

**Mantua Township Planning Board
June 15, 2010**

Call to Order

Mr. Kenneth Green, chair, called the regular meeting of the Mantua Township Planning Board to order on Tuesday, June 15, 2010 in the Main Meeting Room, Mantua Township Municipal Building, Main Street, Mantua, New Jersey. Mr. Green made statement that the notice of the meeting was published in accordance with the Open Public Meetings Act.

Roll Call

Present: Mrs. Sharon Lawrence, Mr. John Legge, Mr. Shawn Menzies, Mr. Pete Scirrotto, Mr. Buck Stanley and Mr. Kenneth Green. **Absent:** Mr. Robert Harris, Mr. Kevin Howarth, Ms. Stephanie Salvatore, Mr. John Bair and Ms. Michelle Epifani. **Also present:** Mr. Tim Kernan, engineer; Mr. George Stevenson, Planner; Sam Ragonese, Esquire; Mrs. Shirley Veacock, coordinator; and Ms. Peggy Veacock, corresponding/recording secretary.

New Member Sworn in

Mr. Ragonese gave Mr. Menzies the oath of office as a Planning Board member.

Swearing of Professionals

Board Professionals Mr. Kernan and Mr. Stevenson were sworn for testimony.

Approval of Minutes

On motion by Ms. Lawrence, seconded by Mr. Legge, the Board approved the May minutes. Mr. Menzies abstained from the motion. All other members were in favor of the motion.

New Business

06-007, Amended Major Site Plan, Block 253.01, Lot 20

John Purves, Esquire, and Mr. John Pettit, engineer, were present on behalf of the application. Mr. Edward Belski, engineer; Mr. Kevin Carducci, Operations Manager; and Mr. Joseph Horesco, acoustic engineer were also present and sworn for testimony. Mr. Horesco presented his credentials. He has 11 years experience with five in environmental noise study. He has testified before Boards in New Jersey, Pennsylvania and New York. Several towns in New Jersey that he testified in include Hainesport, Princeton, Hopewell, and Irving. None of the applications that he testified for have been contested in a court of law. An aerial photo of the area was submitted as Horesco #1.

Mr. Horesco proceeded to review the report he prepared for the Board. Mr. Ragonese asked that the record reflect that Board member Mr. Scirrotto arrived at the meeting.

Planner's Review: Mr. Stevenson outlined his April 7, 2010 review letter.

Engineer's Review: Mr. Kernan reviewed his April 8, 2010 letter.

Board Comments: The applicant indicated that OSHA certifies the level of sound from the trash trucks. Mr. Carducci testified that they are making every effort to keep the area clean of trash and debris. Most maintenance done after 10 p.m. and early in the morning is minimal and is not loud. If approved the applicant is comfortable appearing before the Board in six months to address any issues with the extended hours.

Public Comments: All individuals were sworn for testimony.

Mr. Edward Eivich, Rambo Road, asked that the Board focus on the noise from the Omni operations. He is weary of the professional testimony given that the individual was hired by the applicant. He noted that even if the Board members visit the site, they do not spend all day there. He stressed that Omni needs to find another way to deal with the increase in business. He is opposed to an approval changing the hours of operation.

There being no further comments, the public hearing was closed.

Board/Applicant Comments: The applicant provided documentation that the resident who expressed concern was alerted to the fact that he would be building his home in an industrial zone and that he would be subject to the operations of such business. This documentation was submitted as Omni #2.

Board Action: On motion by Mrs. Lawrence, seconded by Mr. Legge, the Board moved to approve the application. Roll Call Vote: NO – Mrs. Lawrence noting that there was a negative effect on the neighbors; Mr. Legge noting the negative quality of life for the neighbors; Mr. Menzies noting the negative health issues; Mr. Stanley noting the negative effect of the hours on the surrounding community; Mr. Scirrotto; Mr. Green noting the negative effect on the surrounding neighbors. YES – None. ABSTENTIONS - None. The application was denied

The applicant thanked the Board for their time and reserved the right to make another application to the Board.

10-007, Kathleen Guzzo, Minor Subdivision, Block 273, Lots 24 & 26.03

Jay Lowenthal, Esquire, Mr. Brian Hall, were present on behalf of the applicant. The applicant is looking to subdivide her lot. Ms. Kathleen Guzzo was sworn for testimony. She noted that lot 4 will be farmed and that no construction is proposed. She agreed to remove the shed from the property if the Board so required. Ms. Guzzo has approached her neighbor regarding purchasing an additional parcel of land.

Engineer's Review: Mr. Kernan presented his May 26, 2010 review letter. He noted that 7 waivers have been requested. No new construction is proposed.

Board Action: On motion by Mrs. Lawrence, seconded by Mr. Scirrotto, the Board approved the application with conditions. Roll Call Vote: YES –Mrs. Lawrence, Mr. Legge, Mr. Menzies, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.

09-002, Matsui Nursery, Amended Site Plan, Block 170, Lot 5

William Ziegler, Esquire, was present on behalf of the developer. Gary Civalier, engineer, and Roy Negamine, applicant, were present on behalf of the application. Mr. Legge stepped down from the application due to a conflict of interest. The applicant is seeking an increase in building coverage from 37.1 percent to 37.3 percent. The facility will utilize environmentally friendly systems and include restrooms.

Planner's Review: Mr. Stevenson outlined his May 21, 2010 review letter.

Engineer's Review: Mr. Kernan presented his review letter dated May 27, 2010.

Public Comments: There were no individuals wishing to speak on the applicant.

Board Action: On motion by Mrs. Lawrence, seconded by Mr. Scirrotto, the Board approved the application. Roll Call Vote: YES –Mrs. Lawrence, Mr. Menzies, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.

Resolutions

Mr. Ragonese presented Resolution 10-25 for application 10-002, MBI Development Company, Inc., Final Major Site Plan, Block 253.01, Lots 38.01 & 39. **On motion by Mr. Scirrotto, seconded by Mr. Stanley, the resolution was approved. Roll Call Vote: YES –Mrs. Lawrence, Mr. Legge, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.**

Resolution 10-23 for application 10-004, Mt. Royal Associates, L.L.C, Final Major Site Plan, Phase I, Block 146, Lots 1 and 1.01 was presented to the Board. **On motion by Mrs. Lawrence, seconded by Mr. Scirrotto, the Board approved the application. Roll Call Vote: YES –Mrs. Lawrence, Mr. Legge, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.**

Mr. Ragonese presented Resolution 10-24 for application 10-003, Joseph Giumarello, Site Plan, Block 88, Lot 15. **On motion by Mrs. Lawrence, seconded by Mr. Stanley, the Board approved the application. Roll Call Vote: YES –Mrs. Lawrence, Mr. Legge, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.**

Mr. Ragonese presented the resolution memorializing Mr. John Legge as vice chair. **On motion by Mrs. Lawrence, seconded by Mr. Scirrotto, the Board approved the resolution. Roll Call Vote: YES –Mrs. Lawrence, Mr. Legge, Mr. Menzies, Mr. Scirrotto, Mr. Stanley and Mr. Green. NO – None. ABSTENTIONS: None.**

Adjournment

There being no further business, the meeting was adjourned.

Respectfully submitted,



Peggy Veacock
Corresponding/Recording Secretary