

**BLAIRSTOWN TOWNSHIP
ZONING BOARD OF ADJUSTMENT
April 13, 2010**

MINUTES

The Blairstown Township Board of Adjustment met in regular session on Tuesday, April 13, 2010 at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following Board members were present: Barbara Green, Mark Ohannesian, Charles Anderson, Andrew Smith, Debra Waldron, Philip Rivera, Mike Repasky and John Sartori. Andrew Straut was absent. Also present were: Board Attorney, Roger Thomas, Engineer, Ted Rodman, and Board Secretary, Marion Spriggs.

SALUTE TO THE FLAG: was recited.

ROLL CALL: was taken.

THE SUNSHINE STATEMENT: was read aloud.

MINUTES: (As distributed prior to the meeting date).

Minutes of March 9, 2010 Regular Meeting

Action: A motion was duly made by Mr. Rivera, seconded by Mrs. Green, and unanimously carried, without abstentions, to approve the minutes of March 9, 2010, as corrected.

Minutes of March 9, 2010 Executive Session Meeting

Action: A motion was duly made by Mr. Rivera, seconded by Mr. Anderson, and unanimously carried, without abstentions, to approve the minutes of March 9, 2010, Executive Session Meeting, as corrected.

RESOLUTIONS:

ZB#02-10 Blairstown Ambul. Corps., Block 904, Lot 8.04 –106 Rt. 94.– Prel & Fin. Maj. Site Plan

Roger Thomas pointed out there were modifications called to his attention on this draft resolution issued today. Chairman Waldron, suggested the members review the resolution in silence at this time, for any further changes or comments.

A Board member recommended the resolution be changed to reflect a total of 10 pole lights.

Action: A motion was duly made by Mr. Rivera, seconded by Mr. Smith, to approve **ZB#02-10 Blairstown Ambul. Corps.,** Block 904, Lot 8.04 –106 Rt. 94.– Prel & Fin. Maj. Site Plan

with the aforementioned change. Roll call vote: Green, Ohannesian, Anderson, Smith, Waldron and Rivera – yes.

COMPLETENESS:

None

PUBLIC HEARING:

ZB#03-10 Montage Enterprises, Block 702, Lot 18.01 – 140 Rt. 94 – Major Prel. & Final Site Plan, Bulk and Use Variances

Mr. Repasky stepped down for this application.

Tom Montanya, resident of Sparta and owner of Montage Enterprises, Ray O'Brien, Blairstown resident, and architect for the applicant, and Kevin S. Finelli, PE of Finelli Construction, Washington, were sworn in simultaneously.

Richard Keiling, attorney for the applicant, explained that this application is for a 2.9 acre piece of property, located on Rt. 94. It is a pre-existing, non-conforming use in the highway commercial zone and has been there for 22 + years. They are asking to construct a 2400 sq. ft. storage addition in the rear of the building on top of the existing 2500 sq. ft. concrete area.

Montage sells metal parts for residential and commercial lawn mowing equipment. Mr. Keiling circulated catalogues for the Board to view products sold. These were marked as Exhibit A-1.

There is no manufacturing. No chemicals or paints are used. Items are simply stored, packaged, and shipped out. Cardboard is recycled.

For the record, Tom Montanya, owner of Montage Enterprises, explained that they distribute parts for highway mowers. Amongst their customers, are municipalities and the State. The parts are mostly iron and consist of cutting blades, attaching hardware, and brackets. They purchase the parts from outside suppliers and they redistribute them.

There is very little walk-in trade. Shipments arrive by Fed Ex tractor trailers once a week. UPS pickups are daily. 90% of the orders arrive by UPS, 10% are shipped via truck which usually arrives at 3-4pm. Should the business increase, only the number of pallets would increase, not the number of trucks.

There are 9 employees, and that number will remain the same. No new toilet facilities are planned.

The extension is needed in anticipation of growth but Mr. Montanya indicated he has no further plans or desire to add on in the future.

Exhibit A-2 was marked, which consists of 2 aerial photos taken by Kevin Smith, PE, Finelli Consulting Engineers.

Mr. Keiling pointed out that the photos reveal a fairly substantial natural buffer at the rear of the property, which is 600 ft. deep.

Ray O'Brien, explained renovation in Phase I included a new roof, removal of columns for easy circulation, and access to storage. He stated with the proposed addition, most of the material will be stored inside. 5 or 6 drums will continue to be stored outside. They are used to transport small metal parts. When they are emptied, they are recycled. There are no liquids.

Roger Thomas suggested since the storage of the drums will continue, there should be a designation as to where the outdoor storage will be. Ray O'Brien indicated that storage is in the easterly, back far corner, of the property. He stated the existing shed located there, will be removed. The applicant agreed to add additional trees along the northeast corner to further buffer the expansion and the outdoor storage area, from the property to the east.

Mr. Keiling indicated bulk and set-back variances are required because of the location of the building and the side yard. Ted Rodman also confirmed, this is a use variance. Roger Thomas stated bulk variances are required for the addition. He explained the nature of the position of the building is such that, the only reasonable way to expand, is to do it in a manner requiring an additional variance.

The positive criteria for the variance is: There will be very little impact to surrounding properties. The aesthetic improvement provided, will benefit the community. The applicant services Blairstown Road Dept. and surrounding towns with emergency parts. There are no plans to hire additional employees. (½ live in NJ and ½ live in Pa.)

The negative criteria is: The adjacent lot will be impacted.

Kevin Smith, PE, Finelli Construction, explained the property lines are askew. Deeper into the lot, the side of the building is closer to the Auto Body Shop next door. The existing side yard setback of the building is 10.8 ft. at the narrowest point, where 50 ft. is required. He stated the proposed addition will be approximately 12 ft. off the property line. Kevin Smith noted the maximum permitted lot coverage is 40%. The applicant has 10.4 % now and will have 10.6% as a result of the addition.

Ted Rodman's report of February 4, 2010 was reviewed.

No exterior lighting is planned, as no deliveries occur at night. There will be a light installed above the man door. Business hours are 8am – 5pm daily, Monday through Friday.

Ted Rodman indicated, for the record, the Ordinance requires an adequate source of water in case of fire, i.e. storage tanks, fire ponds etc. There is a minimum requirement of 5,000 gals. This applicant is not close to a water source. The Ordinance does allow the water source to be located within 2,000 ft. of the site. Kevin Smith inquired if neighboring equipped sites,
BOA Minutes 4/13/10

i.e. A & P, would be able to act as a water source, in case of fire.

Mr. Keiling will contact the Fire Department to obtain a letter from them confirming that in case of fire, they will be able to service the site.

This portion of the Hearing was opened to the public. There were no comments or questions from the public.

For the record, Roger Thomas confirmed that this approval would be for the variances and site plan.

Roger Thomas stated if there is to be favorable action taken by the Board, he recommends the following conditions:

The storage area will be on the easterly side of the building and some additional trees will be planted to buffer the storage area to the east.

Items #4, 6, 9,10 and 11 as per Ted Rodman's report of 2/4/10, will be listed as conditions, with a waiver of Item #8, - paving.

Action: A motion was duly made by Mr. Rivera, seconded by Mr. Anderson, to approve **ZB#03-10 Montage Enterprises**, Block 702, Lot 18.01 – 140 Rt. 94 – Major Prel. & Final Site Plan, Bulk and Use Variances, with the aforementioned conditions. Roll call vote: Green, Ohannesian, Anderson, Smith, Sartori, Waldron, Rivera – yes.

CORRESPONDENCE:

None

OTHER BUSINESS:

Annual Report (Info faxed to R. Thomas on 12/15/09 for R. Thomas' preparation purposes)

Darst Status – ZB#02-05

Roger Thomas revealed that the Darsts will come before BOA again. Fees are being worked out.

A Board member questioned why the Darsts are coming before the Board again. Roger Thomas explained that the applicants indicated that the previously approved site plan presents problems with regard to drainage, pursuant to the new Storm Water Management Plan. He is under the assumption that this plan is seeking to amend the infrastructure to allow drainage to be modified. That is what the applicant represented they are going to do.

Roger Thomas explained that the outdoor storage was approved subject to a series of conditions. He believes the applicants are seeking to modify conditions, so that in their opinion, they can better meet the drainage requirements of the Storm Water Management regulations.

BOA Minutes 4/13/10

Last Frontier – ZB#02-06

No decision has been made on this matter.

Verizon/All Walnut Valley – ZB#05-08 aka /“Cellco”

Roger Thomas indicated there have been 3 alternative sites suggested to the applicant. They are: 1.) behind the County’s, Katherine H. Dickson Library 2.) behind that, - the Bd. of Education for the Township site 3.) across the street, NWRHS. He explained it would be better financially for the Township, if the Board of Education ended up with the site. He is hopeful that there will be an alternative presented to the applicant.

NEW BUSINESS:

None

PUBLIC PORTION:

There were no comments from the public, the audience was empty.

VOUCHERS:

Action: On a motion duly made by Mr. Rivera seconded by Mr. Anderson, escrow and general vouchers, as attached to these minutes, were approved. Roll call vote: Green, Ohannesian, Anderson, Smith, Waldron, Rivera, Repasky and Sartori – yes.

ADJOURNMENT:

The Chairman asked the Board for a motion to adjourn.

Action: On motion duly made by Mr. Rivera seconded by Mr. Anderson, and unanimously carried, the meeting was adjourned at 8:48 pm.

Respectfully submitted,

Marion C. Spriggs
Board Secretary