

THE REGULAR MEETING OF THE JOINT LAND USE BOARD FOR THURSDAY, SEPTEMBER 23, 2021 WAS CALLED TO ORDER AT 6:00 P.M. AT THE LINDENWOLD BOROUGH HALL.

SUNSHINE ANNOUNCEMENT

FLAG SALUTE

SWEAR IN MEMBER:

JERMAINE JACKSON

PRESENT:

KATHLEEN MCGILL GASKILL, ESQ. – BOARD SOLICITOR
JEFF HANSON, PE, CME, - BOARD ENGINEER

MEMBERS PRESENT:

MAYOR RICH ROACH
COUNCILWOMAN LINDA HESS
MR. CRAIG WELLS
MR. JOE VANDERGRIFT
MS. JOY JACKSON
MR. HOWARD DAWSON
MS. PAT STRIPPOLI
MR. JERMAINE JACKSON
MS. NANCY DIDOMENICO
MS. HEATHER PROTICH
MR. WALT LENKOWSKI

MEMBERS ABSENT:

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE THE MINUTES FROM AUGUST 26, 2021. MS. STRIPPOLI MADE THE MOTION TO APPROVE, MOTION SECONDED BY MR. WELLS. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. VANDERGRIFT AND MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO APPROVE RESOLUTION JLUB-21-6, PRODIGY GAMES (RETAIL USE ONLY), BLOCK 122, LOT 9. MR. WELLS MADE THE MOTION TO APPROVE, MOTION SECONDED BY COUNCILWOMAN HESS. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. VANDERGRIFT AND MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

NEW BUSINESS

APPLICATION JLUB-21-6A
PRODIGY GAMES

MR. LENKOWSKI STATING I UNDERSTAND THEY ASKED FOR A POSTPONEMENT.

BOARD SOLICITOR STATING IN CASE ANYONE IS HERE FOR THIS APPLICATION, THEY ASKED FOR A POSTPONEMENT TO THE OCTOBER MEETING BECAUSE THEIR APPLICATION WAS INCOMPLETE.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO CONTINUE. MR. WELLS MADE THE MOTION TO CONTINUE, MOTION SECONDED BY MR. DAWSON. ROLL CALL WAS UNANIMOUS WITH THE EXCEPTION OF MR. JACKSON WHO ABSTAINED. MOTION CARRIED.

APPLICATION JLUB-21-7
UNITED PAVING
BANGOR AVENUE
BLOCK 257, LOT 1
USE VARIANCE

MAYOR ROACH AND COUNCILWOMAN HESS STEP DOWN

PATRICK MCANDREW, ESQ. – APPLICANTS ATTORNEY

MR. MCANDREW STATING MY CLIENT HAS NOT SHOWN UP YET

BOARD SOLICITOR STATING DO YOU WANT TO PROCEED WITHOUT YOUR CLIENT?
YOU CAN AT LEAST START THE ENGINEER TESTIMONY, WE DO NEED TO HEAR TESTIMONY FROM THE APPLICANT IN TERMS OF HIS OPERATION. WE CAN HEAR FROM THE ENGINEER FIRST AND HOPEFULLY HE WILL GET HERE.

BOARD SOLICITOR STATING ONE THING I DO WANT TO BRING TO YOUR ATTENTION, THE APPLICANT IS LATE ON HIS THIRD QUARTER TAXES FOR THIS YEAR. THE NON-PAYMENT OF TAXES IS A JURISDICTIONAL ISSUE AND WE CAN ELECT TO EITHER NOT HEAR THIS APPLICATION TONIGHT BECAUSE TAXES HAVEN'T BEEN PAID OR THE BOARD CAN PROCEED AND MAKE THE PAYMENT OF TAXES A CONDITION OF ANY KIND OF APPROVAL. IN LIGHT OF THE PROCEDURAL ISSUES WE HAVE HAD WITH THIS CASE AND IT'S THE THIRD TIME UP, IT IS MY RECOMMENDATION TO THE BOARD THAT WE HEAR THIS APPLICATION AND MAKE THE PAYMENT OF TAXES A CONDITION OF ANY APPROVAL.

MR. LENKOWSKI ENTERTAINED FOR A MOTION TO HEAR THE APPLICATION WITH THE ABOVE CONDITIONS. MR. DAWSON MADE THE MOTION TO HEAR THE APPLICATION WITH THE ABOVE CONDITIONS, MOTION SECONDED BY MR. WELLS. ROLL CALL WAS UNANIMOUS. MOTION CARRIED.

MR. MCANDREW STATING THAT THIS IS AN APPLICATION THAT IS SPLIT IN (2) PARTS. WE ARE ASKING TONIGHT JUST FOR THE USE VARIANCE TO ALLOW WHAT IS PROPOSED AND IF THAT IS APPROVED, THEN THE SECOND PART WE COME BACK WITH A FULL SITE PLAN.

MR. MCANDREW GIVES OVERVIEW OF APPLICATION

MICHAEL AVELO – APPLICANTS ENGINEER/PLANNER

SWORN IN

QUESTION AND ANSWER SESSION BETWEEN APPLICANTS ATTORNEY AND PLANNER
(3 EXHIBITS THAT HE WILL REFERENCE, SEASONAL CONTRACTOR, COME IN OFF DERBY AVENUE, DOES NOT MANUFACTURE ANYTHING, IT IS NOT AN ASPHALT OR MILLING PLANT, HE PROVIDES PAVING SERVICES, THE SITE IS R1 AND AN USE VARIANCE IS NEEDED AND GOES INTO DEPTH ON OTHER USES THAT ARE ALLOWED, DESCRIBES THE SITE, POSITIVE AND NEGATIVE CRITERIA)

MR. WELLS STATING THAT DERBY AVENUE IS A DIRT ROAD, DID YOU THINK OF COMMERCIAL VEHICLES TRAVELING ON THAT DIRT ROAD, DID YOU LOOK INTO THE SEWER SYSTEM ON HOW SHALLOW IT MAY BE WITH THE WEIGHT OF COMMERCIAL VEHICLES TRAVELING ON IT.

MR. AVILA STATING NO, WE HAVE NOT LOOKED AT THAT ELEMENT YET.

MS. JACKSON STATING YOU SAID THE TRUCKS WILL BE COMING IN ON ASTON AVENUE

MR. AVILA STATING YES THEY WILL TAKE UNITED STATES AVENUE TO ASTON AVENUE.

MS. JACKSON STATING HOW MANY VEHICLES

MR. AVILA STATING, I WILL LEAVE THAT UP TO THE APPLICANT TO TESTIFY

MR. DAWSON STATING FOR WHAT YOU ARE PLANNING, HOW MANY UTILITY VEHICLES WILL FIT IN THIS PLAN AT MAX.

MR. AVILA STATING WHEN YOU LOOK AT THIS LAYOUT, I HAVE EIGHT

MR. DAWSON STATING THE MOST SOMEONE COULD PUT IN HERE IS EIGHT TRUCKS?

MR. AVILA STATING YES THAT IS WHAT WE PROPOSE AND PARKING FOR HIS EMPLOYEES AND A HANDICAP AREA.

BOARD SOLICITOR STATING IT SEEMS LIKE YOU ARE PREMISING THIS USE VARIANCE IN TERMS OF ESTABLISHING THE POSITIVE CRITERIA, IS THAT THE HARDSHIP IS THE PROPERTY CANNOT BE USED FOR ANYTHING ELSE OR SOMEBODY WOULD HAVE DONE THAT.

MR. AVILA STATING YES.

BOARD SOLICITOR STATING DID YOU DO SOME HISTORICAL RESEARCH ON THIS PROPERTY AND WHETHER IT WAS EVER UP FOR SALE. DID YOU EVER DO ANY OF THAT BEFORE YOU MADE THAT STATEMENT?

MR. AVILA STATING IN TALKING TO THE APPLICANT THAT IS THE INFORMATION.

BOARD SOLICITOR STATING OK WE CAN DISCOUNT WHAT YOU JUST SAID THEN

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC TO CROSS EXAMINE THE PLANNER AND THE FOLLOWING STEPPED FORWARD AND WERE SWORN IN

FRANK DELUCCA, NICHOLAS MUSERO, FRANK MUSERO, STEPHEN RISLEY, DEBBIE (DID NOT UNDERSTAND LAST NAME)

NOT IN FAVOR OF APPLICATION (EXPRESSING THEIR CONCERNS)

WILLIAM WILLIAMS – APPLICANT

SWORN IN

QUESTION AND ANSWER SESSION BETWEEN APPLICANT AND HIS ATTORNEY
(SOLE OWNER, TYPE OF BUSINESS, HOURS OF OPERATION, SEASONAL OPERATION, TYPE OF VEHICLES, NO MILLINGS, MINIMUM STORAGE, BUILDING WILL BE FOR STORAGE FOR WINTER, TO KEEP EQUIPMENT DRY AND OUT OF THE WEATHER, OCCASIONALLY TO WORK ON OUR EQUIPMENT, WE WOULD LIKE TO BE ABLE TO SERVICE OUR OWN VEHICLES)

QUESTION AND ANSWER SESSION BETWEEN APPLICANT, BOARD MEMBERS, BOARD SOLICITOR
(VEHICLE WORK, STORAGE BINS, REUSABLE MATERIAL, NUMBER OF MATERIALS, TRUCK WEIGHT &
DRIVING ON STREETS)

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND THE FOLLOWING STEPPED FORWARD AND
WERE SWORN IN OR REMINDED THEY ARE STILL UNDER OATH.

FRANK DELUCCA, DIANE EAKINS, JOHN EAKINS, FRANK MUSERO, STEPHAN RISLEY.
STRONGLY EXPRESS THEIR CONCERNS AND OBJECTIONS

MR. MCANDREW STATING THEY DO NOT HAVE ANY OTHER WITNESSES.

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC FOR GENERAL COMMENTS

DEBBIE (DID NOT UNDERSTAND LAST NAME) STILL UNDER OATH, BARBARA SUCKIEL SWORN IN
DO NOT WANT THIS IN THEIR NEIGHBORHOOD.

MR. MCANDREW SUMS UP APPLICATION

BOARD HAD NO FURTHER QUESTIONS.

MR. LENKOWSKI STATING THE BOARD WILL MAKE A DECISION AS TO WHETHER TO APPROVE OR A
MOTION TO DENY THIS APPLICATION.

BOARD SOLICITOR SUMS UP APPLICATION

MR. LENKOWSKI ENTERTAINED FOR A MOTION. MS. STRIPPOLI MADE A MOTION TO DENY THE
APPLICATION, MOTION SECONDED BY MR. DAWSON.

MR. LENKOWSKI STATING IF YOU VOTE YES IT IS TO DENY THIS APPLICATION
ROLL CALL WAS UNANIMOUS. (7) YES VOTES (0) NO VOTES. APPLICATION DENIED. MOTION CARRIED.

MR. LENKOWSKI OPENED THE MEETING TO THE PUBLIC AND NO ONE STEPPED FORWARD

MEETING ADJOURNED

NANCY DIDOMENICO
BOARD SECRETARY