

**Upper Pittsgrove Township
Land Use Board Minutes
January 20, 2022**

TO: Township Committee
Land Use Board Members

Linda R. Stephens, Twp. Clerk
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Township Hall on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman reading the public announcement stating that adequate notice had been given provided under the “Open Public Meetings Act” and a flag salute.

Members present were: John Coombs, Edward Meschi, Jack Cimprich, Thomas Buzby, Ralph Sickler, William Gantz, David Zeck, Jr., Michael Foote, Benjamin Wilson, Kevin Bishop and Linda Stephens.

Also present was: Adam I. Telsey, Board Solicitor, Stephen J. Nardelli, Board Engineer, Clint Allen, Esq., Brad and Carrie Johnson, Gregory Simmons, and Township Visitors.

Business to come before the Board:

1. Reorganization
2. Minutes from December 16, 2021
3. Johnsons Landscaping, LLC

1. Reorganization -

The Oath of Office was administered by Board Solicitor Adam Telsey to the following Board members: Class I – Edward Meschi (1 year term), Class II – Linda Stephens (1 year term), Class III – Jack Cimprich (1 year term), Class IV – Full member – Ralph Sickler (4 year term), David Zeck, Jr. (4 year term), and Alternate Kevin Bishop (2 year term). The Secretary then opened the nominations for Board Chairman. Thomas Buzby made a motion to nominate John Coombs as Board Chairman for the 2022 year. This motion was seconded by Jack Cimprich. There being no other nominations the Board Secretary closed the nominations for Board Chairman. The Board voted unanimously for John Coombs as Board Chairman. The Board Chairman opened the nominations for Vice-Chairman. Thomas Buzby made a motion to nominate William Gantz as Vice-Chairman for the 2022 year. This motion was seconded by Edward Meschi. There being no other nominations the Board Chairman closed the nominations for Vice-Chairman. The Board voted unanimously for William Gantz as Vice-Chairman.

Jack Cimprich made a motion to adopt Resolution 1-2022 that designates the third Thursday of every month as regular meeting nights at 7:30PM and the second Thursday of every month as workshop meeting nights, if needed, where actions may or may not be taken at 7:00PM as well as designates *South Jersey Times* as the official newspaper of the Land Use Board and to designate *The Elmer Times* as the alternate. This motion was seconded by Benjamin Wilson and adopted unanimously. Thomas Buzby made a motion to adopt Resolution 2-2022 appointing Adam I. Telsey as the Board Solicitor for the 2022 year, Stephen J. Nardelli, Fralinger Engineering, PA, as Board Engineer for the 2022 year and Stephen J. Nardelli, Fralinger Engineering as Planner for the 2022 year. This motion was seconded by Benjamin Wilson and adopted unanimously.

2. Minutes –

A motion to approve the minutes from the December 16, 2021 meeting was made by Thomas Buzby. This motion was seconded by Benjamin Wilson and adopted unanimously.

3. Johnsons Landscaping, LLC, – Block 27 Lot 5 – 761 Route 77

The Board Chairman opened the hearing for Johnsons Landscaping, LLC. Johnsons Landscaping, LLC was represented by Clint Allen, Esq. Board Members Edward Meschi and Jack Cimprich recused themselves from participating on this application. Mr. Allen explained that Johnson's Landscaping, LLC was being operated on a property that currently contains a single family dwelling. A commercial business was not permitted in the LR-A Low-Density Agricultural Zone. The applicant was seeking Use Variance approval to permit the landscaping business to continue and they were requesting a waiver from submitting a full Site Plan. Board Engineer, Stephen Nardelli commented on his review letter dated January 4, 2022 with respects to is comments for deeming the application complete. The applicant was requesting a waiver from providing a Letter of Interpretation. The Board Chairman stated that the wetlands were of a concern. After a brief discussion with the Board Engineer Ralph Sickler made a motion to grant the request waiver from providing an LOI at this time and deem the application complete. Member David Zeck seconded that motion which was adopted unanimously.

Mr. Allen continued. He stated that part of a Use Variance would be to understand its impact on the surrounding properties. Among those would be noise, lighting and hours of operation. The applicant was proposing hours of operation to be 7am-7pm Monday through Saturday with material and landscaping deliveries coming in from 7am until 5pm. There would be no Sunday deliveries. To address lighting concerns lights can be shielded and cast down over doors. The applicant is proposing 30 employees. Currently there was only a general parking area designated on the plan. Parking spaces will be delineated to ensure there was adequate parking for employees. Mr. Allen stated the last impact to adjoining neighbors would be visual. He continued that there was already a deciduous border of evergreens and the applicant would be willing to add more.

Mr. Allen stated that the property was particularly suited for this use. The business was at its maximum size. There was an office located in the building directly

down from the entrance. There is adequate parking for employees' vehicles and equipment. The Board heard testimony from Carey Johnson, owner of Johnson's Landscaping with regards to the business and what activities occur on the property. Mrs. Johnson confirmed that all the representations Mr. Allen placed on the record were factual.

The Board Chairman opened the hearing to the public for comment. Eric Wade stood to address the Board. He was the neighbor directly to the north of the Johnson property and his home was angled as such that it faced the business activity. It was his opinion that the site was not particularly suited for the use. The delivery trucks and their own trucks going in and out make a lot of noise starting early morning. They have dumpster, port-a-potty and fuel delivery vehicles coming in and out also. Mr. Wade stated that he was concerned with environmental issues from possible fuel spillage, salt and other material storage. There were flood lights on the buildings that were on all night. During daylight hours back-up alarms could be heard constantly. He questioned that the applicant had represented that their vehicles were used for snow plowing during the winter season, would they adhere to the same proposed hours. Mr. Allen addressed Mr. Wade's concerns as to lighting with possible solutions, changes to the back-up alarms, and additional buffering to help with the impact. Mr. Wade questioned whether an agricultural buffer should be required to move the activity further from his property line. Nick Fedechko spoke up in support of the business stating they do business with each other. Hearing no additional public comment, the Chairman closed the hearing to the public for comment. Board member Thomas Buzby said that snow plowing vehicles could not go in or out of the property outside the represented hours if approved. Vice-Chairman William Gantz he really had serious concerns regarding the size of this activity. Thomas Buzby made a motion to table the application and request the applicant comeback with a more detailed Use Variance plan. This motion was seconded by Kevin Bishop and adopted unanimously. Mr. Allen consented to waiving the time constraint and the public was noticed that the hearing for Johnson's Landscaping, LLC would be continued until the February 17, 2022 meeting at 7:30pm. The Board members were invited to visit the site individually.

There being no further comment and business before the Board, Thomas Buzby made a motion to adjourn the meeting. This motion was seconded by William Gantz and adopted unanimously.

Respectfully submitted,

Linda Stephens, Secretary
Upper Pittsgrove Township
Land Use Board