

Call to Order:

The meeting was called to order at 7:03 p.m. by Chairman McLaughlin who read the following statement: “Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings. This notice was sent in writing to the South Jersey Times on January 17, 2013. A copy was posted on the second floor bulletin board of Town Hall and a copy was given to the Township Clerk. In addition, notice for this evening’s public hearing was sent in writing to the South Jersey Times on December 3, 2013.”

The Board saluted the flag.

Roll call: Present – Mr. Carney, Mr. Fritz, Mr. Manfredi, Mr. Salvadori, Mr. Kozak, Mr. McLaughlin. Absent – Mr. Fitzgerald, (excused), Mr. Price, (excused), Ms. Hui, (excused). Also present – Mr. Marmero, Solicitor, Ms. Pellegrini, Planner, Mr. Sander, Engineer, Mr. Caligiuri, Council Liaison.

Memorialization of Resolutions:

1. #13-33 – App. #13-18 – Patricia Keller – Side Yard Variance Approved

Motion by Mr. Salvadori, seconded by Mr. Fritz to adopt resolution #13-33. Roll call vote: Ayes – Mr. Salvadori, Mr. Fritz, Mr. Carney, Mr. Manfredi, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

2. #13-34 – App. #13-21 – Marino General Construction – Use Variance Approved

Motion by Mr. Carney, seconded by Mr. Fritz to adopt resolution #13-34. Roll call vote: Ayes – Mr. Carney, Mr. Fritz, Mr. Manfredi, Mr. Salvadori, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero.

Public Hearing:

1. #09-02 – Christopher Fazzio & Jason Giloley – Extension of Use Variance

Present – Christopher Fazzio, applicant.

Member’s packets contained: 1. Letter dated October 31, 2013 prepared by Christopher Fazzio.

The applicant is requesting an extension of a use variance granted in 2009 in order to be allowed to continue to store material on property located on Block 15301, Lots 2-4.

Public Hearing: (continued)

1. #09-02 – Christopher Fazzio (continued)

Mr. Fazzio was sworn in by Mr. Marmero. Mr. McLaughlin commented that the Board member's packets contained Mr. Fazzio's letter requesting an extension of his use variance through December 31, 2014. Mrs. Farrell also distributed a letter that was received earlier that day from a concerned resident who could not attend the meeting. A copy of that letter was given to Mr. Fazzio and Mr. McLaughlin asked him if he would like to comment on the letter. The letter indicated that the resident, Jo Stamper, was opposed to the continued storage of industrial materials on farmland. It also stated she thought it was a health and safety hazard and requested that the extension be denied. Mr. Fazzio stated that he wished the person was present so he could explain the situation.

Mr. McLaughlin asked Mr. Fazzio if the materials stored on the site are hazardous to the groundwater and if he would be willing to pay for testing of the soil and water as indicated by the resident of the letter. Mr. Fazzio stated that there are no liquids stored on the property only steel or wood and nothing that would cause any impact on the soil or groundwater. He stated that they did construct the building as they said they were going to do and that they had approximately ten thousand tons of material stored on the property in question. At the present time there is about two or three thousand tons of material on the property; so they have reduced it considerably. They would like to move it all out of there but it will take a little more time. Mr. McLaughlin asked if they would be able to move it out by the end of next year. Mr. Fazzio replied that it would be up to the Board, he would ask even to be there through 2015 due to the situation and since the property owners do not have any issue with them using the property because the homes that were supposed to be constructed there by Paparone are not going to be built any time soon. He stated that his company has been a good source of income for the Monroe Township's Parks and Recreation fund since they donate to them on monthly basis. He didn't think any of the residents would be upset with the storage of materials and if they are he would be happy to show them around the site to see exactly what is being stored there. Mr. Kozak asked if they store any equipment on the site. Mr. Fazzio stated that there might be a forklift or two over there when they are moving material; currently there is a front end loader there but it's a nice machine and does not leak oil. All of their equipment is stored on the Washington Township side. Mr. McLaughlin asked if there is any kind of runoff from the materials that are stored on the property. Mr. Fazzio replied that they stored all of the same material across the street before they built the building. They had to go through testing of the soil and environmental testing and they passed all of those tests.

Public Hearing: (continued)

1. #09-02 – Christopher Fazzio (continued)

Mr. Fritz commented that the original use variance was granted for six months and the applicant has been coming back for extensions ever since. He stated that he has witnessed new product being delivered to the building on a regular basis and he does not see how the applicant is making an effort to clear the Monroe Township property when they are filling up the building and other yards with new product. Mr. Fazzio stated that they are running a business and trying to keep eighty or ninety people employed; that is the nature of the business; they buy product when it's available. Mr. Fritz replied that the applicant continues to ask for extensions because he is buying new product and not moving any of the other stuff off of the property located in Monroe. Mr. Fazzio replied that they have taken approximately two hundred loads of material from that property back to the Washington Township side. He stated that the volume of product that is there is substantially less than when they first started storing product on the site. They did get a large amount of crane mats that are made of hardwood that they stored over there, but they have sold at least half of them. If you walked around and really looked at what is there you would see that there is a lot of empty spaces in between where the product is stored. He invited Mr. Fritz to the site to see exactly what is there. Mr. Fritz stated that he has witnessed new product being brought into the new building and he has not seen any of the material being stored on the Monroe property being moved over to the other side. Mr. Fazzio stated that he is under oath and is not lying; he can prove that each and every row is not full. He stated he does have overhead photographs of the site when they first started storing material there and one taken just three months ago and there is a big difference. They have been good to Monroe and Monroe has been good to them; if they can keep some material for a couple of years so be it, but if it's a big deal then they'll move it.

Mr. Salvadori inquired as to the flooding mentioned in Ms. Stamper's letter. Mr. Fazzio stated that the flooding issues out there do not have anything to do with him and the material stored on that part of the property. That is another issue concerning the property owners and other areas of the property. Mr. McLaughlin asked Mr. Marmero if there were any legal issues with the use being allowed to continue for a couple of more years. Mr. Marmero stated that originally the use was granted and was going to be temporary in nature; however the applicant is asking to amend that temporary condition, the time condition, and make it longer. From a legal standpoint, the Board can grant the extension requested through December 2014 or a longer time if requested by the applicant.

Public Hearing: (continued)

1. #09-02 – Christopher Fazzio (continued)

Mr. Kozak asked Mr. Fazzio what the monthly donation is to the Parks and Recreation Fund. Mr. Fazzio stated that he wasn't certain of the amount but that it has added up to over \$50,000.00 over the years. Mr. Kozak asked what the shortest amount of time needed would be to move everything off the site if the extension is not granted. Mr. Fazzio replied that it would take at least nine months.

Motion passed to open the hearing to the public.

1. Charles Etschman, 1720 Rex Avenue, was sworn by Mr. Marmero. Mr. Etschman stated that he does not have a complaint with Mr. Fazzio, but with the water runoff and flooding issues from the Smith property. His property and the resident, Josephine Stamper, who sent in the letter, property was flooded, as well as other residents on Rex Avenue. It does not have anything to do with Mr. Fazzio and the property he is using, but Rex Avenue never had any water issues until the Smith's tilled up that ground and did whatever they did over there and now Rex Avenue gets flooded every time it rains.

Mr. McLaughlin asked if that condition happened before Mr. Fazzio started using the property. Mr. Etschman stated that it was happening before Mr. Fazzio stored material on part of the Smith property. Mr. McLaughlin sympathized but indicated that that was another issue and the Board did not have jurisdiction on that matter; the residents would have to go to Council. Mr. Kozak commented that it would not matter if Mr. Fazzio stored materials on the property or not, the water issue would still exist. Mr. Etschman replied that they would still have the problem regardless of the storage of materials.

2. William Sebastian, 543 Wright Loop, was sworn in by Mr. Marmero. Mr. Sebastian stated that he is a Councilman but he is not speaking for the Township, he is speaking as a resident. He suggested the equipment not be stored on the property; and only be on the site when moving material. He also asked if the amount of acreage can be reduced, meaning can Mr. Fazzio consolidate his materials instead of having them spread out over seven acres with empty space in between so it doesn't look like so much material is being stored there.

Public Hearing: (continued)

1. #09-02 – Christopher Fazio (continued)

Mr. Kozak asked why Mr. Fazio cannot move the material to his property across the street on the Washington Township side. Mr. Fazio replied that they are sorting through it; they are moving it. Some of it they sell right off of the site, some they move over; now it's really more of a convenience so they do not have to move the material twice. He stated that he knows they cannot stay there forever. Mr. Salvadori asked if he would consider consolidating the materials. Mr. Fazio replied that if he is going to do that he might as well just move it off. He didn't think it was hurting anyone being stored there, the property is over sixty acres and he is only using about seven acres for storage; but if he is going to pick it up once, he will move it off altogether. He does believe the equipment is stored on the other side of the street already.

Motion passed to close the hearing to the public.

Mr. Marmero summed up the applicant's request which is to amend the conditions of the use variance to allow an extension of time to December 31, 2014. Motion by Mr. Manfredi, seconded by Mr. Salvadori to grant the extension to December 31, 2014. Mr. Kozak asked if they can put some conditions on the approval such as not allowing any more material to be stored on the site. Mr. Fazio stated that he didn't believe that was feasible, they sometimes take something off and then bring something back. The volume of material is not what it used to be, there really is only about twenty percent of what was there at one time. Mr. Kozak also asked if the condition can be placed that Mr. Fazio understands he cannot ask for another extension and that they will continue to make the donations to the Parks and Recreation fund. Mr. Fazio stated that he understands they do have to move out of there at some point. Mr. Manfredi agreed and stated he should be able to run his business for the time requested and not be restricted as to bringing in more material. Mr. Marmero advised the Board that they cannot place the condition that Mr. Fazio cannot ask for another extension as it is his legal right to do so. Any approval will be subject to the condition that the donation to the Parks and Recreation fund continue. Roll call vote: Ayes – Mr. Manfredi, Mr. Salvadori, Mr. Carney, Mr. Fritz, Mr. Kozak, Mr. McLaughlin. Nays – Zero. Abstentions – Zero. Mr. Fazio thanked the Board.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

1. Reorganization Meeting.

Mrs. Farrell informed the Board that the Reorganization Meeting has been scheduled for January 7, 2013 at 7:00 p.m.

Approval of Minutes:

1. 12/03/13 regular meeting.

Motion by Mr. Carney, seconded by Mr. Fritz to approve the minutes from the December 3, 2013 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:30 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings. The tape of the meeting is stored in the office of the Board.

Ninette Orbaczewski
Clerk Transcriber