

UPPER TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
MARCH 7, 2024

The meeting of the Upper Township Zoning Board of Adjustment was held at Township Hall at 2100 Tuckahoe Road, Petersburg. The meeting was called to order at 6:30 p.m.

SUNSHINE ANNOUNCEMENT

SALUTE TO THE FLAG

ROLL CALL

Member	Attendance
James Burger, Alt #1	Present
Paul Casaccio, Chairman	Present
Sherrie Galderisi	Present
Tom Jackson Alt #2	Absent
Richard Mashura	Present
Lynn Petrozza	Present
Christopher Phifer	Present

Member	Attendance
Donald Rainear Alt #3	Present
Andrew Shawl	Absent/Present
Matthew Unsworth	Absent
Hobie Young, Alt #4	Present

Also, in attendance were Jeffrey Barnes, Board Solicitor, Greg Schneider, Board Engineer and Liz Oaks, Board Secretary and Zoning Officer.

Greg Schneider and Liz Oaks were sworn.

APPROVAL OF THE FEBRUARY 1, 2024 MEETING MINUTES

A motion to approve the minutes was made by Ms. Petrozza and seconded by Ms. Galderisi.
In favor: Burger, Galderisi, Petrozza, Phifer, Rainear, Young, Casaccio
Abstain: Mashura

TABLED APPLICATIONS

John Federico – Block 560 Lot 2 & 3 – BA 25-2023

Applicant is seeking a use variance to allow for a 100-room hotel with 24 residential units at 2069 and 2071 Route US 9 South in Seaville, New Jersey.

This application is tabled until further notice. Applicant will be re-noticing.

RESOLUTIONS

Atlantic Cape Builders, LLC Block 348 Lot 83.01 – BA 28-2023

A motion to approve the resolution was made by Mr. Phifer, seconded by Ms. Galderisi.

In favor: Burger, Galderisi, Petrozza, Phifer, Rainear, Young, Casaccio

Abstain: Mashura

Michael Butterfield Block 559 Lot 21.06 and 21.09 – BA 29-2023 (Revised)

A motion to approve the resolution was made by Mr. Phifer, seconded by Ms. Petrozza.

In favor: Burger, Galderisi, Petrozza, Phifer, Rainear, Young, Casaccio

Abstain: Mashura

Resolution Naming Official Newspapers for the Zoning Board (Revised)

A motion to approve the resolution was made by Mr. Phifer and seconded by Ms. Galderisi.

In favor: Burger, Galderisi, Petrozza, Phifer, Rainear, Young, Casaccio

Abstain: Mashura

BILLS

A motion to pay the bills as presented was made by: Ms. Petrozza seconded by Mr. Phifer.

All in favor.

Mr. Andrew Shawl has arrived at the meeting and will now be marked as present.

Mr. Richard Mashura has stepped down for the first application. He will stay in the audience to participate in the following application.

Greg Schneider and Liz Oaks were sworn.

APPLICATIONS

Bruenig, Robert – Block 453 Lot 170.02 – BA 17-2023 (Continuation from Previous meeting)

Applicant is seeking site plan approval to construct a 2,250 square foot garage where former approval was for a 20,000 square foot building. Proposed storage yard use is to be continued as the previous use variance was granted at 170 Route 50 in Petersburg.

John Amenhauser, attorney with the DeWeese Law Firm, representing the applicant, Robert Bruenig. This application is in reference to 170 Route 50, known on the tax map as lot 171.02 block 453. Located in the CM2 zone district. What they are seeking is an amended site plan approval as well as a D1 and or a D2 variance. There was discussion last time they were here as to whether this was a conditional use and or a D variance request. They conceded they needed a D variance and did notice for such and are back before the board. What the applicant proposes to do is construct a 2,250 square foot maintenance garage and administrative office for use of his commercial business use on this property while continuing to utilize the site as it has been used since the board approved it as a storage yard back in April 2003. The specific amendment to the site plan since they had last appeared is the location of the proposed maintenance garage and what they have done to alleviate the concerns of some of the neighbors that had objected to the prior location.

Andrew Schaeffer, Engineer, Schaeffer Nassar and Scheidegg, previously sworn. The plans show that they have moved the garage about 50' to the south. Away from the property line of some neighbors that were concerned about the location and the possible noise that can emanate from it. They also proposed to put the air compressor inside the building. These two changes will essentially mitigate the noise concerns. The original approval had some conditions, all have been met except for a double row of pine trees along the fence. They have since been installed. There are no bulk variances as part of this application. It has been stated that this application requires a D1 and/or D2 variance. He does not agree with either one but will go through the process of testimony for either one or both of those. The reason for both will be the same; aesthetics, the site is particularly suited for this business. It neighbors similar businesses that would be industrial in nature and the storage, in nature, of equipment. Granted they are probably self-made by the applicants, but they were approved by this board to exist in the first place. They are now existing.

conforming consistent uses to what they are proposing. The location is primarily commercial. Under the D2 there is a benefit to the general welfare which is a test of the D2 in that the aesthetics of the area are improved. Some of this area is not the best to look at, the equipment storage which was previously approved. The proposed structure will block some of this view. It would be the same special reason for a D1. It is important to note they are agreeing to the conditional uses associated with a maintenance garage in this zone which is permitted as a conditional use. This is a repair garage that is not open to the public which will be less traffic. Minimum lot size is met. All maintenance activities and compressors will be within the garage. No inoperable vehicles will be on site. There had been some that have since been removed. No vehicles will be displayed for sale. The applicant agrees to have all 5 parking spaces paved or surfaced with concrete. In the original application they were granted a variance for a 75 sq. ft. free standing sign where 35 sq. ft. is permitted through the special conditions. This sign has yet to be constructed. There are no underground storage tanks proposed. He believes this site is particularly suited to the proposed use because of the surrounding existing uses. He does not believe there is a substantial detriment to the zone plan or zoning ordinance and no substantial detriment to the public good. This is existing use and what they propose does not increase traffic or movement and improves that aesthetic by blocking the view from Route 50 of some of the activities. He believes special reason (i) is applicable. "To promote a desirable visual environment through creative development techniques and good civic design and arrangements."

Mr. Bruenig explained that due to comments from his neighbor, Mason, he has removed any inoperable vehicles and agrees that he will not store any inoperable vehicles in the future. He went on to explain that he was not aware that planting trees was part of the agreement but has planted them now. Between the moving of the vehicles and the planting of the trees he believes he has mitigated these concerns.

Mr. Young – The original approval stated that the drive aisles were to be paved as a condition of approval. It is clear that it says asphalt, not crushed stone. That was apparently missed along with the trees.

Mr. Amenhauser – During the previous meeting in February there was a discussion about this and they had requested that they continue to use the crushed stone.

Mr. Schaeffer – Added that the parking spaces were to be paved by either concrete or asphalt.

Mr. Bruenig testified that the original approval just left out the word "crushed" when talking about asphalt and suggested listening to the audio. It was clear on the plan that it would be crushed asphalt mixed with crushed concrete.

Mr. Schaeffer – From an engineering standpoint any asphalt would be short-lived mainly due to the type of machines that are moved around on this site. If we put in regular asphalt, it would soon be chewed up.

Mr. Amenhauser – They will request a waiver for the asphalt.

Mr. Young is also concerned about the noise. He is far enough away, about 300', but when a dumpster is dropped, it sounds like a bomb is going off. How is this controlled.

Mr. Bruenig – He hasn't experienced this but will be on site and he can put an end to it if it happens. He thinks his presence will alleviate this. Currently the gates are closed at night and there is one guy that comes in and opens the gates at 6:30 a.m. He hasn't had to lock the gates, but he will if he needs to.

Mr. Amenhauser – They would agree to a condition of approval that the gates are kept locked.

Mr. Young asked about the use of other trucks from other sites.

Mr. Bruenig – There will be no trucks for servicing from any other site. They own nine trucks but the maximum you will see is six. Staffing would be about 3 people in the office at any given time plus himself. If he isn't there a manager will be.

Mr. Burger – He does not have a copy of the original site plan, but he imagines it would have looked as nice as the one presented for this application. However, when he pulled up an image on google earth and it looks like a bomb site. He can't speak to the noise because he doesn't live near there but if we are going to try to pass this based on aesthetics, he has his doubts.

Mr. Phifer – He has concerns about the history of non-compliance. They have been cleaned up because you are here asking for more.

Mr. Bruenig – They divested their operations 5 years ago and sold basically 2/3 of the business, making it more manageable.

Mr. Phifer – You were the person in charge during this time.

Mr. Bruenig – They have limited the trucks, they have limited the hours, they have limited the uses and now he will be personally on-site with office staff. He thinks the presence of the office staff will lessen the concerns.

Mr. Amenhauser – If there are any conditions the board may want to add in order to be approved; the applicant would like the opportunity to consider these.

Mr. Rainear – Please explain the aesthetic benefit of a warehouse.

Mr. Schaeffer – The addition of the garage will essentially block the existing business.

Mr. Rainear – What percentage will it block.

Mr. Schaeffer – It is a relatively small percentage, but it still provides some blockage of that area from Route 50. Special reason (i) had been mentioned earlier in support of improving the aesthetics. He would like to suggest that special reason (g) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial, and industrial uses and open space, both public and private according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. Is also applicable due to the neighboring businesses.

Mr. Casaccio asked for exact days and hours. And the size of the office and the shop.

Mr. Bruenig – Monday through Friday 6:30am to 7:00pm and Saturday 6:30am to 2:00pm.

Mr. Amenhauser – The site plan states 400 square feet for the office and 1,850 for the shop.

Mr. Schaeffer – There are two overhead doors in the back and 1 man door in the fronts.

Mr. Schneider conducted a site inspection and confirmed the trees, according to the resolution, have been installed. He did not have the full site plan.

The meeting was open to the public.

Bill Bailey, 1221 Mt Pleasant Road, and owner of 172 Rt 50, was sworn.

Mr. Bailey submitted the following documents:

Exhibit #1: Drone photo taken by Mr. Bailey December 15, 2023

Exhibit #2: 6 Photos from his property taken by Mr. Bailey December 16, 2023

Exhibit #3: Minutes from March 13, 2003 meeting

Exhibit #4: Page from resolution BA 04-02

Exhibit #5: Email from the Cape May County Board of Health

Exhibit #6: Mr. Bruenig's Septic design recorded with the Cape May County Board of Health

Exhibit #7: Google Earth (date unknown)

Mr. Amenhauser – Objects to exhibit #5, Heather Johnson, Board of Health, not present. And exhibit #6, is a partial septic plan from 2003 that was approved. He doesn't see the relevance.

Mr. Barnes suggested that Mr. Bailey have an opportunity to discuss his exhibits and the board can decide if they want to accept the exhibits and his testimony. He understands Mr. Amenhauser's objections, and they are noted on the record.

Mr. Bailey:

Exhibit #1 is a drone shot taken December 15, 2023. It shows what the site looks like. The trash trucks and debris. The previous application in 2003 was approved for the containers for his demolition and roll off container business. However, most of what is on site is not needed.

Exhibit #2 is a series of 6 photos. One photo shows the fence damaged when a dumpster had dropped through. Others show debris. The maintenance on roll-off containers is not compatible with existing salon business.

Exhibit #3 are the minutes from the 2003 meeting. He was at that meeting and opposed that application. What he had asked for though was a noise buffer of a double row of trees that never went in. He recently added trees but in the wrong spot.

Mr. Schneider verified that the trees were planted according to the resolution. He did not have the site plan during his site inspection.

Exhibit #4 is the resolution from the previous application. BA 04-02. On page 4 item 14(a) States that the north side was meant for employee parking only.

Exhibit #5 is an email dated December 20, 2023 from Heather Johnson at the Cape May County Board of Health. At a previous meeting Mr. Bruenig stated that the location of the structure was due to the location of the septic system. Mr. Bailey does not see a raised mound for the septic like

others in the area.

Exhibit #6 is a copy of Mr. Bruenig's septic plan with a 4' mound.

Mr. Bailey had spoken with Mrs. Johnson about the property. The email dated December 20, 2023 are her comments after reviewing his file and an onsite inspection. There is a well, but no permits were filed. There was no evidence of a 4' mounded disposal field. This means that after it had been inspected the mound was removed and turned it into a grade system.

Mr. Bailey listed his complaints as failure to maintain the fence, failure to comply with the resolution for 20 years, failure to comply with employee parking and not complying with the asphalt. He understands they are asking for a waiver for the asphalt. In exhibit #1 you can clearly see it is all dirt. Mr. Bailey is not happy with the dust and dirt that come off this site in the summer. He understands that asphalt throughout the site may not be suitable to the nature of the business, but the parking and drive aisles should still be done.

Mr. Bailey – Their issue is not with the building, but the use of the site. It is detrimental to the salon business they run.

Mr. Amenhauser clarifies with Mr. Bailey about the tree line on the north side and confirmed there is an existing 10' natural tree buffer. He points out that the site plan shows a fence on Mr. Bruenig's property line and the 10' buffer of trees are on Mr. Bruenig's property.

Mr. Amenhauser also questioned if there are tenants that live on the second floor of Mr. Bailey's property and whether he ever complained about light pollution.

Mr. Bailey confirmed tenants but denied complaining about lights.

Mr. Bruenig testified that they did plant a double row of trees and the township engineer signed off on it. There was a fairly dense portion of the buffer toward the front of the property, and they were instructed to plant toward the rear up to the dense portion of the buffer. He believes that the evergreens shown are some of the ones he planted.

Mr. Bruenig testified that they originally had the employees park on the north side of the property but changed location after receiving a phone call from the tenant asking them not to park there because of the lights in the morning.

Mr. Bailey testified that he had a conversation with Mr. Bruenig, but it was about his trucks starting at 3:30 am and the lights shining in at that time.

Mr. Young – You must comply with the site plan and conditions.

Mr. Bruenig apologized. He did not realize complying with the tenant's request would be a problem.

Mr. Shawl – How often is the fence maintained.

Mr. Bruenig – He has maintained it a few times, about once a year. Unfortunately, right now the pine trees are dropping because of the beetles.

Mr. Bailey, previously sworn, added that the immediate day after the meeting in December a truck pulled up at 5:30 am to the compressor to fill his tires.

Mr. Amenhauser asked Mr. Bruenig to address the allegations about his septic bed in exhibit #06.

Mr. Bruenig – He did not remove the septic bed. There is a septic bed there now that was approved. There have been several feet of fill that has disguised the bed. When he had purchased the lot, it was going downhill. The lot hadn't been filled when the septic was designed.

Mr. Amenhauser addressed exhibit #01, the overhead drone shot and the inoperable vehicles.

Mr. Bruenig – He has removed the vehicles and has testified that he will not allow any inoperable vehicles to be parked or stay on site.

Mr. Casaccio – The elevation at the site of the septic bed is at 20, however, Mr. Schaeffer has a line running through it stating 17 which means there should be a 3' mound.

Mr. Schaeffer – The stormwater basin in the back had backhoe test pits done. They have elevation 15 for the bottom of the basin which translates to the seasonal high-water table being at 13' or below. That is 7' below the top of the basin. In his opinion he doesn't believe a septic system would need to be mounded. The only reason you need to mound a septic system is to get above seasonal high-water table.

Mr. Bruenig – They hired DeSantis Well Drilling to come in and drill the well. It was his understanding they obtained proper permitting. There was a final well record. He spoke with them in October they had not sent that to the Health Department. He believes they have sent it now. He does not have a copy with him now, but he is sure he has it with his paperwork.

David Mason, 166 Route 50, was sworn.

Mr. Mason lives behind the subject property. He is not in favor of the application. He is concerned about the noise a shop will create with the trucks. He and his family's quality of life will be affected. He is concerned about the overhead doors that will be facing his property. You can make a building look good, but it is what happens inside that is concerning.

Mr. Young asked Mr. Mason if the buffer between his property and Mr. Bruenig's property has been maintained.

Mr. Mason – There have been a few trees that have died and fallen. He would like to see the Saturday hours start a little later.

Mr. Bruenig agreed to begin at 7:00 am and end at 2:00 pm. The buffer between his property and Mr. Mason has a strip of evergreens that is between his retention basin and the fence. There has been some loss of pine trees due to the beetles. He has offered to give Mr. Mason 20 Leyland Cypress to match what he has there already to thicken up that area because he would be able to better know where he would want them.

Mr. Young pointed out that Mr. Bruenig should be managing the buffer on his side.

Mr. Bruenig agreed to do it on both sides of the fence.

Nathalie Niess, 759 Route 50, was sworn.

Ms. Niess is in favor of the application. She doesn't understand why Mr. Bailey waited until now to complain. She isn't aware of any other complaints submitted about the property. Mr. Bruenig has been there 20 years and wants to improve a property that is zoned commercial. She believes there has been personal bias tonight. She believes the benefits will be an upgrade. She sees Mr. Bruenig working with the neighbors.

Hearing no one else and seeing no one else the public portion was closed, and the meeting returned to the board for findings of fact.

Mr. Shawl – The applicant, Robert Bruenig, comes before the Upper Township Zoning Board about the property located at 170 Route 50 known on the tax map as lot 170.02 block 453. The property is in the CM2 Zone, and the applicant proposes to erect a 2,250 square foot building that contains a 400 square foot space an administrative office and an 1,850 square foot maintenance garage. It is proposed to be used by the applicant's company, EarthTech. It is to be used for the maintenance of EarthTech vehicles. It is not a commercial business for others to use. The property in question had received a previous use variance in 2003 based on BA 04-02 which is part of the application. The applicant provided testimony regarding the design and location of the building. Initially the building was located adjacent to the existing fence on the property line. After reviewing comments and complaints from the neighbors the applicant agreed to move the building and change the situation on the property so that the building would be oriented so that the front door would be facing Route 50 and the overhead doors would be facing the rear of the property. Employee parking would be on the north side of the building. One ADA parking space would be provided along with four additional spots adjacent to the building. The applicant provided testimony for a D1 and a D2 variance to have an expansion of a non-conforming use that was agreed to in 2003. The non-conforming use being a storage facility for vehicles and roll-off containers. This is a specific amendment to the site plan and the expansion of the use. The building was moved from the previous application and the compressor will be contained in the building. Having the administrative office on-site and staffed should improve the operation and conditions. The applicant did plant a double row of pine trees, verified by the board engineer, that had been part of the prior approval. There are no bulk variances required for the building or the parking. According to the zoning schedule all the setbacks and frontage are conforming. There was a previous variance granted for tree preservation. There was testimony provided from the applicant's engineer that the proposed facility will improve the aesthetic as it will partially block some of the container storage and parking. The location of the building was designed to help with the historical problems of the site use after the original variance was granted. The applicant's engineer also provided testimony that this site was particularly suited for this use because it is in the CM2 Zone, has direct access to a state highway and is among other commercial businesses in the vicinity. There was some question about whether a maintenance building was approved as a conditional use as part of the zone plan. The applicant is requesting a D1 and D2 variance and provided supporting testimony and evidence that there are special reasons for this. Specifically mentioned were special reason (i) aesthetics and (g) appropriate location due to it being along a state highway and being in the vicinity of commercial developments in the area. The applicant stated there would be no underground or above ground fuel tanks. There will be no inoperable vehicles stored on site; even though there had been historically, and they have been removed. The applicant has agreed to planting additional trees on-site. They are asking for a waiver for the asphalt surface for the parking and entrance. We heard testimony from the engineer that crushed concrete or crushed asphalt is better for the operation that is proposed here and for what has been

existing. They have agreed to firm operating hours; Monday through Friday would be 6:30 a.m. to 7:00 p.m. and Saturday from 7:00 a.m. to 2:00 p.m. and there will be no hours of operation on Sundays. We heard testimony from neighbors within 200'. One of which submitted exhibits showing the site conditions on or about December 2023. He had also discussed some specific requirements that were in the minutes from the 2003 meeting granting the previous variance and conditions in the resolution. Additional exhibits presented were other pictures from google earth and septic design from the Department of Health. The basic summary from that individual was that the operation next door to his business is noisy and does not agree with the engineer that the aesthetics will improve. There was some question about a tree buffer; we heard rebuttal from the applicant about the historical nature of the pine trees there and how he had let the buffer grow in its natural state. The trees that are seen are partially on each of the properties. We heard testimony that the applicant had operated prior to the 6:00 a.m. start time that had caused a disturbance to the neighbors. The applicant stated that any inoperable vehicles have been removed and would not be stored on site in the future. The well and septic had been approved. There was a licensed well driller that installed the well and a licensed engineer that designed the septic system. The applicant stated that the fence and part of the trees shown in the photos, provided by the neighbor, were actually on his property. We heard testimony from another neighbor, that is within 200', that he did not believe the use was appropriate. He stated the proposed use would increase activity and noise. This person had met with Mr. Bruenig who offered to fix the fence and add Leyland Cypress on both sides of the property line to the backyard neighbor to shield him from noise, light, and directly seeing the property. We heard testimony outside of 200' in favor of the application because they felt this would improve the site and would benefit the township. The engineer listed special reasons and he agrees there are other commercial enterprises nearby and access to Route 50 is a good idea for this type of business. However, it is concerning hearing the comments from the neighbors about noise complaints and not maintaining the operating hours that were established in the previous resolution as 6:00 a.m. to 7:00 p.m.

Ms. Galderisi – Concurs with Mr. Shawl and added that the building will be fully insulated to hopefully minimize the noise. She is concerned about the other entities around, but it is a commercial zone. She agrees with special reasons (i) and (g).

Mr. Amenhauser added the applicant proposes to move the overhead doors from the west side to the south side, so they are not facing Mr. Mason's property. Hopefully alleviating any concerns Mr. Mason may have.

Ms. Petrozza – Concurs with Mr. Shawl's findings of fact. She added that the applicant must show that relief can be granted without substantial detriment to the public good. She feels the special reasons, the expansion of the current use, that they are requesting is a detriment to people's lives. She understands it is a commercial zone and they are right on Route 50 but she does not support the application due to the detriment to the public good.

Mr. Burger – Does not believe some of the conditions of the resolution from 2003 have been met.

Mr. Young – Clarified what the responsibility of the board is. They evaluate applications to see that what is proposed would be conducive to the neighborhoods. It is a chance to see if there have been any problems over the years and try to mitigate any concerns so that this can move forward. The proofs have to be made to the neighbors and the township that this is not going to happen again. This site has been a problem for 20 years. All of a sudden we are getting it cleaned up but he doesn't want to see this as a problem in 3 years. He is looking for some type of guarantee

that the site is going to be maintained and the buffers will be maintained. This is approved as a storage yard. And now the request is to intensify the use. This is nothing personal, it is what the board is required to do.

Mr. Phifer – He thinks the application is full of contradictions. He does not agree with the engineer’s assessment of special reasons (i) and (g). He does not believe relief can be granted without substantial detriment to the public good. He is not in favor of this application.

Mr. Rainear – He also has problems with the special reasons (i) and (g). He does not believe significant evidence was provided to support the reasons. He does not believe the addition of a structure is automatically an aesthetic improvement.

Mr. Casaccio – Concurs with the findings of fact. Based on the current maintenance and unless we can put some device in place to make sure the property is maintained, he can’t move forward with this application.

Mr. Barnes – Confirmed that a D1 variance requires five affirmative votes to pass. It is a typical non-inherently beneficial use application so you have to look at special reasons and whether those reasons have been proven as to whether the proposed use will promote the general welfare and the development of the property is specifically suited for the proposed use. That is the positive criteria. On the negative side, you have to look at whether or not the variances can be granted without substantial detriment to the public good and won’t substantially impair the intent and purpose of the zone plan and the zoning ordinance. You then have to take the material that has been presented, whether verbal or through exhibits, and weigh that evidence as well as the credibility of witnesses that have provided testimony to base your decision.

Mr. Casaccio asked whether the applicant wanted to move forward or table the application.

Mr. Amenhauser and Mr. Bruenig take five minutes at 8:49 p.m. to discuss how they will move forward.

The meeting resumed at 8:54 p.m.

Mr. Amenhauser stated that the applicant would like to post a guarantee for the maintenance requirements related to the fencing and the trees. He offered a five-year bond in the amount of \$10,000 with the township to ensure that they abide by the maintenance requirements. With that offer they would like to move forward.

The meeting was re-opened to the public based on the additional information regarding the changing location of the overhead doors and the bond.

Mr. Bailey, previously sworn, stated that he is still opposed to the application. It is the use proposed that is his concern and wants the original resolution upheld.

Ms. Neiss, previously sworn, believes Mr. Bruenig tried to mitigate the complaints and is a man of his word. He is a businessman that has worked hard and is a stand-up guy.

Mr. Mason, previously sworn, is still opposed to the use.

Mr. Barnes – The motion to approve a final site plan with a D1 variance to allow the applicant to construct a 2,250 square foot garage with the following conditions:

1. The applicant will not store inoperable or non-registered vehicles on site.
2. There would be permitted crushed stone except for the parking area.
3. The hours of operation are Monday through Friday 6:30 a.m. to 7:00 p.m., Saturday 7:00 a.m. to 2:00 p.m.
4. The applicant will be in full compliance with resolution BA 04-02 with the exception of item #2.
5. The applicant will provide neighbor, David Mason, with trees to plant on his (the neighbor's) property.
6. There will be no above ground storage tanks permitted on the property.
7. Additional trees are to be planted at the property.
8. Relocate the overhead doors to the south side, with no overhead doors on the east side.
9. Post a maintenance bond of \$10,000 for a period of five years.
10. Repairs to the existing fence to be completed.

A motion to approve the application with the above conditions was made by Mr. Phifer, seconded by Mr. Shawl.

In favor: Galderisi, Shawl,

Oppose: Burger, Petrozza, Phifer, Rainear, Casaccio

Mr. Mashura has returned to the board.

Schroder, Schroder, and Delmonico – Block 453 Lots 249.05 & 255 – BA 01-2024

Applicant is seeking a minor subdivision with a use variance to expand the existing campground at 98 Corson Tavern Road in Seaville, New Jersey

This applicant has requested the application is tabled until the May 2, 2024 meeting at 6:30 pm.

The applicant agreed to the waiving of the tolling of the time.

ADJOURNMENT

A motion to adjourn the meeting was made by: Ms. Galderisi, seconded by Mr. Phifer.

All in favor. The meeting ended at 9:07pm.

Submitted by,

Liz Oaks