

March 22, 2023
Zoning Board of Adjustment Minutes
Township of Berkeley
627 Pinewald-Keswick Rd P.O. Box B Bayville, NJ 08721

6:30PM

SALUTE TO THE FLAG

Chairman Elliott called the March 22nd Zoning Board of Adjustment special meeting to order at 6:30PM and asked everyone to please rise for the flag salute and a moment of silence.

SUNSHINE ACT STATEMENT

Chairman Elliott announced: "This meeting was advertised in the Asbury Park Press and posted on the Township's bulletin board as required by the Open Public Meeting Act."

ROLL CALL

Present: Chairman Elliott, Mr. Bombardier, Mr. Ferrara, Mr. Gudaitis,

Absent: Mr. Bollettieri, Mr. Haliscak Mr. Macmoyle, Mr. Mika, Mr. Morey, Mr. Tuminaro,

Professionals Present from the Municipality: Alex Pavliv from Pavliv & Rihacek, LLC, Jim Oris from Remington and Vernick Engineers, and Melanie Adamson from Remington and Vernick Engineers

AGENDA

Messina Land LLC – BOA23-5992

23 Double Trouble Rd Block 23 Lot 4

Zone: FA-HC Forest Area Highway Commercial

The applicant's attorney, Mr. Harvey York, presented the site plan and special reasons variance application to the Zoning Board of Adjustment. He and Mr. Jason Marciano from East Coast Engineering testified they are requesting an amendment to the non-conforming use. The location is situated at the west side of the parkway entrance within the Forest Area Highway Commercial zone and is more than 12,000 feet from the nearest residence across the six-lane highway. Previously known as Cosmo's, Mr. Michael Messina plans to utilize the location as a landscape supply center. Homeowners and landscaping companies would frequent the location for mulch, stone, top soil, etc. There would be a delivery service available as well. The applicant testified no recycling of metals or construction debris would occur, but the straining of topsoil and crushing of concrete. Mr. Messina noted the location is currently in a DEP clean up order, and two of the three violations have been abated and the last is to be satisfied. He suggested there would be approximately 25 to 30 trucks generating traffic in the area daily. Mr. Marciano noted the variance could be permitted without substantial detriment to the public good and would not impair the intent and purpose of the original zone plan. The board's planner, Melanie Adamson, noted most of her comments in RVE's review letter would be addressed at the time of the site plan approval. The conceptual site plan of the location was introduced as Exhibit A1. She went on to clarify the number of employees and hours of operation with the applicant. Jim Oris, the board's engineer, asked the applicant to specify what materials would not be recycled at the location and where the vehicles are to be stored. Mr. Ferrara questioned the status of the soils on the property. Mr. Gudaitis asked if there would be any maintenance done to the office building and if there was an adequate water supply. Mr. Bombardier requested improvements to the entrance and suggested additional signage on Double Trouble Road. Chairman Elliott commended the applicant for the successful job he has done so far cleaning up the location and requested caution signs on the roadway be implemented on the site plan when submitted for approval.

Chairman Elliott opened the floor for public discussion. Hearing no one wishing to be heard a motion to close to the public was entertained. On a motion to close to the public by Mr. Gudaitis, seconded by Mr. Bombardier with all present in favor, the forum was now closed to the public.

Due to the lack of quorum, no motion was made to approve or deny the application. The application will be carried to the next Zoning Board of Adjustment meeting on Wednesday, April 12th.

VOUCHERS

Alexander Pavliv, Esquire

Remington & Vernick

Linda Sullivan Hill

On a motion by Mr. Gudaitis, seconded by Mr. Ferrara, with all present in favor, the bills were approved.

RESOLUTIONS

1. Kandle and Twiggs BOA22-5982

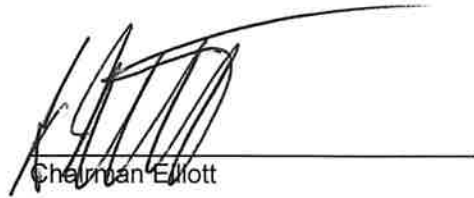
On a motion by Mr. Gudaitis, seconded by Mr. Bombardier with all present in favor, the resolution was approved.

2. Allard 21 LLC BOA22-5980

On a motion by Mr. Gudaitis, seconded by Mr. Bombardier with all present in favor, the resolution was approved.

ADJOURNMENT

On a motion by Mr. Gudaitis, seconded by Mr. Ferrara, with all present in favor, the meeting was adjourned at 7:14PM.



Chairman Elliott



Secretary Gudaitis

Respectively Submitted
Gabrielle Napolitano, Board Secretary