unanimous and the motion carried.

Ordinance

- a. Ordinance 02-2008, Section 130-6 Fees and Charges.

Mr. Conway stated that the Township is looking into bringing charges and fees up to date. Mr. Conway stated that escrows have not been enough to cover the review costs.

Items for Action

**Walmart
Route 38**

Block 22, Lot 8.02

Amended Final and Preliminary Site Plan application. Extension until February 13, 2008

**Transcripts are prepared for this section of the meeting.

Mikulski, Danielle
5 Edward Street
Block 13.02, Lot 4
HA Zone
HARC Application for Vinyl Siding

**See below under Ellis application*

Ellis, Joe
7 Edward Street
Block 13.02, Lot 3.02
HA Zone
***HARC Application for Vinyl Siding and Replacement of Front Porch* (8:25-8:35)**

Exhibits marked.

Mr. Joe Ellis and Ms. Danielle Mikulski, both sworn to provide testimony.

Ms. Mikulski stated that she would like to install vinyl siding on her home. Chairman Bennett asked what type of siding exists presently. Ms. Mikulski stated asbestos siding. Chairman Bennett asked if she would be removing or just encapsulating. Ms. Mikulski stated she would be encapsulating. She stated that she would not be changing the structure in any way. Chairman Bennett asked if it would be the same color. Ms. Mikulski stated that it would be the same as Mr. Ellis.

Mr. Emmons stated to the Board that these two matters were not heard by HARC tonight due to not having a quorum. He stated that the Land Development Board will be making the decision. He stated that there is a HARC Member here tonight that the Board can ask questions.

Chairman Bennett stated that the applicants have waived their right to go to HARC, and have come directly to this Board.

Mr. Pagenkopf asked if the wood work would be wrapped. Mr. Ellis stated that he would be wrapping all the windows and installing all new soffits. Mr. Ellis stated that he is restoring the house.

Mr. Emmons asked what is on the outside of Mr. Ellis's house. Mr. Ellis stated that he had aluminum over top of asbestos over top of clapboard siding. He stated that due to the floods he had removed everything down to the studs and is replacing with new plywood, Ty-vec and then siding.

Mr. Emmons stated that Ms. Mikulski's house would not be going down to the studs. Ms. Mikulski stated that was correct. Mr. Emmons asked if there would be a problem matching the two homes together where they join. Mr. Ellis stated that there will be a slight difference but not noticeable.

Chairman Bennett asked if a contractor is doing the work. Mr. Ellis stated that he has been and will continue to do all of the work.

Chairman Bennett asked about the front porch. Mr. Ellis stated that the front porch due to the flood had collapsed. He stated that the joist underneath had split and broken in two due to the flood.

Mr. Emmons asked if Ms. Mikulski's front porch was enclosed. Ms. Mikulski stated that yes it is a sun porch.

Mr. Ellis stated that the color of the siding is called Harbor Blue and the trim work color is called Tuxedo Grey.

Chairman Bennett asked Mr. Regn if Mr. Ellis will need a permit for the removal of the asbestos shingles. Mr. Regn stated that he will need to properly dispose of the shingles, but does not need a permit from the Township. Mr. Ellis stated that he has contacted DEP, and he has the shingles underneath of his porch in trash bags until he has collected it all, and then he will properly dispose of them.

Mr. Evans asked if the colors will be okay with the HARC Board.

Ms. Doris Priest, HARC member, sworn to provide testimony.

Ms. Priest stated that there was no quorum so they recommended the applicant come to the Land Development Board.

Ms. Priest stated that based on what she has heard she has no recommendations.

Motion was made by Mr. Conway, seconded by Mr. Morton to approve both HARC applications. The vote was unanimous and the motion carried.

Canzanese, Maryann
489 Landing Street
Block 8.02, Lots 4 & 5
HA Zone
HARC application for 24x24 detached garage

Ms. Borstad will put this application back on next month's agenda.

Hecht Trailers
1788 Route 38
Block 22, Lot 9.01
GB Zone
***Site Plan with Change of Use* (8:38-9:32)**

Exhibits marked.

Mr. Rich Roy, Esq., Archer & Greiner representing the applicant.

Mr. Roy stated that this is a site plan approval for the formal 84 Lumber site on Route 38. He stated that it is a 4 acre site.

Mr. Frank Bear, WSB Engineering, Peter ,Mike Hecht, Applicant, all sworn to provide testimony.

Chairman Bennett asked if this application can be deemed complete. Mr. Sullivan stated yes.

Motion was made by Mr. Morton, seconded by Mr. Pagenkopf to deem the application complete. The vote was unanimous and the motion carried.

Mr. Roy stated that they will need a variance for the existing sign that is 25' from the right-of-way where 30' is required. He stated that the sign is appropriate for their use. Mr. Roy stated that they will need relief for the parking spaces also. He stated that the prior use had 58 parking spaces and they only need approximately 19 spaces.

Mr. Roy handed the Board exhibits (A1, A2 -aerial & A-3-site plan)

Mr. Hecht stated that he would like to sell trailers; small 4'x6' trailers, landscape equipment trailers, sell and install brake controllers, wiring, brakes & tires for trailers. Mr. Hecht stated that they have been in business since 1928 and currently have a business in Toms River. He stated that he anticipates 10-15 employees at the site. Mr. Hecht stated that the hours would be Monday-Thursday 8:00 a.m. until 6:00 p.m., Fridays 8:00 a.m. until 5:00 p.m., Saturdays 8:00 a.m. until 2:00 p.m. and closed on Sundays. Mr. Hecht stated that the operation will be similar to the Toms River site but on a smaller scale.

Mr. Roy asked Mr. Hecht if they do automobile repairs, etc. Mr. Hecht stated that they will be servicing trailers. Mr. Roy asked Mr. Hecht that the improvements they will be doing to the site are referenced on the site plan. Mr. Hecht stated yes.

Mr. Roy asked Mr. Hecht how many parking spaces were at his Toms River site. Mr. Hecht stated 16. Mr. Roy asked if he would ever need 192 parking spaces as required by Township Ordinance. Mr. Hecht stated no. Mr. Roy asked about loading space. Mr. Hecht stated that the trailers come in on a trailer with 3-4 trailers on it. Chairman Bennett asked if a transport trailer would leave the premises immediately. Mr. Hecht stated yes.

Mr. Sullivan asked for clarification of small trailers. Mr. Hecht stated they are 4'x6'. Mr. Sullivan asked what the largest would be. Mr. Hecht stated 8 1/2'x32' is the largest trailer. Mr. Sullivan asked if hitches would be installed on utility vehicles. Mr. Hecht stated yes. Mr. Sullivan asked if they would be selling camping trailers. Mr. Hecht stated that they would not be selling a typical RV, but may sell Toy Hauler's. Mr. Sullivan asked what type of work they would be doing to the trailers. Mr. Hecht stated brakes, wiring, tool boxes, generators, stone guards, tires, etc. Mr. Sullivan asked if the existing site indicates where they will have 16 parking spaces. Mr. Hecht stated yes. Mr. Sullivan asked how many would be for employees. Mr. Hecht stated that he has 15 parking spaces on the other side for employee spaces. Mr. Sullivan asked how many employees. Mr. Hecht stated approximately 14 employees. Mr. Sullivan stated that they indicated 15-20 employees. Mr. Hecht stated that it will be 10-15 employees at proposed site.

Mr. Roy gave the Board Exhibit A-4, picture of Toms River site, as an idea of how the site will look.

Mr. Sullivan stated that he has seen a tractor-trailer with a Hecht Trailers sign on it. Mr. Sullivan asked if that was any relation to this. Mr. Hecht stated that is another division, but will not pertain to this site. Mr. Hecht stated that is only out of the Toms River site.

Mr. Ammerman stepped down at 8:55 and Mr. Petty took a seat in his place.

Mr. Bear stated his credentials. The Board recognizes Mr. Bear as a licensed professional engineer.

Mr. Bear described the site. Mr. Bear stated that the existing site is 3.98 acres with 58 parking spaces. He stated that there is an existing 1 story metal building with 9600 office space. 7200 SF in the main building will be service and storage and remainder 2400 SF will be storage. He stated that the 2nd dwelling on site is a 8800 metal building for in-door storage, and a third structure is a covered storage area which is 53x20.

Mr. Bear stated that the stormwater basin will be reconditioned. He stated that the applicant is proposing to mill and overlay the existing parking area. Mr. Bear stated that the white pines will be removed and replaced with island style landscaping across the front. Mr. Bear stated that the site is enclosed with fence and the applicant is proposing to replace the front portion with a white picket style fence. He stated that across the driveway between the two buildings there will be a roller gate. Mr. Bear stated that all trailers will be stored behind the fence. He stated that customers will not be permitted to drive behind the fence.

Mr. Bear stated that if the Board desires, they will stripe out loading area adjacent to the building.

Mr. Emmons asked how the owner of a trailer would get the trailer to the maintenance area. Mr. Hecht stated that they would bring the trailers around after customers drop them off.

Mr. Bear stated that they would like to utilize the existing foundation for the sign. He stated that the sign is sufficient for this use.

Mr. Emmons asked if they would be moving the sign. Mr. Bear stated no, that the foundation and electric is already there. Mr. Emmons stated that the variance that is being requested is due to it being too close to the road. Mr. Roy stated yes.

Mr. Roy stated that they are not requesting any approvals to store trailers or to display trailers along Route 38. Mr. Roy stated that it is possible at a later time to request that, but at that time they would come back before the Board.

Mr. Emmons asked if they submitted to the State. Mr. Bear stated that they are not changing anything that would impact Route 38, so that it is not necessary.

Mr. Regn asked if there will be on-site job construction trailers. Mr. Hecht stated no.

Mr. Sullivan asked if they will be renting trailers. Mr. Hecht stated yes.

Mr. Pagenkopf stated regarding the review letter, item #5, escrow accounts refer to outstanding escrow accounts for this application only.

Mr. Sullivan asked where the survey originated from. Mr. Bear stated that the original survey was done through Taylor, Wiseman & Taylor.

Mr. Sullivan asked if they are proposing a two-sided sign. Mr. Bear stated yes that it would 24 SF on each side.

Mr. Emmons stated that there is one 53x20 canopy for storage of trailers, a storage and maintenance area that is 7200 SF, a 2400 SF area for storage trailers, a main building that is 9600 SF for interior display and retail sales office which will be 400 SF of included in the 9600 SF building.

Mr. Emmons asked if the refuge area would be relocated. Mr. Bear stated that they have shown the refuge area being located behind the main building with concrete pad with board on board fencing.

Chairman Bennett asked if there would be storage of propane tanks on site. Mr. Hecht stated no.

Mr. Sullivan stated that a variance would not be necessary for the parking spaces. Mr. Sullivan requested designating an area for loading on the plan. Mr. Roy stated that the plan would be revised accordingly and provided to Mr. Sullivan

At this time Chairman Bennett opened the meeting up for public comment. There being none, this portion of the meeting was closed.

Ms. Marinelli asked if the colors would be as shown. Mr. Hecht stated yes.

Chairman Bennett asked if the picture represents how the landscaping would be. Mr. Bear stated yes.

Mr. Emmons stated that this application is for a minor site plan approval consisting to refurbish a 9600 SF main building. 7200 SF in the main building will consist of retail display, office space and storage and remainder 2400 SF will be just storage, 2nd dwelling on site is a 8800 metal building for in-door storage, and third structure is covered storage area which is 53x20 SF, parking lot will be milled, regraded, resurfaced and restriped, stormwater drain will be reconditioned, revegetated, reinstalled and reconnected to main system, installation of a white PVC picket fence along the front, applicant proposes to sell and rent trailers ranging in size from 4'x6' to 8 1/2' x 32' along with the installation and maintenance of the trailers and trailer related items, no 18 wheeler trailer sales are permitted on site. The applicant has stated that they will have 10-15 employees, the building will be resided as proposed, landscaping as proposed, the roller gate will remain closed and not open to the public, all trailer storage will be behind the white picket fence. The applicant is requesting an Environmental Impact Statement waiver. The applicant is requesting a sign variance for the existing sign which is 25' from right-of-way. No trailer display on Route 38 without further approval from this Board. Applicant will designate loading area and striping. The refuge center is being relocated behind the building with concrete pad and fencing.

Motion was made by Mr. Morton, seconded by Mr. Regn to approve the minor site plan application as stated. The vote was unanimous and the motion carried.

Sta Seal

13 Maple Avenue

Block 14, Lot 2.01

Minor Site Plan for placement of Scale House and 2 Scales with Variances.(9:35-10:58)

Mr. Bruce Lubitz, Esq. was present to represent the applicant.

Mr. Lubitz stated that the site plan has been revised to include the adjacent lots. He stated that they have re-noticed and republished notifying that variances may be required.

Chairman Bennett asked if this application can be deemed complete. Mr. Sullivan stated yes.

Motion was made by Mr. Conway, seconded by Mr. Morton to deem the application complete. The vote was unanimous and the motion carried.

William H. Nicholson, Professional Engineer, Mr. Tim Karran, Professional Planner, Mr. George Conway, Corporate Officer of Sta Seal, all sworn to provide testimony.

Exhibits marked (site plan 2/21/08 A-1)

This dialogue is between Mr. George Conway and Mr. Lubitz:

Mr. George Conway stated that this is an application for two scales. Mr. Lubitz asked Mr. Conway how long the applicant had been using the lot. Mr. Conway stated for ten years. Mr. Lubitz asked if it was leased or owned. Mr. Conway stated it has been leased for ten years. Mr. Lubitz asked what use was on the property prior. Mr. Conway stated it was a trucking company called Bedrock Company and a landscape company. Mr. Lubitz asked what was on the property. Mr. Conway stated there was a building with a two bay garage on it, cell tower, bins for landscaping materials, road ties and there were trucks parked on the property. Mr. Lubitz asked what use is on the property now. Mr. Conway stated millings are stored on the property. Mr. Lubitz asked if there was a recycling facility on the adjacent property. Mr. Conway stated yes.

Mr. Lubitz asked Mr. Conway to explain to the Board the relationship between the buildings on lot 2.01 and the recycling facility. Mr. Conway stated that the millings on lot 2.01 are used for the asphalt plant. Mr. Conway stated that the asphalt plant is located on lot 2.

Mr. Lubitz asked if the recycling plant has a DEP permit under the Solid Waste Management Act. Mr. Conway stated yes. Mr. Lubitz stated that Mr. Sullivan has indicated in his letter that a recycling facility is not a permitted use under the zoning ordinance. Mr. Lubitz stated that since it is permitted under the Solid Waste Act it preempts the Zoning Ordinance.

Mr. Lubitz asked Mr. Conway why the applicant is requesting the installation of the scales and a scale house on lot 2.01. Mr. Lubitz asked if they were located at another location. Mr. Conway stated yes they are located on lot 9.02. Mr. Lubitz asked why they are seeking to relocate the scales and scale house. Mr. Conway stated that the existing scale is no longer usable and they are having an issue with trucks entering and exiting the site. Mr. Conway stated that they could only have one truck on the scale at a time and it was so close to the road, and trucks coming onto the scale had to queue out onto the shoulder of the road or across the street onto someone else's property.

Mr. Lubitz asked Mr. Conway if he has noticed queuing on Maple Avenue since the last hearing. Mr. Conway stated that he has not noticed any queuing but they have been notifying through flyers to the drivers of the trucks that there is no parking on Maple Avenue and that they would have to queue on the property.

Mr. Nicholson described to the Board the layout of the site plan. Mr. Nicholson stated that the only coverage that has been added is the new scale and scale house. Mr. Nicholson stated that the two scales are 10x60 each, and the scale house is 8x28 and the entire parcel is slightly over 2 acres.

Mr. Nicholson stated that they have revised the plans based on County comments.

Mr. Tim Karran gave the Board his qualifications. The Board recognized Mr. Karran as a Professional Planner.

Mr. Karran marked an exhibit A2-A9

Mr. Karran stated that it is his opinion that the use is preempted.

Mr. Karran stated that there is room for approximately 6-8 trucks to queue on site at the southern location. Mr. Karran stated that the gates to the northern end will be closed. Mr. Karran stated that with the new location of the scales there is room for 6 or 7 trucks to be onsite, off of Maple Avenue and waiting to get weighed and to pick up their product.

Mr. Karran expressed his professional opinion of this use as being a permitted use. He stated that it is his opinion that there are no coverage problems.

Mr. Emmons asked what the DEP permit was for. Mr. Lubitz stated that the permit is for recycling. Mr. Emmons asked if they are required to have a permit. Mr. Lubitz stated that they wouldn't give it to them if they weren't required to have it.

Mr. Morton asked when the trucks are queuing and double stacked side-by-side how do they exit. Mr. Karran stated that the width of the driveway on the southern side of the property is wide enough for trucks to be queuing and there is still plenty of room for trucks to exit.

Mr. Pagenkopf asked how traffic would circulate after a truck leaves the scale. Mr. Karran stated the trucks weigh in at the scale on the way in and go through the plant and then get weighed on the outgoing scale on the way out.

Chairman Bennett called for a brief recess 10:10-10:18

Mr. Emmons stated that it is his opinion that the Solid Waste Management Act does preempt Lumberton from the issue of citing. The non conforming use is not within this Board's decision.

Mr. Emmons stated that they will not be dealing with a D Variance, therefore Ms. Marinelli and Mr. Conway can take part in deliberations. Mr. Emmons stated that it is his opinion that an impervious coverage, C Variance is required. Mr. Emmons stated that Hainesport Township is not within 200' of this lot.

Mr. Lubitz stated that he would like the Board to treat this application as a D Variance in the alternative so that nothing would be held up. He stated that it is his opinions that a variance is not needed.

Mr. Sullivan stated that he disagrees.

Mr. Emmons stated that regardless they are still dealing with a C Variance. Mr. Emmons stated that it is his advice to the Board to not treat this application as a D Variance.

Ms. Marinelli asked what time the gates going into the scale would open in the AM. Mr. Conway stated that at times they are open 24 hours. Ms. Marinelli asked when they are locked, what time do they open. Mr. Conway stated 6:30 AM. Ms. Marinelli stated that Ms. Shontz has stated at a previous meeting that trucks were queuing up along Maple Avenue and blocking the driveway to her site. Ms. Marinelli asked where the trucks go when the gates are locked. Mr. Conway stated that they can queue on the side of Maple Avenue on their property off of Maple Avenue. Mr. Conway stated that they have been handing out flyers letting drivers know where to queue and wait for the scales.

Mr. Pagenkopf asked if there were signs stated no queuing of trucks along Maple Avenue. Mr. Conway stated that the flyers are handed out all the time. Chairman Bennett asked if there were signs on Maple Avenue. Mr. Conway stated that they can put signs up.

Mr. Sullivan asked if the queuing could take place closer to the gate. Mr. Conway stated that the queuing on the outside only takes place when the gates are not open. Chairman Bennett asked why the gates would be closed. Mr. Conway stated that gates are closed when they are not operating 24 hours.

Ms. Marinelli stated that Ms. Shontz has stated previously that the cars were stacked up between 6:15-7:15 AM. Mr. Conway stated that they have checked this situation out numerous times to make sure that this does not happen.

Mr. Regn asked what the issue date is of the current license from DEP. Mr. Conway stated 2004. Mr. Regn asked if they have reapplied for a new license. Mr. Conway stated yes. Mr. Regn stated that the license expired on 1/29/08. Mr. Conway stated that they have an extension on the old license and have reapplied for a new one. Mr. Regn stated that DEP states that the hours of operation are 7-4 Monday-Saturday. Mr. Conway stated that is for the recycling permit.

Mr. Regn asked who gave them permission to operate 24 hours. Mr. Conway stated that they have worked with the Township regarding noise. Mr. Regn asked if they recycle millings from I-295, etc. Mr. Conway stated yes, but they do not need a permit for that. Mr. Conway stated that the State of New Jersey Department of Environmental Protection indicates that any asphalt plant can accept millings without a Class B Recycling Permit.

Mr. Sullivan asked if the scales would be for Class B Recycling. Mr. Conway stated that the scales are used to weigh the materials from the asphalt plant and the Class B recycling material. He stated that everything gets weighed. Mr. Sullivan stated that the scales are used for the entire facility.

Mr. Morton stated that the millings are not covered under the Class B permit. Mr. Conway stated that is correct. Mr. Conway stated that the millings are covered under NJDEP. Mr. Conway stated that asphalt plants are exempt from accepting millings for recycling purposes. Mr. Conway stated that asphalt plants are exempt from having a recycling, class B permit, but need the permit to accept other recycling materials. Mr. Conway stated that millings are from roads which are 3/4" in size. He stated that materials such as cinder block, brick and sidewalk are covered under Class B permit.

Mr. Lubitz asked Mr. Conway how long the recycling plant has been in service. Mr. Conway stated 15 years.

Mr. Emmons stated that the state permit for the recycling plant has strict hours. Mr. Conway stated yes.

Mr. Pagenkopf stated that the scales are weighing trucks carrying rubble for recycling, millings, raw materials for the asphalt plant or empty. Mr. Conway stated that was correct. Mr. Pagenkopf asked how do they know which of the trucks that are stacking are limited to the hours of 7:00AM-4:00 PM. Mr. Conway stated that they just know, he stated that developer's that are repaving and tearing up driveways, etc. are working during the daylight hours.

Mr. Emmons stated that the recycling is limited to 7:00 a.m. until 4:00 p.m. Monday-Saturday. Mr. Conway stated that is correct.

Mr. Emmons asked if they are under DEP supervision for vapors and gases that are emitted from the recycling site. Mr. Conway stated that there are no fumes from the site. Mr. Conway stated that they have a water truck for the dust.

Chairman Bennett asked if they would accept millings on a 24 hour basis. Mr. Conway stated yes. Mr. Conway stated that brick, concrete, etc. are covered by the permit.

Chairman Bennett asked if DEP regulates the hour of operation. Mr. Conway stated yes. Chairman Bennett asked if they received any citations during the last year. Mr. Conway stated no.

Mr. James Conway asked who owns the cell tower on the site. Mr. George Conway stated that Cingular, AT&T, and a few other companies. Mr. James Conway stated that according to the site plan there is not an easement leading back to the tower. He stated that they need to provide access to the tower 24 hours. Mr. James Conway asked if they were restricting them in any way. Mr. George Conway stated that the north side of the tower is open to them.

Ms. Marinelli asked if the gates are locked how they would get in. Mr. George Conway stated that they have a key.

Mr. Lubitz stated that there is no permit for the asphalt. He stated that it comes under the Solid Waste Management Act.

Mr. Pagenkopf asked what municipality the asphalt plant falls in. Mr. Karran stated it is in both Lumberton and Hainesport Townships.

Mr. Evans asked how long the asphalt pile as been in existence. Mr. George Conway stated about 15 years.

Mr. Emmons suggested continuing the application until the March 20, 2008 meeting. Mr. Emmons stated that the permit needs to address lot 2.01.

Chairman Bennett asked if the new permit would be issued by the next hearing date. Mr. George Conway stated that it should be, but they submitted the permit six months before it expired, and they still do not have the new one. He stated that the extension is good for another 60 days.

Mr. Emmons asked for a copy of the extensions from DEP. Mr. George Conway was agreeable.

Motion was made by Mr. Evans, seconded by Mr. Pagenkopf to continue the application until the March 20, 2008 meeting. The vote was unanimous and the motion carried.

***MUA, Edward Street Pumping Station
Edward Street Pumping Station
Block 13.02, Lot 6.01
Zone HA***

Proposed improvements to Edward Street Pumping Station (Continuation until February 21, 2008)

Motion was made by Mr. Evans, seconded by Mr. Conway to deny the application without prejudice. The vote was affirmative with the exception of Mr. Pagenkopf and Mr. Regn, who voted no, and the motion carried.

3rd Round COAH Rules

Mr. Sullivan stated that they are considering including job growth.

Public Comment

There were none.

Comments from Professionals

There were none.

Comments from the Board

Mr. Conway stated that the Master Plan is up this year and Committee is looking for any comments from the Land Development Board. Mr. Conway suggested a sub-committee. It was decided that Mr. Pagenkopf, Mr. Morton, Mr. Petty and Mr. Conway will sit on this sub-committee. Mr. Conway stated that the Township would like to see something in the next couple of months.

Mr. Conway stated that in order to get funding to pay back the Township for the Greenway Map, they need to have a Public Hearing. Mr. Conway stated that they are looking at the availability of the State agencies that need to be present.

A. Bill List

Motion was made by Mr. Conway, seconded by Ms. Marinelli to approve the bill list. The vote was affirmative, with the exception of Mr. Pagenkopf who abstained from Bill #TR-82532, and the motion carried.

Motion was made by Ms. Marinelli, seconded by Mr. Morton to approve the Alaimo bills. The vote was unanimous and the motion carried.

Adjournment

Motion was made by Mr. Conway, seconded by Mr. Bintliff to adjourn at 11:13 p.m. The vote was unanimous and the motion carried.

Respectfully Submitted,

Caryn L. Cutts
Land Development Board Secretary