

1 UNIDENTIFIED SPEAKER: C, sorry. I got to  
2 get it so.

3 MS. WISHART: Yeah, that's no problem.

4 UNIDENTIFIED SPEAKER: Go ahead, Catherine.

5 THE CHAIRPERSON: Can you just point on the  
6 Board where you're at? Are you on that plot?

7 MS. WISHART: I believe so. This is --  
8 where's the road at right here?

9 UNIDENTIFIED SPEAKER: This is the road --

10 MS. WISHART: Okay.

11 UNIDENTIFIED SPEAKER: -- and this is Falcon  
12 Drive.

13 MS. WISHART: Okay, so Falcon Road, so this  
14 is us right here, okay. When we first purchased this  
15 lot in 1994 there were trees all along here and we  
16 could not see the junkyard at all. I don't know --  
17 well, since Allied has taken over these trees have been  
18 cleared out and we now can sit in our kitchen and see  
19 everything that's going on over there and they've also  
20 installed lights that shine right into our bedroom.

21 So some of the things that are being said  
22 tonight are frustrating because it's not my reality,  
23 okay. My husband used the junkyard all the time. We  
24 had no problem with the junkyard. We knew it was there  
25 when we bought the house. But these -- this vegetation

1 being gone has caused an issue, a big issue. The other  
2 question I have is that we keep hearing the terms  
3 recycling and junkyard bandied about and I would like  
4 to know, is there a matter of a euphemism for these two  
5 terms or is there a legal difference because the  
6 company that now is running that area is called Allied  
7 Recycling, where before it was always referred to as a  
8 junkyard?

9 Everything that I'm hearing the testimony  
10 refers to the 1993 paperwork as it being used as a  
11 junkyard. I don't believe that's definitely the case  
12 anymore. We -- right now there's a 75 pile -- foot  
13 pile of stuff in that yard that never used to be there.  
14 We never saw it before, but now it's in clear vantage  
15 of our property so my property values are in danger.  
16 That's what I'm concerned about, okay. It -- I can see  
17 it and other people can see it, too. You can come to  
18 my house and just go in the backyard and you'll see  
19 what I'm talking about.

20 But those are my main concerns. It's the --  
21 if we could do something to get a shield up again so  
22 that I don't see it, I would be thrilled. But -- and I  
23 don't know that they had permission to clear out that  
24 vegetation but it has been done, okay. Other than  
25 that, I guess it's someone else's turn, but thank you.

1 THE CHAIRPERSON: Wait, don't go anywhere.  
2 MS. WISHART: Okay, yes.  
3 THE CHAIRPERSON: Do any of the Board members  
4 have any questions?  
5 UNIDENTIFIED SPEAKER: Yes.  
6 MS. WISHART: Yes.  
7 UNIDENTIFIED SPEAKER: (Indiscernible) in  
8 there and normally cleared out the trees, or shrubs, or  
9 whatever was in there?  
10 MS. WISHART: Right against the fence line,  
11 yes. My husband is retired --  
12 UNIDENTIFIED SPEAKER: The fence line or your  
13 property line?  
14 MS. WISHART: It's not on my property, okay.  
15 You know, there's this --  
16 UNIDENTIFIED SPEAKER: Right.  
17 MS. WISHART: -- (indiscernible) --  
18 UNIDENTIFIED SPEAKER: Right.  
19 MS. WISHART: -- okay, between fence and  
20 where we are. But they're saying 75 feet and then 150  
21 feet property --  
22 UNIDENTIFIED SPEAKER: Right.  
23 MS. WISHART: -- what I'm telling you is that  
24 I see it all and I didn't before.  
25 UNIDENTIFIED SPEAKER: But someone went in

1 there and they cleared it out?  
2 MS. WISHART: Yes. My husband was home  
3 during the day --  
4 UNIDENTIFIED SPEAKER: Okay.  
5 MS. WISHART: -- and said that there was  
6 clearing that went on.  
7 UNIDENTIFIED SPEAKER: Why don't -- I'm just  
8 going to say this. Why don't you just show  
9 specifically where that clearing is in relation to your  
10 house?  
11 MS. WISHART: Okay. Where's the fence at  
12 here? I'm sorry. I'm having trouble. Yeah, see.  
13 This is the fence line and before all this area right  
14 here, about up to here, was all vegetation and fir  
15 trees and scrub pine, and now there's a clear area  
16 right along the fence line itself. Now, they might  
17 have done it for security purposes, but it didn't help  
18 what's happening with my house. Yes?  
19 UNIDENTIFIED SPEAKER: Are you Lot 1 or Lot  
20 2?  
21 MS. WISHART: Lot 1.  
22 UNIDENTIFIED SPEAKER: Thank you.  
23 MS. WISHART: Okay.  
24 THE CHAIRPERSON: Mr. Robbins?  
25 MR. ROBBINS: Quickly. When you say it was a

1 75 --

2 MS. WISHART: Well, this is -- what I'm  
3 saying is that there's a specific (indiscernible) --

4 UNIDENTIFIED SPEAKER: So in other words --  
5 MS. WISHART: I'm not seeing -- oh, you mean  
6 that pile of stuff?

7 UNIDENTIFIED SPEAKER: The pile of stuff.

8 MS. WISHART: Oh, my God.

9 UNIDENTIFIED SPEAKER: Can you say -- like,  
10 do you know for sure --

11 MS. WISHART: No, I do not.

12 UNIDENTIFIED SPEAKER: Okay. But --

13 MS. WISHART: No.

14 UNIDENTIFIED SPEAKER: Okay, but it's a high  
15 pile --

16 MS. WISHART: You know, from my vantage  
17 point.

18 UNIDENTIFIED SPEAKER: -- it's a high pile?

19 MS. WISHART: Yes.

20 UNIDENTIFIED SPEAKER: Yeah.

21 MS. WISHART: From my vantage point it's a  
22 high pile.

23 UNIDENTIFIED SPEAKER: Okay. Do you know  
24 what it is?

25 MS. WISHART: Not a clue. And, you know,

1 some of what I've seen them do has been very good  
2 because there was a lot of junk there and it is a clear  
3 lot. But the truth of the matter is I wouldn't know  
4 that unless those trees were gone and -- because I  
5 couldn't see the junk before, but now I can. Okay.  
6 Any other questions or --

7 (No audible response)

8 MS. WISHART: Okay, thank you.

9 THE CHAIRPERSON: Mr. Ridgway, do you want to  
10 discuss that matter.

11 MR. RIDGWAY: Mr. Gabrysiak, the question is

12 --

13 MR. GABRYSIAK: I don't know what to say.  
14 Okay. There was absolutely under no circumstances  
15 trees taken out. What she's referring to was a 12 foot  
16 high pile of tires. It's a 12 foot pile high of tires  
17 that albeit may have been there for 10, 20, 30, 40, 50,  
18 60 years. That pile of tires started here and it went  
19 all the way around to here. It was 12 feet high. It  
20 was about 35 feet deep and there were well over 100,000  
21 tires in that pile. It took a crew of five guys nine  
22 months, eight hours a day, six days a week to clean out  
23 those tires. That is exactly what you were looking  
24 for. And now, I understand that to you it was brush,  
25 because there was brush growing in the tires.

1 UNIDENTIFIED SPEAKER: Okay.  
2 MR. GABRYSIAK: But there was no trees taken  
3 out. As you can see that the trees are all still there  
4 farther in than the limits of what was there in 1993.  
5 So we didn't remove any trees. What we did do --  
6 UNIDENTIFIED SPEAKER: Give me those  
7 pictures.  
8 MR. GABRYSIAK: What we did do recently, we  
9 added a fence screen on the fence that goes basically  
10 from here around to about here. The initial section  
11 was 300 feet and then we added another 200 feet last  
12 week.  
13 UNIDENTIFIED SPEAKER: Excuse me. Mr.  
14 Miller?  
15 MR. MILLER: Yes?  
16 UNIDENTIFIED SPEAKER: Did you take this  
17 photograph?  
18 MR. MILLER: I did.  
19 UNIDENTIFIED SPEAKER: Did you have this  
20 photograph developed or did you develop it yourself?  
21 MR. MILLER: I developed it myself.  
22 UNIDENTIFIED SPEAKER: Okay. I believe up to  
23 A-8 -- and, I'm sorry, Tom, can go describe what this  
24 is.  
25 MR. GABRYSIAK: At some point last year I had

1 met with Dale Smith who lived in -- I believe, your  
2 neighbor --  
3 UNIDENTIFIED SPEAKER: He's two doors down  
4 from me.  
5 MR. GABRYSIAK: He's two doors down, okay.  
6 UNIDENTIFIED SPEAKER: He sold his house and  
7 moved away.  
8 THE CHAIRPERSON: Okay.  
9 UNIDENTIFIED SPEAKER: Oh, is that what  
10 happened?  
11 UNIDENTIFIED SPEAKER: Yes.  
12 UNIDENTIFIED SPEAKER: Yeah.  
13 MR. GABRYSIAK: Okay. Well, he had asked at  
14 that point if we could put something up and that's what  
15 we came up with. I mean, if you'd like to see it.  
16 Albeit, it's only six foot tall. You know, it replaced  
17 a pile of tires that was 12 feet tall and I believe you  
18 probably couldn't see through the pile of tires. As  
19 far as a health hazard goes, 150,000 tires that have  
20 been sitting there for 50 years is just not ultimately  
21 the right thing. So that's where we're at.  
22 UNIDENTIFIED SPEAKER: Hey, Jim, when was  
23 that picture taken? I'm sorry.  
24 MR. MILLER: That picture was taken last  
25 Friday.

1 UNIDENTIFIED SPEAKER: Last Friday.

2 MR. MILLER: Which I think was the 8th.

3 MS. LETTMAN: Theresa Lettman. I'm with the  
4 Pinelands Preservation Alliance, 17 Pemberton Road,  
5 Southampton Township. I have looked at this  
6 application and I'm here tonight because I have  
7 concerns understanding the application. The previous  
8 person asked the question about the salvage yard and  
9 recycling center. I know that the Pinelands  
10 Commission's certificate of filing says salvage yard.  
11 I understand what a salvage yard is. I understand also  
12 what a recycling facility. And when I came down to  
13 review the application here at the Township they have  
14 salvage yard slash recycling center.

15 When you go onto the website for Allied  
16 Recycling this site -- this road, 440 New Road is  
17 listed as a recycling center and it tells the public  
18 that they can now come to this site for recycling. So  
19 I guess I'm asking the question, are they expanding?  
20 Is it going to be something more? I know how these  
21 things just happen over time and so I wanted -- you  
22 know, I wanted to urge the Board to lock that in as to  
23 what it is.

24 I have the page off their website which  
25 clearly says 44 New Road is a recycling center and I

1 understand that recycling center you have to have a  
2 permit and you have to have more controls in place for  
3 the DEP and so I'm concerned with what it is.

4 I also heard tonight they talked about the  
5 fact that they only purchased it a year and a half, but  
6 when you go to the DEP's website and you look up New  
7 Road and you look up -- it comes up with Allied  
8 Recycling and it comes up with 2006 violations that  
9 have been satisfied. So I guess I thought that because  
10 the DEP was monitoring this site and that it was under  
11 Allied Recycling and it comes up on their website as  
12 recycling site that perhaps that's what it is. And  
13 there's many more concerns if you're a recycling center  
14 than if you're just a salvage yard. So I guess I had  
15 questions about what it is they are and what they're  
16 not.

17 Also, they said tonight in their testimony  
18 and they talked about taking it apart -- taking cars  
19 apart and having fluids -- and I guess I wanted to know  
20 how the fluids are handled? What is done with them at  
21 the site, because in some of the things that I saw on  
22 the DEP's website that comes up for Allied at this  
23 address talks about fluids not being properly handled  
24 and that's a concern because they say that they -- I  
25 understand what they did when they took the site

Good Point

1 improvements down to 4,927 square feet, so they  
2 wouldn't have to have the development application with  
3 the Pinelands Commission. They just come under the  
4 5,000 square feet so that they don't have to have  
5 stormwater controls.

6 But what happens to now the existing water on  
7 the 4,927 square feet that they aren't putting it in?  
8 And that would be a concern because if they're working  
9 with fluids. And they don't explain anywhere in the  
10 application how they're dealing with them and how  
11 they're handling them. But at one point the applicant  
12 did say that there's an inspection two times a year, so  
13 assuming that that is for those items -- and I guess I  
14 just don't see anywhere on the site plan where they're  
15 being handled, or stored, or taken care of and that's a  
16 concern.

17 I also heard tonight they said a crusher,  
18 that they crush the cars and he didn't go on to say  
19 whether or not they do it at this site. And I guess if  
20 they do it at this site it seems to me that that's not  
21 something we used to do 30 years ago, 20 years ago.  
22 And I guess I'm -- I wanted to know also where that was  
23 on the site because it would be a concern because he  
24 would be an increased amount of noise to the  
25 neighborhood that wasn't there 20 years ago, 10 years

1 ago. So I also wanted to know that and I didn't hear  
2 anything about that tonight.

3 And then the last thing. The change in the  
4 neighborhood. It is the Pinelands rural development  
5 area. It's rural. Big lots. I understand that there  
6 may have been -- be an existing use, but they did not  
7 have a big sign out in front of their facility. A  
8 small sign on their fencing is appropriate for a  
9 residential neighborhood. I don't think that they need  
10 to put a large sign out in front of their property now  
11 to tell everybody what it is.

12 Obviously, if they've been working for the  
13 last year and a half everyone has been able to find  
14 their location with no problem and it doesn't have a  
15 negative impact on the neighborhood. But putting up a  
16 fence that -- or a sign that everybody is going to see  
17 now when they're driving down this very rural highway,  
18 it will have a big impact on the neighborhood. It will  
19 change the character of the neighborhood. And it will  
20 only take one, or two, three things, small things  
21 happening before it starts to change it and then the  
22 rural development area is not going to be the rural  
23 area that it's supposed to be.

24 THE CHAIRPERSON: Does anybody have any  
25 questions for this witness?

1 UNIDENTIFIED SPEAKER: And I didn't know, did  
2 you want this picture from the website, perhaps?

3 UNIDENTIFIED SPEAKER: Excuse me. I didn't  
4 get your address?

5 MS. LETTMAN: 17 Pemberton Road, Southampton  
6 Township.

7 UNIDENTIFIED SPEAKER: Thank you.

8 THE CHAIRPERSON: About the sign, is it the  
9 sign or is it what's on the sign? If it said Jim's  
10 Construction Company, would that be inappropriate?

11 MS. LETTMAN: The inappropriate is that I  
12 feel that it is now having a large 20 by 20 sign out on  
13 the highway, out on the roadway. When it's up against  
14 the fence as it is now, you're not going to see it as  
15 you're driving down New Road. I don't see it. I  
16 didn't know it was there for the longest time. I  
17 didn't know the facility was operating there until  
18 many, many, many trucks were on New Street. I take New  
19 Street to take to 206 to come over to Pemberton Road.

20 THE CHAIRPERSON: What 20 by 20 sign are you  
21 speaking of? They're not proposing that.

22 MS. LETTMAN: I thought you said that they're  
23 proposing a sign.

24 THE CHAIRPERSON: It's a --

25 UNIDENTIFIED SPEAKER: They are.

1 THE CHAIRPERSON: It's five by four.

2 MS. LETTMAN: Okay.

3 THE CHAIRPERSON: Is that better?

4 MS. LETTMAN: No. A sign out on the roadway  
5 is intruding then into the neighborhood. To me, flat  
6 up against the fencing, you're not going to see it.  
7 The neighbors are not going to see it. You're not  
8 going to see it as you're driving down the street.

9 MR. KENNEDY: I have one question, Mr.  
10 Chairman. This is Mr. Kennedy. These 2006 violations  
11 did they say that they were Allied violations or just  
12 violations on the property?

13 MS. LETTMAN: Allied. I don't understand  
14 that. I put in the data liner on the site. I put in  
15 this address and it does come up Allied Recycling, so.

16 MR. KENNEDY: Does it come up Allied  
17 Recycling because they're the current owner?

18 MS. LETTMAN: Well, it was a report that was  
19 established in 9/12/2006. It was closed in November of  
20 2006. So I don't know.

21 UNIDENTIFIED SPEAKER: I think she's -- may I  
22 say something?

23 MS. LETTMAN: I don't know. I just matched  
24 it up then there with their website and it said that it  
25 was (indiscernible).



1 UNIDENTIFIED SPEAKER: I don't know how it  
2 works but I'm sure if she goes on the site --

3 MS. LETTMAN: Yeah, I don't --

4 UNIDENTIFIED SPEAKER: -- today you'll see it  
5 as being Allied, but what it was in 2006 is something  
6 entirely different, so -- I don't know if the name of  
7 the company was Allied back then.

8 UNIDENTIFIED SPEAKER: It was Last Chance  
9 Auto Salvage. Just wait one second please.

10 MR. KENNEDY: That's all I have, Mr.  
11 Chairman.

12 THE CHAIRPERSON: Mr. Ridgway, would you like  
13 to respond to any of this.

14 MR. RIDGWAY: Okay, a couple people. Mr.  
15 Miller, could you as the expert planner give some  
16 testimony with respect to the junkyard/recycling issue?

17 MR. MILLER: Yes. Junkyard is the term of  
18 art in the ordinance. This use is defined as a  
19 junkyard. That's commonly the nomenclature that's used  
20 the most so these ordinances described this use.  
21 Recycling is an activity that occurs in junkyards and  
22 that's why it was referred to. It's something akin to  
23 if you have a convenience store, you sell milk, you  
24 sell sandwiches. Recycling is one of the activities  
25 that's characteristic of a junkyard.

1 So at times, the applicant is going to  
2 describe themselves as recyclers because that's part of  
3 what they do, but it's not the only thing that they do  
4 at this site and it's not the only aspect of the  
5 junkyard. It's not the only activity that occurs  
6 there. But from a zoning and planning standpoint, this  
7 is a junkyard now. It's going to be a junkyard in the  
8 future and that's what the use is.

9 UNIDENTIFIED SPEAKER: And, Mr. Miller -- I  
10 rose my hand at her name -- the applicant has to and  
11 for the past 60 years has had to, as a condition of  
12 operating on the site, secure a junkyard permit from  
13 the municipal zoning official, correct?

14 MR. MILLER: Absolutely.

15 UNIDENTIFIED SPEAKER: Thank you.

16 Tom, can we address some of the other issues  
17 that were raised?

18 MR. GABRYSIK: I guess ultimately when I  
19 chose this business I thought that Allied Recycling was  
20 a better name than Tom's Junkyard, so that's why we  
21 call it that. It's a, you know, a marketing point of  
22 view. I'm not sure exactly, but we went through --

23 UNIDENTIFIED SPEAKER: You crushed things?

24 MR. GABRYSIK: We crush vehicles there,  
25 yeah. We use different types of equipment to do so.

1 There's no designated area. All those pieces of  
2 equipment are mobile.

3 UNIDENTIFIED SPEAKER: (Indiscernible) or  
4 anything like that?

5 MR. GABRYSIAK: No. No, no. In my opinion  
6 --

7 THE CHAIRPERSON: Did that activity occur in  
8 the past?

9 MR. GABRYSIAK: Absolutely.  
10 UNIDENTIFIED SPEAKER: A couple more  
11 questions. The DEP website 2006 --

12 MR. GABRYSIAK: Okay. We -- to make it  
13 completely clear, we purchased this property  
14 approximately a little over a year ago. Previous to  
15 that we had a lease with Mr. Giberson --

16 MR. GIBERSON: Just two years in  
17 (indiscernible).

18 MR. GABRYSIAK: Yeah. We previously had a  
19 lease for about a year. So we've been on the site for  
20 more like two years even though we've only owned it  
21 more like one year.

22 We've never had a DEP violation there. Yes,  
23 it lists it on the DEP website. It list us as Last  
24 Chance Auto Salvage as an owner and it lists Allied  
25 Recycling as an operator. I think if you had looked at

1 the website two years ago it would have just said Last  
2 Chance Auto Salvage -- or it's Last Chance Salvage.  
3 Sorry, there's no Auto in there. But as far as 2006  
4 violations, I can't testify to those. I wasn't around  
5 at that point.

6 But currently and since we've had the  
7 property there's been no violations and they are  
8 extremely happy with the cleanup that we've done. They  
9 have been monitoring that property for a long time.  
10 More than ten years. I can't tell you exactly how long  
11 it was. I probably could get that information but, you  
12 know, not tonight. And our inspector is extremely  
13 happy with the way things looked compared to what they  
14 did look like.

15 MR. KENNEDY: I do have one other point --

16 THE CHAIRPERSON: Mr. Kennedy?

17 MR. KENNEDY: -- Mr. Chairman. How are you  
18 handling the fluids?

19 MR. GABRYSIAK: Fluids typically in our  
20 business are drained and then put into a storage tank  
21 and then a fluids recycler would come pick that up and  
22 take it away.

23 MR. KENNEDY: Okay.

24 THE CHAIRPERSON: Take the tank or just draw?

25 MR. GABRYSIAK: No, no, take -- just suck out

1 the fluids.

2 THE CHAIRPERSON: Just draw -- okay.

3 MR. GABRYSIAK: Okay.

4 UNIDENTIFIED SPEAKER: A couple questions  
5 about the sign, if I could, Tom?

6 MR. GABRYSIAK: Yes.

7 UNIDENTIFIED SPEAKER: As opposed to a 400  
8 square foot sign, we're talking about a 20 square foot  
9 sign, is that correct?

10 UNIDENTIFIED SPEAKER: I believe we -- it's  
11 proposed at four foot tall and five foot high and the  
12 height -- total height -- is ten foot off the ground.

13 UNIDENTIFIED SPEAKER: Okay.

14 THE CHAIRPERSON: Can you point to the where  
15 the sign is currently today?

16 MR. GABRYSIAK: Right now we have a little  
17 sign on this -- I'm not sure which side is the best  
18 side. There's a fence here and we have a little sign --  
19 - it's not 20. I think it's about that size. And it's  
20 bolted to the sign.

21 UNIDENTIFIED SPEAKER: It's bolted.

22 MR. GABRYSIAK: So what we're proposing is by  
23 the roadway. It's turned sideways so when you drive  
24 down the road you can see it. It's very difficult for  
25 a business to operate without some type of signs

1 showing, you know, where your business is.

2 UNIDENTIFIED SPEAKER: Do you know what the  
3 speed limit on New Road is by any chance?

4 MR. GABRYSIAK: I do not. I can tell you  
5 that New Road is a major thoroughfare between Route 70  
6 and 206. Maybe -- you know, maybe that's not a popular  
7 opinion but it's just a fact. I mean, there's a  
8 tremendous amount of traffic on that road.

9 UNIDENTIFIED SPEAKER: I understand it's a 35  
10 mile speed limit there, okay. But you feel a -- it's a  
11 necessary to have a sign there because besides your  
12 trucks that are traveling, there are perhaps bigger  
13 trucks that are coming in that if they miss your  
14 driveway is there a place for them to turnaround and  
15 come back and get you without go --

16 MR. GABRYSIAK: No. There isn't. My reason  
17 for wanting a sign is if I go to a business, I need to  
18 know where it is, and without marking where it is, I  
19 can't -- and again, with previous testimony, you can't  
20 see from New Road into the property. Not all the  
21 operations here -- I mean, albeit if you stop and  
22 really, you know, try to look through 300 feet of trees  
23 you probably could see equipment or something in there  
24 but it's not like we're on road frontage, you know,  
25 maybe like on Route 206 where Wawa is. You know, you

1 really can't see inside the property with the exception  
2 of where the driveway is, so we need the sign so that  
3 we can say, hey, this is where we are.

4 UNIDENTIFIED SPEAKER: But you feel the  
5 freestanding sign, perpendicular to the road it is not  
6 only appropriate, but necessary, for your business with  
7 respect to people coming up and down New Road without  
8 any place to turn around because some of them being  
9 larger vehicles?

10 MR. GABRYSIAK: Correct.

11 UNIDENTIFIED SPEAKER: Okay. Mr. Chairman?

12 THE CHAIRPERSON: Mr. Robbins?

13 MR. ROBBINS: Tom, a previous -- whether it's  
14 (indiscernible) do you -- do you know what lights --

15 MR. GABRYSIAK: We do have -- we do have  
16 security lighting mounted to the PSE&G poles that bring  
17 the power lines into the property. I wish you had  
18 contacted me because I would have -- that was actually  
19 one of the thing, Mr. Smith who is no longer there, had  
20 asked me -- we had a light I guess that was a little  
21 bit shining in his house, so we redirected it. At that  
22 time he was happy. If --

23 MR. ROBBINS: So --

24 MR. GABRYSIAK: If I -- would I would do to  
25 address this is I would go to her property at night and

1 see if there's a light shining onto her property. If  
2 there is I would try to redirect it's no longer  
3 happening. I mean, that's only, you know, fair.

4 MR. ROBBINS: Now, were those lights there  
5 when you bought it --

6 MR. GABRYSIAK: They were not. We added them  
7 for security reasons. One of the large problems that  
8 this site had previous to me being there was it was  
9 open and you had people at all times coming and going,  
10 walking in and out. You got a big problem if you have  
11 people in a junkyard at night, not for the obvious  
12 reason that they could steal something, but when you  
13 come in in the morning and you find that they were  
14 walking through the yard, cut their leg, and they have  
15 no bled to death in the yard, you know, we have some  
16 things. So security, as far as lighting and fencing,  
17 is an absolute must. And the fence is actually part of  
18 the junkyard licensing ordinance of Southampton.

19 MR. ROBBINS: Typically, if you had come to  
20 us for say a site plan approval before this scale had  
21 been built, property light is one of the things which  
22 we consider --

23 MR. GABRYSIAK: Okay. Well, there was --  
24 there were some lights in there that were small and  
25 around --

1 MR. ROBBINS: And perhaps that's something  
2 that we should look at --

3 MR. GABRYSIAK: Ultimately, all of the  
4 lighting is inside the property. Going down New Road I  
5 believe you probably can see that light, but it doesn't  
6 protrude out onto the road. And although I forget the  
7 lady's name, but she said that it -- does shed light,  
8 so I would do -- I know there's a light out here on  
9 this pole and it faces into the yard. All the lights  
10 face into the yard. They don't face outside of the  
11 yard.

12 MR. ROBBINS: But typically, lighting is  
13 something which with the assistance of an engineer to  
14 be mitigated, you know, as far as effects on the  
15 neighbors, effects on the sky, and that kind of stuff,  
16 because that might be something that you might consider  
17 taking a look at?

18 MR. GABRYSIAK: Absolutely I would consider  
19 taking a look at it. I believe the best way is to just  
20 go out there and make sure the lights aren't shining on  
21 the house. I can handle that, you know, by tomorrow  
22 evening.

23 And if she would allow me, I'd go right over  
24 there and take a look at it and, you know, move the  
25 lights. I would do that immediately.

1 MR. ROBBINS: Okay.

2 THE CHAIRPERSON: Mr. Ridgway, I just want to  
3 let you know that we're going to finish at 11 -- I  
4 mean, conclude this meeting at 11, whether we continue  
5 it, you know, but at 11 we're going to finish. We're  
6 not going to stay late. I don't foresee this getting  
7 done, you know --

8 MR. RIDGWAY: Understood, Mr. Chairman.

9 THE CHAIRPERSON: Okay.

10 MR. RIDGWAY: If there's any way -- I'm  
11 sorry, go ahead. Did you want to finish?

12 THE CHAIRPERSON: Go ahead. No, go ahead.

13 MR. RIDGWAY: If we could bifurcate the  
14 application because it appears that all the issues that  
15 are being raised by residents are site plan issues, not  
16 use variance issues. If it's the Board's inclination  
17 that if they would feel ready to vote on a use variance  
18 with respect to the weight scale and we can at the  
19 subsequent meeting -- bless you -- address the site  
20 plan issues, I would have no objection to that if it's  
21 the Board's inclination.

22 THE CHAIRPERSON: I understand. We haven't  
23 even gone through the professionals yet and Tom, you  
24 know, gets paid by the word, so --

25 (Laughter)

1 MR. RIDGWAY: And I don't know how Mr.  
2 Scangarello or your engineer would feel about  
3 bifurcating a vote either. It's -- you know --

4 THE CHAIRPERSON: Well, I'm just warning you  
5 we're not going to stay past 11 and we're still dealing  
6 with the public, so I'm just giving you a head's up.

7 MR. BURKE: I'll try to be brief because I  
8 was to testify or attest to what Catherine already  
9 said. My wife bought our house --

10 THE CHAIRPERSON: His name.

11 UNIDENTIFIED SPEAKER: What's your name?

12 MR. BURKE: My name is Larry Burke  
13 (phonetic).

14 UNIDENTIFIED SPEAKER: Larry.

15 MR. BURKE: My wife's name is Alberta  
16 Vickery, V-i-c-k-e-r-y.

17 UNIDENTIFIED SPEAKER: I just need your name.

18 MR. BURKE: Okay.

19 UNIDENTIFIED SPEAKER: And, Mr. Burke, where  
20 do you live?

21 MR. BURKE: 3 Falcon, next to Catherine  
22 Wishart.

23 UNIDENTIFIED SPEAKER: Okay, go ahead.

24 MR. BURKE: Okay. And I can attest to what  
25 she says about the lights. They don't shine right on

1 our house but they're very bright. They can be seen  
2 from four rooms in our home and our back porch. The  
3 fence that was put up is six feet high with barbed wire  
4 all around. It has like green cloth material so you  
5 can't see down low. But from my back porch every  
6 afternoon I can see the front end loader. I can see  
7 the crane. I can hear lots of noise. The heavy  
8 equipment they use back there have destroyed our  
9 backyard simply because all the moles that were on  
10 their property have come through the woods and have  
11 ruined our lawn, front and back. They're all the way  
12 out to Falcon Drive. And you can see the lights from  
13 Falcon Drive if you drive by there tonight.

14 Okay, so -- and I don't have anything against  
15 junkyards. You didn't want to hear that. It's an  
16 eyesore. When I moved in there in September of '08 it  
17 was a junkyard, minimal noise, not an eyesore. Now the  
18 vegetation has deteriorated and you can see and hear  
19 everything.

20 Today I went back there. I tried to take  
21 pictures. I'm not tall enough to look over a six foot  
22 fence. The tires that Catherine spoke about are at  
23 least 35 feet up in the air in the northeast corner of  
24 the property. Just south of that is another big pile  
25 of debris. It's I think white. It looks kind of like

1 Sheetrock to me, okay. So I don't think you can put  
2 stuff up that high with a front end loader. I think  
3 there's a crane on the property. There's definitely an  
4 RV on the property. I don't know if someone is living  
5 in there or not. I heard that there's propane on the  
6 property and maybe gas tanks to fill their trucks. And  
7 that's all I have to say.

8 THE CHAIRPERSON: Do any members have any  
9 questions for this witness?

10 (No audible response)

11 THE CHAIRPERSON: Would you agree with the  
12 applicant that the tires may have been obstructing your  
13 view before?

14 MR. BURKE: I don't know absolutely that they  
15 were, but now they hinder my view looking out towards  
16 the Pinelands or the wetlands because they're so high  
17 up in the air. It's very unsightly. We'll never be  
18 able to sell our house the way it is now. Maybe in the  
19 summertime when the vegetation comes back and it's all  
20 green and we can't see all that stuff, that will be a  
21 different story. But right now it's really an eyesore.  
22 It really is. And today, I was home all day. I did  
23 not hear any noise. I did not see any front end  
24 loaders or any activity going on in that yard today.  
25 So I don't know if it's really open all day or what

1 their hours of operation are, but I was home most of  
2 the day today, all day.

3 THE CHAIRPERSON: Would you say that the  
4 lights are maybe too high or they --

5 MR. BURKE: They're definitely too high. As  
6 the gentleman -- the owner said, they're high up on the  
7 utility pole. They face out, I think, towards New  
8 Road, okay, and we're on the west side of the yard,  
9 okay. So we can see -- they're not -- they're not  
10 spotlights. In my opinion they're flood lights, so  
11 they cover a huge area that extends possibly to the  
12 edge of the fence. I can step out our backdoor and  
13 throw a baseball over the fence. That's how close we  
14 are to it. We don't own all the property up to the  
15 fence. But it probably extends maybe 150 feet behind  
16 our property. So you'd have to come out there, folks,  
17 in the daytime to see it and come out at night to see  
18 the lights, what Catherine and I are talking about.  
19 And I think some other neighbors want to get up here so  
20 I don't want to take anymore time. Does anyone have  
21 anymore questions?

22 (No audible response)

23 MR. BURKE: Thank you.

24 THE CHAIRPERSON: Thank you.

25 MS. TOPHAM: My name is Patricia Topham,

1 T-o-p-h-a-m. I live at 450 New Road and I'd just like  
2 to verify what everybody else is saying. I have lived  
3 there for 37 years.

4 THE CHAIRPERSON: Can you just point where  
5 450 New Road is at on that map?

6 MS. TOPHAM: It's right on the corner. I  
7 live on the corner of New Road and Falcon.

8 THE CHAIRPERSON: Okay.

9 MS. TOPHAM: So if this is New Road here, my  
10 house is going to sit right here.

11 UNIDENTIFIED SPEAKER: (Indiscernible).

12 MS. TOPHAM: Oh, okay. Oh, all right. Okay.  
13 So I'm going to be right here. I've lived there for 37  
14 years and the whole time the junkyard was there I heard  
15 nothing, okay. I did see trucks go by, but I heard  
16 nothing. And if you ride past there, as I did today,  
17 you can, from New Road, see a huge mound of white  
18 stuff. And I do worry about my property value. You  
19 know, what is this doing to my property if I was to  
20 sell this? I mean, this -- they can ride by -- I walk  
21 my neighborhood almost everyday, okay, and you can look  
22 over and you can see this stuff behind these peoples'  
23 houses. So if I wanted to sell my house and somebody  
24 went to walk back there, they could see it. We have a  
25 beautiful neighborhood. It's one way in, one way out,

1 and when you go down Falcon Drive you can see all that  
2 stuff and you couldn't before.

3 THE CHAIRPERSON: Do any members have any  
4 questions?

5 UNIDENTIFIED SPEAKER: Care to comment --

6 UNIDENTIFIED SPEAKER: Mr. Chairman, maybe  
7 the applicant can address the white pile.

8 MR. GABRYSIK: I believe what they're  
9 talking about is a pile of white iron. I wasn't on the  
10 site today so I can't tell you exactly. Those types of  
11 piles, they come and go. I mean, it's a pile of  
12 debris. They obviously dismantled some stuff down  
13 there in the last couple of days and they got a big  
pile. There's a possibility that in the next week or  
maybe a couple weeks the pile is gone and there's no  
pile, but then there will be a new pile. It's clearly  
not 75 feet and I don't --

UNIDENTIFIED SPEAKER: I would say it's as  
high as my rancher, okay.

MR. GABRYSIK: Well, a ranch -- a typical  
ranch is 16 to 18 feet, so that's the kind of pile  
you're talking about. 75 feet would be very large. We  
do have -- we don't have any cranes. We do have some  
excavators with grapples, that kind of stuff, and  
that's what you use to dismantle different things and

EXCAVATORS  
WITH GRAPPLERS



1 to build piles. So we do have, you know, loaders and  
2 excavators and different types of equipment, fork lifts  
3 and that sort of thing.

4 UNIDENTIFIED SPEAKER: Are you there every  
5 day?

6 MR. GABRYSIAK: I am not there every day.  
7 Typically, I'm all over.

8 UNIDENTIFIED SPEAKER: Do you have an onsite  
9 manager?

10 MR. GABRYSIAK: We do have -- there's a  
11 manager on site all the time, absolutely.

12 THE CHAIRPERSON: Can you address the RV?

13 MR. GABRYSIAK: There's no one living there.  
14 Although, there was someone living there for many, many  
15 years before I got there.

16 THE CHAIRPERSON: Where?

17 MR. GABRYSIAK: I think he was living in an  
18 RV on that property. I believe that they just  
19 dismantled a bunch of RVs and that's probably what this  
20 pile of garbage is. You know, at any given moment  
21 there's different types of things like RVs, and cars,  
22 and trucks, you know, but under no circumstances would  
23 there ever be anyone living there or staying there or  
24 any of that stuff. Anything -- anything that's there  
25 is junk. It's not, you know, usable. Other than, you

1 know, obviously the vehicles and equipment we use to  
2 operate.

3 THE CHAIRPERSON: And I didn't hear anybody  
4 address the storage of gas or diesel or propane or  
5 anything. Is there -- is that just a --

6 MR. GABRYSIAK: We do have a -- we do have a  
7 diesel tank that we use to fill up our equipment --

8 THE CHAIRPERSON: Above ground?

9 MR. GABRYSIAK: -- an off-road diesel tank.

10 THE CHAIRPERSON: Above ground or below --

11 MR. GABRYSIAK: Above ground, yeah. Above  
12 ground, right. It sits on -- there's concrete that  
13 surrounds this building here and it sits up on that.

14 UNIDENTIFIED SPEAKER: Are there any below  
15 ground tanks to your knowledge?

16 MR. GABRYSIAK: No. There is absolutely no  
17 below ground tanks.

18 UNIDENTIFIED SPEAKER: Did you install the  
19 diesel tank?

20 MR. GABRYSIAK: No.

21 UNIDENTIFIED SPEAKER: It was there  
22 previously?

23 MR. GABRYSIAK: Yeah. It was there  
24 previously.

25 MR. ROBBINS: Mr. Chairman?

1 THE CHAIRPERSON: Yes, Mr. Robbins?  
2 MR. ROBBINS: Could I ask Mr. Coleman what  
3 are the -- are there Township ordinances that regulate  
4 the bulk storage material on industrial sites?  
5 THE CHAIRPERSON: Mainly, are you talking  
6 about height?  
7 MR. ROBBINS: Yeah.  
8 UNIDENTIFIED SPEAKER: Bulk storage on site,  
9 no idea. It's not -- there are regulations such as the  
10 site plan approval through the bulk storage of an  
11 industrial zone. This is not an industrial zone.  
12 They're aren't any -- there aren't any  
13 standards for --  
14 UNIDENTIFIED SPEAKER: Probably not for this  
15 -- not for this sign.  
16 UNIDENTIFIED SPEAKER: Correct.  
17 UNIDENTIFIED SPEAKER: Right. But that's  
18 notwithstanding. You can certainly make that a  
19 condition of acts of approval.  
20 UNIDENTIFIED SPEAKER: Absolutely.  
21 UNIDENTIFIED SPEAKER: You can make it a  
22 condition of approval. The standards for this zone are  
23 the same standards it would be for a residential house  
24 subject to approval of a construction code official.  
25 UNIDENTIFIED SPEAKER: Well, except this is

1 clearly not a residential use so --  
2 UNIDENTIFIED SPEAKER: Right. Right.  
3 UNIDENTIFIED SPEAKER: -- clearly you can't  
4 use the same -- you can't be held to the same standard  
5 as a house.  
6 UNIDENTIFIED SPEAKER: You'd have to come up  
7 with (indiscernible)?  
8 UNIDENTIFIED SPEAKER: Correct.  
9 UNIDENTIFIED SPEAKER: And you're not going  
10 to have a propane tank sitting out there.  
11 THE CHAIRPERSON: Anyone else from the  
12 public?  
13 MR. WOLF: My name is Josh Wolf and I live at  
14 437, which is directly across the street from where the  
15 junkyard is.  
16 UNIDENTIFIED SPEAKER: Is that New Road?  
17 MR. WOLF: Yeah.  
18 UNIDENTIFIED SPEAKER: Okay.  
19 MR. WOLF: I know -- I don't know what the  
20 legality of is, but I know when you turn onto New Road  
21 from Route 70 there's clearly a postage sign that says  
22 no trucks. I don't know if it's a local ordinance or  
23 if there's any legality to the sign whatsoever, but I  
24 know that when the previous owners had the junkyard  
25 there was traffic in and out mostly, you know,

1 individuals bringing -- you know, once in a while there  
2 would be a flatbed, but since the new company has taken  
3 over they have large tractor trailers. I don't know  
4 what size --

5 UNIDENTIFIED SPEAKER: Full size tractor  
6 trailers.

7 MR. WOLF: Big -- with very large trailers.  
8 I don't know how many yards, 50 yard, 60 yard trailers  
9 on them that they're using to transport material, you  
10 know, in and out of the junkyard and I don't know if  
11 there's any legal issues with that. I don't know who  
12 posted that no truck sign. I know that -- I'm pretty  
13 sure that there's one on either end of New Road on 206  
14 and on Route 70. And also I just -- I mean, that's  
15 what he needed the scale for is for trucks that  
16 probably shouldn't be coming up and down New Road,  
17 which is mostly a rural residential area.

18 And also, I don't know are we going to be  
19 here another time to talk about making a change to the  
20 site that's already been made? That's the only  
21 question that I have. I mean, we're here talking about  
22 something that was already done. Somebody who's in  
23 business who should know better that he would need a  
24 permit for something like a scale, but didn't get a  
25 permit and we're here talking about giving him a permit

1 for something that's already been done. What other  
2 changes is he going to make before we're in here  
3 talking about whether it's okay or not for him to make  
4 those changes?

5 THE CHAIRPERSON: That's an enforcement issue  
6 and they are dealing with that, so.

7 MR. WOLF: Okay. That's all.

8 THE CHAIRPERSON: Do any of us have any  
9 questions for this witness?

10 UNIDENTIFIED SPEAKER: Do you know, are the  
11 trucks enclosed bodies or are they open?

12 MR. WOLF: They're opened tops. I'm guessing  
13 that they legally would have to be covered if they're  
14 loaded, but they are opened top containers. Very large  
15 black trailers that I'd say, I don't know, 30 feet  
16 long, 20 feet long.

17 UNIDENTIFIED SPEAKER: And -- I mean, do you  
18 notice any increase in debris on the road? Are they  
19 dropping anything on your road?

20 MR. WOLF: No, not debris on the road, but  
21 definitely the noise has increased just, you know, in  
22 the yard itself and from the trucks coming and going.  
23 Sometimes they have to sit out on the street for a  
24 minute, you know, blocking traffic before they can turn  
25 in.

1 UNIDENTIFIED SPEAKER: Okay, thank you.

2 MS. KING: My name is Nancy King. I live at  
3 445 New Road. K-i-n-g. I've lived there since about  
4 1985. It's a narrow road. There's no passing. The  
5 speed limit is 35. It's not enforced, but that's what  
6 it is. They talk about the big trucks. I live fairly  
7 close to the road. It's an older house. It was  
8 probably one of the first houses built on New Road.  
9 And the noise is horrendous from the big trucks and  
10 they are big.

11 Like the previous guy said, there were old  
12 flatbeds, maybe an old two truck, a lot of pickup  
13 trucks. Now it's big dump trucks with open -- like he  
14 said, up and down. And it's not necessarily the time  
15 of operation. It's just all day long and I have my  
16 windows open and I can't hear the tv. I never heard  
17 such a racket. Plus, I do live on New Road. I don't  
18 live as close as other people. I can hear the clamor  
19 back there, the pounding, the -- I don't know what's  
20 going on.

21 There was a junkyard there for many years.  
22 Nobody even knew it existed. There was no place to  
23 weigh things because it was a junkyard. That concerns  
24 me because there's a big difference between a salvage  
25 yard, a junkyard, and a recycling facility. I don't

1 know if you know the difference, but New Jersey does.  
2 And I they're -- I don't know what it is they're asking  
3 for -- slash -- you can't have it both ways. You have  
4 one or the other. If you have a salvage yard there  
5 really shouldn't be a need for anything being weighed.  
6 You take it out like the guy previous did and have it  
7 weighed in Camden or Trenton. Not on site.

8 I mean, this guy's been doing what he's been  
9 doing for several years now and getting away with it  
10 and no one has spoken up, but I think everybody's about  
11 had it because now everybody sees what's going on. It  
12 is a lot different than what was there before. That  
13 wasn't right either, but things were done differently  
14 those days and they're done differently now. And I  
15 don't think -- I think you guys really ought to  
16 consider it very carefully before you give the go ahead  
17 to this. You can see what he's done already. And it's  
18 the truth. I mean, you can clearly see from these  
19 peoples' houses what is going on. I would suggest that  
20 all of you take a walk or at least a ride in this  
21 vicinity down New Road and particularly down Falcon  
22 Drive. He has cleared out brush. It is winter so you  
23 have lost the leaves. But it's like clear. There  
24 aren't any trees there. It's not going to recover in  
25 the summertime and bush out again.

1           There's a lot of other issues. The septic  
2 system from 1963 and now you're running a large modern  
3 operation with a septic system from 1963. If there --  
4 what is the fire hazard there with the propane being  
5 stored, the diesel tanks? Who's going to respond to  
6 that? It's a wooded area. All -- all around all these  
7 peoples' houses. Who's going to respond to a chemical  
8 fire there? All things have to be thought out.

9           It's very upsetting that -- nervous -- I  
10 think in the beginning we're nervous -- well, yeah, I'm  
11 nervous. I'm nervous about fire. I'm nervous about  
12 what's going into the ground. I'm nervous about the  
13 noise. This guy doesn't -- this owner doesn't have  
14 this thing in his backyard. I'm sure nothing like it.  
15 This is my front yard. These peoples' backyards and we  
16 care. I've been there since 1985. I grew up in  
17 Tabernacle not too far away. It's ridiculous. Those  
18 days are over when you can do something like this or  
19 should be.

20           And I don't know -- if you give him the  
21 approval to do this I really think you ought to  
22 consider it very carefully before you do and make a  
23 move on this because it's big stuff. Look up the  
24 paperwork. Look up what he actually has there now.  
25 What he's been doing for a year and a half, two years.

1           Don't just take his word for it. Look it up. Look at  
2 what he has on site, not some picture from 1991 or  
3 whatever. That has nothing to do with today. That guy  
4 is dead. He's gone. And it may have been rented out  
5 but that guy run that -- ran that junkyard, not this  
6 guy here. He rented it out to him. And like he said,  
7 he went to collect his money and that was the end of  
8 it. He didn't know what went on there from day to day.

9           It's just -- the whole thing is just -- it  
10 seems like it's just snowing everybody, what's going on  
11 here. I hope that everyone takes the time to look into  
12 it carefully for our sake, for all these people's sake,  
13 that we have to look at it everyday and hear it, and  
14 wonder where is that -- or where is all that stuff  
15 going when he's cutting those cars up? The other guy  
16 didn't do that. He didn't crush cars there.

17           UNIDENTIFIED SPEAKER: Yes, he did.

18           MS. KING: No. He took them -- I saw them  
19 every day going by my house --

20           --  
21           THE CHAIRPERSON: Okay. Whoa, whoa, whoa,  
22 whoa.

23           MS. KING: I'm sorry, but I'm very upset  
24 about this. This is a serious matter. And I hear what  
25 people are saying and a lot of it isn't true. I've

1 been there for 1985, very close to the road, very  
2 close. And I don't -- I could go on and on. I don't  
3 want to take anymore time. But please consider it  
4 carefully. Everyone look carefully at what's going on  
5 and don't just take someone's word for it. Thank you.

6 THE CHAIRPERSON: Wait a minute. Ms. King?

7 MS. KING: Yes. Sorry. I'm very upset.

8 THE CHAIRPERSON: Do any members have any  
9 questions?

10 (No audible response)

11 THE CHAIRPERSON: So what was there before  
12 obviously wasn't good either but it's --

13 MS. KING: It was there. There --

14 THE CHAIRPERSON: -- intensity was less?

15 MS. KING: Well, there was nothing you could.  
16 That was grand-fathered. That was back in the day when  
17 you could do something like that. I grew up in  
18 Tabernacle not too far from Friendship Junkyard. You  
19 could do pretty much whatever you wanted to before the  
20 Pinelands, before people realized it wasn't good, and  
21 that guy was there. There was nothing you could do.  
22 He's gone. His son is gone. I know the whole -- you  
23 know, basically the history of it. And then all of the  
24 sudden this big company comes in that's located on 206,  
25 headquartered, a recycling facility. Not a junkyard.

1 He wants to be called a junkyard because it is two  
2 different things.

3 I can give you -- I can give you -- I have it  
4 right here -- New Jersey, the difference between a  
5 junkyard and a recycling facility. And it's a big  
6 difference. It's a big difference. So, you know, you  
7 can't have it both ways. It's not a slash. It's not  
8 both. It's one or the other. You don't call it a  
9 junkyard when it's -- and it is a recycling facility.  
10 It's not a junkyard. I don't care what the old guy did  
11 that was there before. He ran a junkyard. This is a  
12 recycling facility. Very different than what it was 30  
13 or 50 years ago. However long it was. He wasn't doing  
14 the right thing there, but no one cared. There was no  
15 Pinelands Commission. The DEP didn't care. It was 50  
16 years ago. It was a whole different world then.  
17 That's over. I'm sorry. I was just supposed to be  
18 answering a brief question but I'm very upset over  
19 this.

20 THE CHAIRPERSON: Thank you.

21 MS. KING: Thank you.

22 THE CHAIRPERSON: Anyone else from the  
23 public?

24 (No audible response)

25 THE CHAIRPERSON: The public portion closed.

1 I don't think we're going to take action on this  
2 tonight, but -- so it will be continued til next month,  
3 so if there's -- if you want to come back out at that  
4 point.

5 UNIDENTIFIED SPEAKER: For the record, Mr.  
6 Chairman, that's April 11th?

7 THE CHAIRPERSON: Yes. April 11th, 7:30 p.m.

8 UNIDENTIFIED SPEAKER: And so there will be  
9 no further notice and so if you'd like to come back,  
10 it's April 11th.

11 UNIDENTIFIED SPEAKER: I have a question.

12 UNIDENTIFIED SPEAKER: The engineer and the  
13 planner have to do all kinds of testimony and I don't  
14 think we can get into it in seven minutes, so I think  
15 maybe a motion to continue would be --

16 THE CHAIRPERSON: Mr. Murphy?

17 MR. MURPHY: I have a for any professional  
18 wanting to answer it. What is the difference between a  
19 salvage or junkyard and a recycling facility and is  
20 there a difference?

21 UNIDENTIFIED SPEAKER: The short answer is  
22 no. Your ordinance calls this use a junkyard, which is  
23 typically what ordinances throughout the State of New  
24 Jersey call this particular use. As I said earlier,  
25 recycling is one of the activities that occurs at a

1 junkyard. But the use is a junkyard. Is was a  
2 junkyard and it's going to continue to be a junkyard.

3 THE CHAIRPERSON: Now, I don't know what the  
4 one resident had from the State of New Jersey saying  
5 that there was a difference. Does -- do you know if  
6 New Jersey considers the two separate entities?

7 UNIDENTIFIED SPEAKER: Well, it's probably  
8 some other form of regulation that's irrelevant to the  
9 land use issues that are in front of the Board.  
10 Basically, again, your ordinance defines a junkyard as  
11 a certain array of activities. Those are the  
12 activities that have occurred here historically. Those  
13 are the activities that the client is proposing to  
14 continue to do, so it's a junkyard. Really, the only  
15 thing that is at issue is the modification to the  
16 facility that --

17 THE CHAIRPERSON: No. I understand that.

18 UNIDENTIFIED SPEAKER: -- the scale, yeah.  
19 And that's it.

20 THE CHAIRPERSON: Does -- Southampton has an  
21 ordinance for a junkyard as opposed to a recycling  
22 facility?

23 UNIDENTIFIED SPEAKER: No. What they're --

24 THE CHAIRPERSON: So it's essentially the  
25 same?

1 UNIDENTIFIED SPEAKER: Excuse me?

2 THE CHAIRPERSON: So it's essentially the  
3 same?

4 UNIDENTIFIED SPEAKER: What -- I will give  
5 you the -- I will give you the answer to that at the  
6 next hearing because it's going to --

7 UNIDENTIFIED SPEAKER: Got to wait.

8 UNIDENTIFIED SPEAKER: No. It's going to  
9 take -- it's going to take some time. I've got like  
10 two and a half pages of notes. There's been a lot  
11 testimony here. Quite frankly, I mentioned to Mr.  
12 Ridgway maybe you should think about doing Mr. Anks  
13 (phonetic) first, and he may want to do that but  
14 there's been so much testimony here tonight that there  
15 is a lot of questions that have to be answered and I  
16 think I have to give you some food for thought, but it  
17 can't be tonight.

18 THE CHAIRPERSON: I'll accept that.

19 UNIDENTIFIED SPEAKER: It could be tonight,  
20 but I don't think it's going to be tonight.

21 UNIDENTIFIED SPEAKER: Will we know what his  
22 answers are?

23 THE CHAIRPERSON: Wait a minute.

24 UNIDENTIFIED SPEAKER: Well, they asked you  
25 to do that.

1 UNIDENTIFIED SPEAKER: Okay. That's what I  
2 mean. We'll know then?

3 UNIDENTIFIED SPEAKER: To the extent where we  
4 are, Mr. Coleman, I don't know for a very short of a  
5 time an extension is granted.

6 UNIDENTIFIED SPEAKER: Thank you.

7 THE CHAIRPERSON: Do we have to take action  
8 to extend it or --

9 UNIDENTIFIED SPEAKER: No, the applicant just  
10 waived the time requirements within which this period  
11 we have to hear and decide on the application --

12 THE CHAIRPERSON: Do we --

13 UNIDENTIFIED SPEAKER: -- just so you accept  
14 that as part of your motion --

15 THE CHAIRPERSON: Do we have to make a motion  
16 and vote on it?

17 UNIDENTIFIED SPEAKER: Can I move that the  
18 Board continue this application to the April 11th  
19 meeting at the request of the applicant?

20 UNIDENTIFIED SPEAKER: And that we accept the  
21 applicant's motion for suggesting that it can -- or not  
22 even continue to waive the time requirements within  
23 this period.

24 UNIDENTIFIED SPEAKER: Fine, thank you.

25 UNIDENTIFIED SPEAKER: I second the motion.



1 THE CHAIRPERSON: Any questions?  
2 UNIDENTIFIED SPEAKER: Mr. Chairman, what are  
3 we doing?  
4 THE CHAIRPERSON: We're simply extending it  
5 -- carrying it over to next month.  
6 UNIDENTIFIED SPEAKER: Thank you.  
7 THE CHAIRPERSON: Roll call.  
8 UNIDENTIFIED SPEAKER: Ms. Doherty?  
9 MS. DOHERTY: Yes.  
10 UNIDENTIFIED SPEAKER: Mr. Goettlemann?  
11 MR. GOETTLEMANN: Yes.  
12 UNIDENTIFIED SPEAKER: Mr. Haas?  
13 MR. HAAS: Yes.  
14 UNIDENTIFIED SPEAKER: Mr. Kennedy?  
15 MR. KENNEDY: Yes.  
16 UNIDENTIFIED SPEAKER: Mr. Kennedy?  
17 MR. KENNEDY: I said yes.  
18 UNIDENTIFIED SPEAKER: Mr. Murphy?  
19 MR. MURPHY: Yes.  
20 UNIDENTIFIED SPEAKER: Mr. Robbins?  
21 MR. ROBBINS: Yes.  
22 UNIDENTIFIED SPEAKER: Chairman Zoltowski?  
23 THE CHAIRPERSON: Yes.  
24 UNIDENTIFIED SPEAKER: Thank you very much.  
25 THE CHAIRPERSON: You knew this was going to

1 happen. You know this -- you know, this isn't a  
2 surprise.  
3 (Multiple Speakers)  
4 MR. CHAIRPERSON: Is there any other business  
5 to come before this Board?  
6 (No audible response)  
7 THE CHAIRMAN: Is there anyone from the  
8 public who would like to give or have any questions or  
9 testimony regarding non-agenda items? Hearing none,  
10 public portion closed.  
11 UNIDENTIFIED SPEAKER: Mr. Chairman, I'd move  
12 we adjourn the meeting.  
13 UNIDENTIFIED SPEAKER: Second.  
14 (Multiple speakers)  
15 THE CHAIRPERSON: We have a motion to second.  
16 All right, all in favor.  
17 UNIDENTIFIED SPEAKER: I.  
18 (Multiple Speakers)

19 \* \* \* \* \*  
20  
21  
22  
23  
24  
25

C E R T I F I C A T I O N

I, ANDREA FOY and WENDY ANTOSIEWICZ, the assigned transcribers, do hereby certify the foregoing transcript of proceedings on CD, playback number 11:45 to 2:15, is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate compressed transcript of the proceedings as recorded, and to the best of our ability.

Andrea Foy  
ANDREA FOY

Approved by:

Carole Ritardi  
CAROLE RITARDI AOC #228

Wendy Antosiewicz  
WENDY ANTOSIEWICZ AOC #803  
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DATE: 10/7/13



SOUTHAMPTON TOWNSHIP ZONING BOARD  
OF ADJUSTMENT  
BURLINGTON COUNTY, NEW JERSEY

IN THE MATTER OF  
  
ALLIED RECYCLING,

)  
)  
)  
)  
)

TRANSCRIPT  
  
OF  
  
ZONING BOARD MEETING

Place: 5 Retreat Road  
Southampton, NJ 08088

Date: August 8, 2013

ZONING BOARD MEMBERS PRESENT:

STEPHEN ZOLTOWSKI, Chairperson  
PATRICK KENNEDY, Vice Chairperson  
RODNEY GOETTLEMANN  
EVELYN M. DOHERTY  
WILLIAM ROBBINS  
TIMOTHY Q. MURPHY  
JODY MAZEALL  
R. J. HAAS

PROFESSIONALS AND SUPPORT STAFF:

SHERI HANNAH, Secretary  
JODY MAZEALL, Zoning Officer  
THOMAS COLEMAN, ESQ. (Raymond Coleman Heinold & Norman)  
RAKESH DARJI, Engineer (Environmental Resolutions, Inc.)  
THOMAS SCANGARELLO, Planner

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Audio Recorded

A D D E N D U M

Individuals identified within the text of the following transcript do not represent necessarily all of the individuals in attendance at this meeting. Their presence, speaker identification and other information regarding title page and appearance, along with various words, proper nouns and other spellings found within this transcript were able to have been extrapolated from minutes of the meeting and discussions with the Board Secretary and, of course, that which is evident and that which can be concluded by way of the tape recording itself, which is of fair quality.

Areas of the tape which were unable to be discerned were identified by placing the word (indiscernible) or (inaudible) followed by a short explanation.

\* \* \* \* \*

## Colloquy

1 THE CHAIRPERSON: Call the continued hearing  
2 for Allied Recycling, Block 2401, Lot 36.02, 440 New  
3 Road for use variance and a minor site plan.

4 UNIDENTIFIED SPEAKER: Well, Mr. Chairman,  
5 looks like I'm the star of the show again.

6 Mr. Chairman, I anticipated that Allied was  
7 going to be here this evening. Just bear with me. You  
8 may recall that they were here in June and we didn't  
9 have enough members to hear the application and they  
10 elected, because of their vacation schedules, to come  
11 here in August.

12 I got a telephone call yesterday from their  
13 attorney advising that he was sick and that they  
14 weren't coming this evening. I expected to get a  
15 letter confirming that, something asking for a  
16 continuance and I didn't get that. And I think,  
17 Sherri, you subsequently had a conversation with Mr.  
18 Ridgway.

19 MS. HANNAH: I spoke with him this morning.

20 UNIDENTIFIED SPEAKER: And did he confirm  
21 that with you as well or --

22 MS. HANNAH: That they would not be coming,  
23 yes.

24 UNIDENTIFIED SPEAKER: Yeah. So, it's at the  
25 discretion of the Board as to how you would like to --

1 you know, we have nothing in writing you know,  
2 requesting a continuance.

3 UNIDENTIFIED SPEAKER: Well, Mr. Chairman,  
4 I'd like to make a motion. I say we dismiss this  
5 application without prejudice. Let them restart and  
6 get their act together and get everything organized to  
7 start with.

8 BOARD MEMBERS: Yes.

9 UNIDENTIFIED SPEAKER: I'll second it.

10 THE CHAIRPERSON: Is there any discussion?

11 (No audible response)

12 THE CHAIRPERSON: Roll call.

13 UNIDENTIFIED SPEAKER: Are we allowed to from  
14 the --

15 UNIDENTIFIED SPEAKER: We will have a public  
16 portion --

17 UNIDENTIFIED SPEAKER: Okay, thank you.

18 UNIDENTIFIED SPEAKER: -- just let's finish  
19 this first.

20 UNIDENTIFIED SPEAKER: Okay, thank you.

21 MR. ROBBINS: Yeah, I think -- I'd like a  
22 little more of elaboration. What does it -- what  
23 exactly does this mean? What are the repercussions of  
24 dismissing without prejudice?

25 UNIDENTIFIED SPEAKER: Mr. Robbins, it means

1 that they're free to reapply to the Board at their  
2 discretion and come back again. I mean, they're going  
3 to have to reapply, re-notice, reestablish escrows if  
4 they're deficient. Yes, Ms. Doherty?

5 MS. DOHERTY: My concern is that they had an  
6 application before us. Can they come back for the same  
7 application again?

8 UNIDENTIFIED SPEAKER: They certainly can  
9 come back with the same application.

10 MS. DOHERTY: Aren't they in violation of  
11 anything with what they're doing?

12 UNIDENTIFIED SPEAKER: No.

13 MS. DOHERTY: Don't they need a use variance  
14 and a --

15 UNIDENTIFIED SPEAKER: You know, I -- you  
16 know, current what Mr. Mazeall -- his -- as the Zoning  
17 Board you know, I can't -- or a zoning officer, I can't  
18 comment what he has out there simply because I don't  
19 know --

20 MS. DOHERTY: Well, they --

21 UNIDENTIFIED SPEAKER: -- what they're in  
22 violation or not violation of.

23 THE CHAIRPERSON: That's an enforcement  
24 issue.

25 MS. DOHERTY: But, didn't they have a use --

1 UNIDENTIFIED SPEAKER: We acted on the  
2 application.

3 UNIDENTIFIED SPEAKER: We haven't acted on  
4 their application.

5 UNIDENTIFIED SPEAKER: We haven't acted on  
6 the application, so that --

7 UNIDENTIFIED SPEAKER: Remember, we took it  
8 right up to the public portion and we stopped --

9 MS. DOHERTY: What my confusion is -- if I  
10 can share this -- is that I was under the impression  
11 that the business that he's running --

12 UNIDENTIFIED SPEAKER: Right.

13 MS. DOHERTY: -- the reason he had to get  
14 these use variances was to continue to do it, so --

15 UNIDENTIFIED SPEAKER: Again, that's --

16 MS. DOHERTY: -- I just --

17 UNIDENTIFIED SPEAKER: -- that's an  
18 enforcement action really.

19 MS. DOHERTY: So, if we vote to do this  
20 without prejudice, what's the difference between -- I  
21 know what without prejudice means, but what if this  
22 goes down, what is the next option?

23 UNIDENTIFIED SPEAKER: What goes down?

24 MS. DOHERTY: What if this isn't approved?  
25 What if the motion and the second isn't approved, what

1 would be -- what would happen then?

2 UNIDENTIFIED SPEAKER: Well --

3 UNIDENTIFIED SPEAKER: There could be another  
4 motion to continue it.

5 THE CHAIRPERSON: Yeah. There could be a  
6 motion to continue it.

7 UNIDENTIFIED SPEAKER: The clock keeps  
8 running.

9 THE CHAIRPERSON: The clock keeps ticking.

10 UNIDENTIFIED SPEAKER: If you approve that  
11 motion, the clock --

12 MS. DOHERTY: I know, the clock stops.

13 UNIDENTIFIED SPEAKER: -- stops.

14 MS. DOHERTY: Yes.

15 MR. ROBBINS: Sir --

16 UNIDENTIFIED SPEAKER: I would encourage you  
17 to dismiss this.

18 MR. ROBBINS: So, sir, essentially, it  
19 doesn't change anything with -- unless Jody Mazeall,  
20 the construction official, has some enforcement  
21 activity that he'd like to pursue. As far as this  
22 Board is concerned, they can come in with exactly the  
23 same thing next month and start all over again. It's  
24 just --

25 UNIDENTIFIED SPEAKER: They've got to start

1 all over again.  
2 MR. ROBBINS: -- it's just simply a  
3 procedural -- it doesn't put them in any disadvantage,  
4 it doesn't --  
5 UNIDENTIFIED SPEAKER: We're the Board.  
6 MR. ROBBINS: -- put anyone here at any  
7 advantage, it's just --  
8 UNIDENTIFIED SPEAKER: Correct, Mr. Robbins,  
9 yes.  
10 MR. ROBBINS: Yeah.  
11 THE CHAIRPERSON: We have a motion and a  
12 second. Role call?  
13 MS. HANNAH: Ms. Doherty?  
14 MS. DOHERTY: Yes.  
15 MS. HANNAH: Mr. Goettlemann?  
16 MR. GOETTLEMANN: Yes.  
17 MS. HANNAH Mr. Haas?  
18 MR. HAAS: Yes.  
19 MS. HANNAH Mr. Kennedy?  
20 MR. KENNEDY: Yes.  
21 MS. HANNAH: Mr. Murphy?  
22 MR. MURPHY: Yes.  
23 MS. HANNAH: Mr. Robbins?  
24 MR. ROBBINS: Yes.  
25 MS. HANNAH: Chairman Zoltowski?

1 THE CHAIRPERSON: Yes. At this time, I'll  
2 open this meeting to the public. Is there -- if there  
3 is anyone from the public who would like to come  
4 forward?  
5 UNIDENTIFIED SPEAKER: Yes.  
6 THE CHAIRPERSON: Please come forward.  
7 UNIDENTIFIED SPEAKER: Come on up.  
8 THE CHAIRPERSON: Tom, can they speak about  
9 specific --  
10 UNIDENTIFIED SPEAKER: They can talk about  
11 anything they want, we have no application before us.  
12 MS. HANNAH: Make sure they spell their  
13 names.  
14 THE CHAIRPERSON: Yes.  
15 MR. HERTZMAN: My name is Fred Hertzman, I  
16 live at 466 New Road.  
17 UNIDENTIFIED SPEAKER: Mr. Hertzman --  
18 MS. HANNAH: Hold on.  
19 UNIDENTIFIED SPEAKER: -- can you just slow  
20 down for a second? Can you just spell your name for  
21 Ms. Hannah?  
22 MR. HERTZMAN: H-e-r-t-z-m-a-n.  
23 UNIDENTIFIED SPEAKER: Thank you, Mr.  
24 Hertzman.  
25 MR. HERTZMAN: At the beginning of New Road I



1 think there's a sign that says, trucks over four tons  
2 excluded, I think. I don't know if you guys took it  
3 down because of Allied or what, but there used to be a  
4 sign there.

5 MR. HERTZMAN: And a four ton truck is  
6 basically a UPS truck, that's four tons. Now since  
7 I've been laid off and retired, I see these double,  
8 triple axle trucks going right past my house, New Road,  
9 making all kinds of shit noise.

10 THE CHAIRMAN: Sir --

11 MR. HERTZMAN: They're going to rip up the  
12 road and you guys should be telling the staties to  
13 start ticketing these trucks. You start ticketing  
14 them, they're not going to come down New Road, there  
15 goes Allied, unless you guys want Allied, I don't know.  
16 But, there is a sign, at least there was when I first  
17 moved in 20 years ago.

18 So, I'm saying why isn't the Township, if  
19 they're concerned about not wanting to spend money on  
20 roads and stuff, why ain't they tellin' the staties to  
21 ticket these god damned trucks that are going down the  
22 road. That's all I have to say, thank you.

23 UNIDENTIFIED SPEAKER: Thank you, Mr.

24 Hertzman.

25 THE CHAIRPERSON: Rakesh, did you have a

1 chance to look into that?

2 MR. DARJI: Yeah. There is a restriction, a  
3 truck restriction on the (indiscernible).

4 THE CHAIRPERSON: Sir, you may want to  
5 listen.

6 MR. DARJI: Yeah, there is a restriction, a  
7 truck restriction on those roads. But, I think -- you  
8 know, we can't really talk (indiscernible) the  
9 application, right, Tom, so --

10 UNIDENTIFIED SPEAKER: There -- we have no  
11 application.

12 (Multiple speakers)

13 MR. DARJI: There is a truck restriction.

14 UNIDENTIFIED SPEAKER: We have no  
15 application.

16 MR. DARJI: Since there is no application  
17 (indiscernible). The problem or really the discussion  
18 is that the restriction was -- when was the restriction  
19 put in. And I think the junkyard's been there and it's  
20 a discussion of whether it's grandfathered or not as  
21 far as the trucks go.

22 UNIDENTIFIED SPEAKER: But, most important --

23 MR. DARJI: And also -- sorry. The -- see,  
24 it appears that the intent of also these restrictions  
25 is to prevent trucks from cutting through. Because

1 it's -- clearly, it's intended to keep trucks from  
2 going into that quadrant, the 7206 quadrant there.  
3 They want people to go down 70 to 206 and not cut  
4 through these roads. So, it's really -- one of the  
5 major intents is really to keep trucks that want to go  
6 down 70 to 206 to go down 70 and 206 and not cut  
7 through --

8 (Multiple speakers)

9 THE CHAIRPERSON: Whoa, whoa, whoa.

10 UNIDENTIFIED SPEAKER: But most importantly,  
11 Rakesh, this Board has no jurisdiction to call the  
12 State Police.

13 MR. DARJI: That's correct, yes, exactly.

14 UNIDENTIFIED SPEAKER: Mr. Hertzman, that's a  
15 Township issue, and I would encourage you to come to  
16 the Township meeting to express your same comments,  
17 okay?

18 MR. HERTZMAN: When are the Township  
19 meetings?

20 UNIDENTIFIED SPEAKER: Sheri?

21 UNIDENTIFIED SPEAKER: Third Tuesday.

22 MS. HANNAH: Third Tuesday.

23 UNIDENTIFIED SPEAKER: Third Tuesdays.

24 MR. HERTZMAN: Third Tuesdays here?

25 UNIDENTIFIED SPEAKER: Yes.

1 UNIDENTIFIED SPEAKER: Eight o'clock.

2 MS. DOHERTY: Mr. Chairman?

3 MR. HERTZMAN: Oh, I hope everybody shows up  
4 here.

5 THE CHAIRPERSON: Have you had a chance to  
6 look at it? Does it say local traffic excluded or  
7 anything like that?

8 MR. DARJI: It actually -- the restriction  
9 just says no trucks -- I remember because  
10 (indiscernible) took the pictures of the signs there.  
11 So, it just has a truck exclusion. And then the -- we  
12 actually have an ordinance on the books that says  
13 trucks are only permitted on these roads, all other  
14 roads basically excluded from having truck traffic.

15 THE CHAIRPERSON: And when was that passed?

16 MR. DARJI: I'd have to go back and look at  
17 the date on it. It wasn't -- it was --

18 THE CHAIRPERSON: It wasn't recent.

19 MR. DARJI: It's been awhile, it's been quite  
20 some time. And also the exclusion reads that obviously  
21 local deliveries and things like that are excluded, so  
22 that's another again, grey area, local deliveries are  
23 excluded.

24 UNIDENTIFIED SPEAKER: That's at least 20  
25 years old.

1 MR. DARJI: Yeah. That's -- it's been quite  
2 some time.

3 THE CHAIRPERSON: Ms. Doherty?

4 MS. DOHERTY: No, I was just going to say I  
5 believe that the signs are just for the three streets,  
6 but local deliveries are permitted. I had, after the  
7 last -- one of those hearings, looked into it a little  
8 bit.

9 THE CHAIRPERSON: Anyone else from the  
10 public?

11 (No audible response)

12 THE CHAIRPERSON: I believe she had her hand  
13 up first, I'm sorry.

14 UNIDENTIFIED SPEAKER: Oh, I'm sorry.

15 MS. WISHART: I just want clarification --

16 THE CHAIRPERSON: Wait, wait.

17 UNIDENTIFIED SPEAKER: You got to  
18 (indiscernible).

19 MS. WISHART: Oh, I'm sorry, Catherine  
20 Wishart, W-i-s-h-a-r-t, 1 Falcon Drive, Southampton.

21 I just want a clarification on what has just  
22 occurred, we voted and everything. Does this mean that  
23 he now needs to cease and desist until he's in  
24 compliance, or he keeps going just the way things are  
25 and he's managed to play the system to get more time

1 again?

2 I mean, that -- I have a feeling that your  
3 hands are tied and I'm not blaming anybody on the Board  
4 because I think that you've really backed this up a lot  
5 more than people realize. But, I just want a  
6 clarification of whether or not at this point he has to  
7 cease and desist and go back to the way he was or he  
8 can continue with the operations as they are now?

9 THE CHAIRPERSON: No, that -- once again,  
10 it's an enforcement issue.

11 MS. WISHART: Okay.

12 THE CHAIRPERSON: He can continue --

13 MS. WISHART: And that's not something that  
14 you have --

15 UNIDENTIFIED SPEAKER: Correct.

16 THE CHAIRPERSON: Right.

17 MS. WISHART: Okay, gotcha. Okay, thank you.

18 THE CHAIRPERSON: He can continue to do what  
19 he's doing, and he could be putting himself in jeopardy  
20 of fines, whatever.

21 MS. WISHART: Okay, legally, right.

22 UNIDENTIFIED SPEAKER: Right.

23 THE CHAIRPERSON: Yes. But, that's between  
24 the Township and him.

25 MS. WISHART: Okay. And it's not the purview

1 of this Board, it's the purview of the Township  
2 Committee, is that correct?

3 THE CHAIRPERSON: Our job is to set the law,  
4 the Township's job is to enforce it.

5 MS. WISHART: There you go, thank you.

6 UNIDENTIFIED SPEAKER: We'll take a minute on  
7 this one.

8 MS. KOLANKIEWICZ: Nancy Kolankiewicz, K-o-l-  
9 a-n-k-i-e-w -- thank you -- i-c as in cat, z as in  
10 zebra, 11 Robbins Way.

11 MS. HANNAH: Thank you.

12 MS. KOLANKIEWICZ: Chairman, committee  
13 members, just two questions. So, with respect -- and  
14 I'm sorry, I don't recall your name.

15 MS. WISHART: Cathy.

16 MS. KOLANKIEWICZ: To the respect to Cathy's  
17 question and I know we got in a little bit late, is the  
18 Board in favor of granting a zoning waiver? And I beg  
19 your pardon for my tardiness and missing -- we didn't  
20 know which door to come in and it's a big building when  
21 you're walking around it.

22 THE CHAIRPERSON: We haven't heard an  
23 application.

24 MS. KOLANKIEWICZ: I see, okay.

25 THE CHAIRPERSON: It would be no different

1 than you walking before a judge before the trial starts  
2 and asking him, is the defendant guilty.

3 MS. KOLANKIEWICZ: I understand, Chairman.

4 THE CHAIRPERSON: We haven't heard anything  
5 yet.

6 MS. KOLANKIEWICZ: I understand, sir, thank  
7 you. The only thing I wanted to say with respect to  
8 the other gentleman's comment about the trucks, it's my  
9 understanding every time you -- or it's my  
10 understanding that trucks in general are relegated to  
11 use the highway system that's been developed and  
12 they're not allowed to use the side roads.

13 So, I'm just coming back and I'm saying I  
14 think it is a static issue and maybe residents need to  
15 call. Because every time you come over a bridge from  
16 the -- and I know it's not the issue at hand, but every  
17 time you cross a bridge, you see right there after the  
18 governor welcomes you and everything, you see that  
19 trucks must abide by the interstate highways that are  
20 out there. And New Jersey is one of the states that  
21 makes that a law. So, I just wanted to mention that.

22 THE CHAIRPERSON: I don't know if you heard  
23 it or not, but there is a grey area that says local  
24 deliveries excluded.

25 MS. KOLANKIEWICZ: Yes, sir. Yes, sir, I did

1 hear that, but a local delivery, UPS, FedEx, I don't  
2 necessarily know that I would classify commercial -- as  
3 commercial -- I don't know, things for disposal or  
4 whatever else, I don't know that I would classify that  
5 as residential. So, I wouldn't -- I certainly wouldn't  
6 call that a local delivery, but --

7 THE CHAIRPERSON: Thank you.

8 MS. KOLANKIEWICZ: Thank you, sir. Thank  
9 you.

10 THE CHAIRPERSON: Mr. Goettlemann?

11 MR. GOETTLEMANN: If you folks notice that  
12 the temperature's rising, the air conditioning system  
13 in the attic has failed. Our Township administrator is  
14 replacing units, temporary units are in the other  
15 offices. But, there's nothing to facilitate the  
16 occupation or occupancy of this room short of opening  
17 these windows and doors which I think we may have to do  
18 shortly.

19 UNIDENTIFIED SPEAKER: It's a good way to  
20 keep the meeting short.

21 MS. DOHERTY: Mr. Chairman?

22 THE CHAIRPERSON: Yeah, Ms. Doherty?

23 MS. DOHERTY: Isn't it true that they will  
24 have to re-notice everybody when they put the  
25 application through again so there will be paperwork

1 and notification to the people and the community?

2 THE CHAIRPERSON: Yes.

3 UNIDENTIFIED SPEAKER: If they reapply.

4 MS. DOHERTY: If they --

5 MS. YEAGER: Kathy Yeager, Y-e-a-g-e-r, 452  
6 New Road, Southampton. In respect to the truck issue,  
7 I did go to the Township meeting in July and I did  
8 bring up the -- my issue with trucks driving on that  
9 road because I've measured, it's 20 feet shoulder line  
10 to shoulder line.

11 In my research of trucks on road, there's  
12 supposed to be at least 22 feet shoulder line to  
13 shoulder line or 11 feet center line to shoulder line,  
14 which we don't have. The Township has the ten feet  
15 right away, but I really don't see the Township coming  
16 out to widen that with the expense.

17 In relation to the code, I do have the code  
18 of Southampton and it says, "route for trucks over four  
19 tons" -- basically I'm reading this -- "no truck over  
20 four tons is allowed on New Road with the exception of  
21 making a local delivery." So, my question is -- and if  
22 it's not for this Board, if it's for the Township  
23 Board, then please advise me.

24 But, my question is, if this recycling  
25 business is operating without a permit, without an

1 application and doing their thing, are we to say that  
2 they're allowed to have their deliveries because  
3 they're operating or are there deliveries illegal  
4 because they're technically not a legal company?  
5 Because if their trucks are going down the road to  
6 deliver merchandise, which is recycled things,  
7 technically they shouldn't be doing that because  
8 they don't have a permit to operate legally.

9 So, that means, as a retired teacher, that I  
10 just call the state police each time I see one because  
11 I already do it when there's people in the neighborhood  
12 that don't belong there. I walk my dogs every day, I  
13 know my neighborhood, I know what belongs, what  
14 doesn't. So, I want to know like where do I go with  
15 that question? Are they -- since you just made your  
16 ruling here tonight --

17 UNIDENTIFIED SPEAKER: It's not the  
18 deliveries, it's the activity of the driving on those  
19 roads. It has nothing to do with them delivering  
20 products to that facility. What it has to do with is  
21 the trucks themselves driving on those roads. And as  
22 the Chairman said --

23 MS. YEAGER: So, is this something that I  
24 take to the Township then?

25 UNIDENTIFIED SPEAKER: That's correct.

1 MS. YEAGER: That's correct.

2 UNIDENTIFIED SPEAKER: It's an enforcement  
3 issue by the Township committee and the Township  
4 committee has the power to say to the state police, to  
5 any entity of any power to -- would you please research  
6 that situation, would you please monitor it. And  
7 please act accordingly in order to identify the people  
8 that are using those roads and either ticket them or  
9 suspend them from using those roads.

10 MS. YEAGER: Okay. So, we all need to be at  
11 the Township meeting.

12 (Multiple Speakers)

13 MR. L. KOLANKIEWICZ: Larry Kolankiewicz, 11  
14 Robbins Way, Southampton, New Jersey.

15 THE CHAIRPERSON: Could you spell that last  
16 name? I have a Polish --

17 MS. HANNAH: I have it.

18 MR. L. KOLANKIEWICZ: S-m-i-t-h.  
19 K-o-l-a-n-k-i-e-w-i-c-z. With regard with the  
20 restrictions and the admonitions as to the restriction  
21 of tractor trailers going down New Road, there's a  
22 garage -- I'll call it a garage -- on Eayrestown Road  
23 and if there is no permission for these guys to be  
24 using that facility to get down to the garage -- you  
25 know, and this is all the time.

1 THE CHAIRPERSON: I think that's the grey  
2 area that the law is meant to protect people from  
3 cut-throughs from 70 to 206 or vice versa, 206 to 70.  
4 That's why they put that catch hold in a local  
5 deliveries excluded. Anyone else?

6 MR. JENKINS: My name is Steven Jenkins, I  
7 live at 446 New Road. I guess I'm their closest  
8 neighbor. My concern with this is if they grow,  
9 they're going to be growing into my backyard. Their  
10 property already butts up to my backyard, okay. So, if  
11 they keep growing or getting bigger or whatever it is  
12 they want to do, they're going to be on my property.  
13 My value of my property is going to decrease 25 percent  
14 right off the bat, it probably already has, okay.

15 So, if I want to sell my house, I ain't going  
16 to be able to sell it, okay. I know Sheeny (phonetic),  
17 Pointsetts, I know the Fullers (phonetic), I grew up  
18 with them. I've known that junkyard for 100 years,  
19 okay. The truck that Sheeny drove is only a little one  
20 ton truck. The truck these guys are driving are 20  
21 tons to 30 tons, I've seen them. I -- I'm a truck  
22 mechanic, so I know trucks, it's what I do for a  
23 living, they are not supposed to be there.

24 They can't -- if they keep growing this  
25 place, what am I going to do? You know, spend the rest

1 of my life in Southampton? Not that I don't like it, I  
2 grew up here, but I got visions, I want to retire to  
3 Florida. I can't do that if I can't sell my house, do  
4 you know what I mean?

5 THE CHAIRPERSON: The -- yeah. I mean,  
6 they're not allowed to expand what they're doing, they  
7 can't clear more, there's regulations for that. But,  
8 can I ask you a question?

9 MR. JENKINS: Absolutely.

10 THE CHAIRPERSON: Are there any cars on that  
11 property?

12 MR. JENKINS: Cars?

13 THE CHAIRPERSON: Yes.

14 MR. JENKINS: Yeah, there's cars, there's  
15 trucks.

16 THE CHAIRPERSON: No, junk cars.

17 MR. JENKINS: I believe that they recycle  
18 junk cars. That's -- all the recycling places recycle  
19 towed cars, it's metal, it's steel, it's money, so  
20 absolutely.

21 THE CHAIRPERSON: I can only ask you to -- if  
22 they do you know, submit another application, to please  
23 come back out.

24 MR. JENKINS: Absolutely.

25 THE CHAIRPERSON: Okay.

1 MR. JENKINS: Sure. Thank you very much.

2 UNIDENTIFIED SPEAKER: I would like to say  
3 something.

4 THE CHAIRPERSON: Oh wait, he was first, wait  
5 a minute.

6 MR. L. KOLANKIEWICZ, SR.: Hi. My name is  
7 Lawrence Kolankiewicz, 42 Falcon Drive, Kolankiewicz,  
8 you already have the spelling.

9 MS. HANNAH: I do. I won't make you do it  
10 again.

11 MR. L. KOLANKIEWICZ, SR: That's my son over  
12 there.

13 Okay. I have a question, I just have a  
14 question for clarification. The business as it exists  
15 today -- and I recognize there's enforcement issues and  
16 things like that and we can't talk about the police and  
17 everything. My question, you're the Zoning Board,  
18 correct? My question is plain and simple. Is the  
19 business, as it's functioning today, in compliance with  
20 the current zoning that it has?

21 THE CHAIRPERSON: I would say according to  
22 the zoning officer, no.

23 MR. L. KOLANKIEWICZ, SR.: Okay.

24 THE CHAIRPERSON: That's what started all  
25 this.

1 UNIDENTIFIED SPEAKER: So, we're not the  
2 zoning officer.

3 THE CHAIRPERSON: Right.

4 MR. L. KOLANKIEWICZ, SR.: Okay.

5 UNIDENTIFIED SPEAKER: And their application,  
6 Mr. Kolankiewicz, where it sort of abruptly ended was  
7 incomplete.

8 MR. L. KOLANKIEWICZ, SR.: Okay.

9 UNIDENTIFIED SPEAKER: And one of the things  
10 that we requested that they do was come back here and  
11 further clarify exactly what they do do out there and  
12 we never got to that point. So, for anybody to sit  
13 here to say and --

14 MR. L. KOLANKIEWICZ, SR.: Okay.

15 UNIDENTIFIED SPEAKER: -- definitively, yes,  
16 they're doing what they're supposed to be doing or not,  
17 it's not really our role to do that.

18 MR. L. KOLANKIEWICZ, SR: Okay, I understand.  
19 So then I say that forget about what they want to do,  
20 let's -- let the minutes of the meeting show that it's  
21 in question that the way they're operating their  
22 business now appears to be not in compliance with the  
23 zoning and then it's an issue for the Township for  
24 enforcement. That's all I have to say.

25 THE CHAIRPERSON: They already are enforcing.



1 MR. L. KOLANKIEWICZ, SR.: Well, apparently  
2 not because they're still doing business.

3 MR. ROBBINS: Mr. Chairman, could I ask a --

4 THE CHAIRPERSON: Yeah, Mr. Robbins, go  
5 ahead.

6 MR. ROBBINS: Have you made your concerns  
7 known to the construction official over here in  
8 (indiscernible)?

9 MR. L. KOLANKIEWICZ, SR.: No, I have not.

10 MR. ROBBINS: Do you think that might be  
11 helpful? If you feel from your observation that the  
12 activity there is not in compliance with the existing  
13 zoning regulations that it might be helpful for Jody to  
14 look into it? Have you asked her to do that?

15 MR. L. KOLANKIEWICZ, SR.: No, I have not.  
16 I've come to this meeting because -- and what I'm  
17 hearing from the public here is that they're operating  
18 in an environment and doing things that appear to be  
19 far outside and outside of what the zoning calls for.

20 MR. ROBBINS: Then you should make that --

21 MR. L. KOLANKIEWICZ, SR.: So, I came up and  
22 asked a question. I asked a question.

23 MR. ROBBINS: You should make that claim to  
24 the construction official --

25 BOARD MEMBERS: The zoning official.

1 MR. ROBBINS: -- you and your neighbors. The  
2 zoning officer, whatever he's called.

3 MR. L. KOLANKIEWICZ, SR.: Okay.

4 MR. ROBBINS: We got a problem, look into it.

5 UNIDENTIFIED SPEAKER: But --

6 MR. L. KOLANKIEWICZ, SR.: Okay so, does that  
7 -- are you telling me that my question is invalid?

8 MR. ROBBINS: He's the enforcement guy.

9 UNIDENTIFIED SPEAKER: No, but we should be  
10 clear on what happens when you do that.

11 MR. L. KOLANKIEWICZ, SR.: Okay.

12 UNIDENTIFIED SPEAKER: Okay. That happens  
13 nine out of ten times.

14 MR. L. KOLANKIEWICZ, SR.: Right.

15 UNIDENTIFIED SPEAKER: Someone complains  
16 about something that's occurring on their neighbor's  
17 property, they complain to the zoning officer. And the  
18 zoning officer is empowered on his own to go out and to  
19 inspect sites to be in conformance with  
20 (indiscernible).

21 Always, every single time without question,  
22 the zoning officer will afford that property owner the  
23 opportunity -- he'll cite it and he'll say, you're  
24 doing something that you're not supposed to be doing,  
25 you have to come before the Zoning Board. And you have

1 to go before the Zoning Board and get a -- what's  
2 called a use variance to do what you're doing and -- or  
3 you have to stop doing what you're doing. And they  
4 will make that application which is where we are with  
5 this applicant.

6 The other thing that the zoning officer can  
7 do -- and seldom, if ever does he do it, without giving  
8 that applicant the opportunity to come before this  
9 Board is he can directly take them to municipal court  
10 and say, you are not in compliance with the zoning  
11 ordinance, you're in violation and the municipal court  
12 judge will either say, you are or your aren't and will  
13 fine him or do whatever he has to do.

14 But, I'm just telling you that nine, nine and  
15 nine tenths out of the time, the zoning officer will  
16 give them the opportunity to come before this Board.  
17 What's happened in this case is that happened many  
18 months ago and --

19 MR. L. KOLANKIEWICZ, SR.: Okay.

20 UNIDENTIFIED SPEAKER: -- it's been delayed  
21 in getting here.

22 MR. L. KOLANKIEWICZ, SR.: Well, thanks for  
23 explaining that to me. So, I guess -- if I could  
24 attest to my understand that if -- what I hear in the  
25 room here, if this is going on blatantly and they're --

1 if they're abusing or violating the zoning then people  
2 should file formal complaints to the construction  
3 office --

4 BOARD MEMBERS: Zoning office.

5 MR. L. KOLANKIEWICZ, SR.: Zoning, right --  
6 the zoning officer so that they can be investigated, is  
7 that correct?

8 UNIDENTIFIED SPEAKER: What can happen now is  
9 that by virtue of the action that this Board did a half  
10 hour ago --

11 MR. L. KOLANKIEWICZ, SR.: Right.

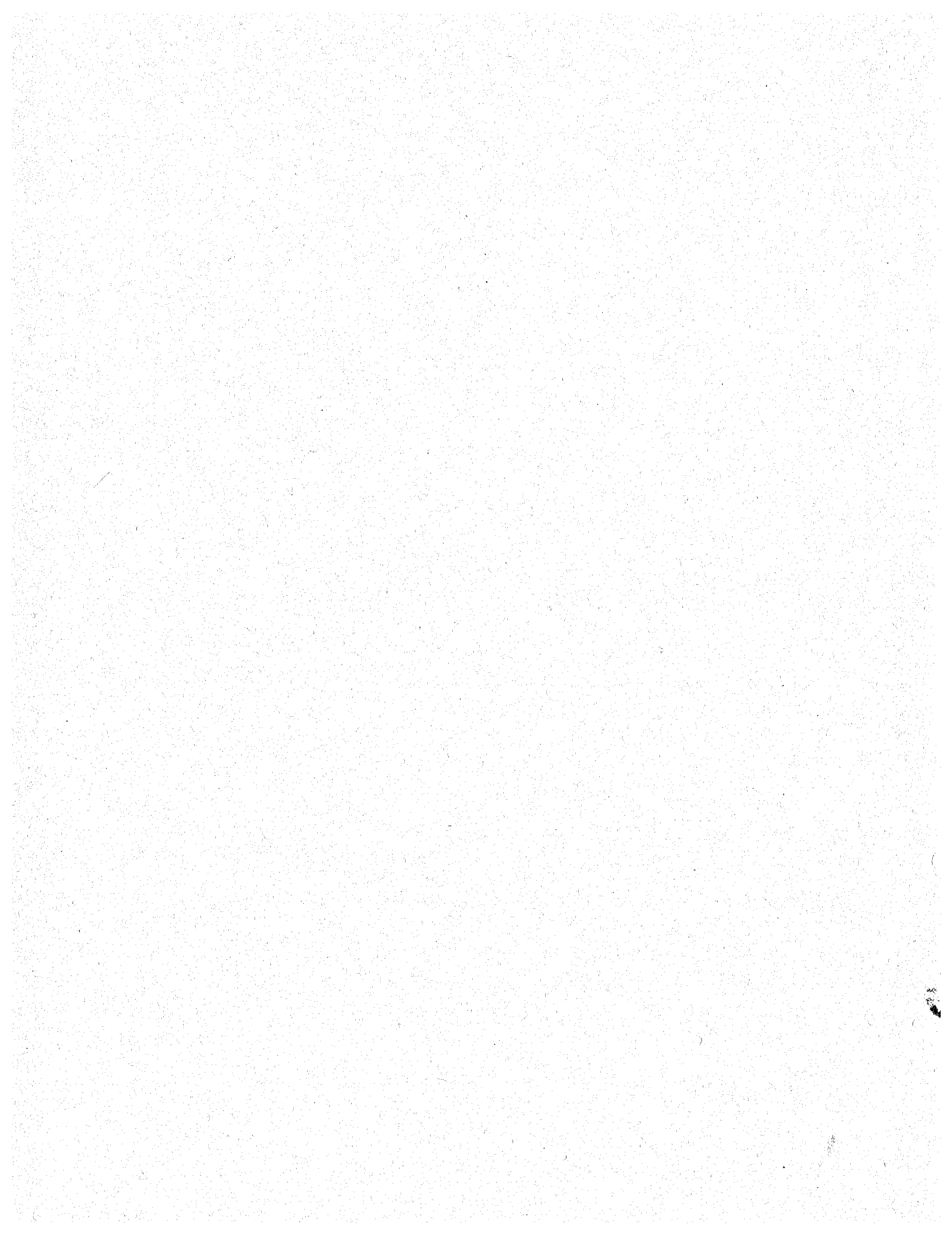
12 UNIDENTIFIED SPEAKER: -- if the applicant  
13 doesn't submit a new application -- completely brand  
14 spanking new application -- to this Board within a  
15 reasonable period of time, the zoning officer can  
16 easily say, you know what, they gave you an opportunity  
17 to do it, you didn't do it, I'm taking you right to  
18 municipal court. And that --

19 MR. L. KOLANKIEWICZ, SR.: Okay. Even for  
20 its current practices, is that correct?

21 UNIDENTIFIED SPEAKER: Right. And that's --

22 MR. L. KOLANKIEWICZ, SR.: Okay.

23 UNIDENTIFIED SPEAKER: And that's the path  
24 that you all should take and insist upon him if there's  
25 something -- some action that you want to occur.



8

1 MR. L. KOLANKIEWICZ, SR.: Okay. Thank you  
2 very much for your explanation.

3 THE CHAIRPERSON: Thank you.

4 MR. L. KOLANKIEWICZ, SR.: Thank you.

5 UNIDENTIFIED SPEAKER: What's reasonable?  
6 What's considered a reasonable amount of time?

7 MS. TAYLOR: I wanted to ask the same thing.  
8 My name is Pauline Taylor and I live at 446 New Road,  
9 we are directly in front of the property. And I can  
10 say that I've been there for a year and eight months  
11 and in that time I have noticed a thinning of the trees  
12 behind our property. Not where our property line ends,  
13 but on their property.

14 Because 18 months ago, I really couldn't see  
15 that far into their property, now I can because I  
16 believe they thinned out their trees. And they do have  
17 junk trucks on that property, even in the driveway they  
18 have junk vehicles there, they have dumpsters there.  
19 And my question is, if they're allowed to get by under  
20 the guise of local deliveries, is everything coming in  
21 and nothing going out?

22 Because they're trucking things out, are they  
23 not? Or is it just a dumping ground? I can't see a  
24 business making a profit if they're just bringing stuff  
25 to sit on a property. So at some point in time, that

1 material is exiting that property. So, I think that  
2 goes beyond delivery.

3 So my point is, I just don't understand if  
4 they're not operating in a legal fashion, is their  
5 communication between this Board and the people who  
6 enforce the compliance to get these people to either  
7 operate in a legal fashion or desist. I work in  
8 compliance, I work for a very large company. I have  
9 6,000 vendors that I have to deal with on a daily basis  
10 to comply with how we do business, so we communicate.  
11 I just want to know, is there communication between  
12 this Board and the -- whatever the other Board is, the  
13 construction people?

14 BOARD MEMBER: The Township.

15 UNIDENTIFIED SPEAKER: The Zoning Officer.

16 MS. TAYLOR: The zoning.

17 UNIDENTIFIED SPEAKER: Zoning Officer.

18 MS. TAYLOR: I mean, do you operate  
19 separately?

20 THE CHAIRPERSON: No.

21 UNIDENTIFIED SPEAKER: No.

22 THE CHAIRPERSON: Yes.

23 UNIDENTIFIED SPEAKER: There's a zoning  
24 officer/construction code official, okay. So, he's in  
25 charge of all zoning regulations that are contained in

1 that big book that Sheri has over there. If anybody  
2 has a complaint, they go to him. The Township  
3 committee has a complaint they say, hey,  
4 so-and-so is operating a sports bar out of the  
5 backyard, whatever the case may be, and he goes out an  
6 he investigates. And when he investigates he comes to  
7 a conclusion, yes, they are operating a sports bar out  
8 of their backyard and they're not supposed to do that.  
9 He sends them a citation and he says, you either come  
10 before this Board and seek a variance or I'm taking you  
11 to court.

12 MS. TAYLOR: So, this situation has been  
13 going on for quite some time.

14 UNIDENTIFIED SPEAKER: I know. I can't tell  
15 you how long it's been going on, but it's probably been  
16 going on --

17 MS. TAYLOR: Is he totally unaware of the  
18 situation or no one's complained to him?

19 UNIDENTIFIED SPEAKER: No, he's the one that  
20 brought it to the attention of us. No, he's really  
21 doing his job, he's really a good guy and he knows what  
22 he's doing. He brought it to their attention and he  
23 brought it to this Board's attention and they have to  
24 submit an application before this Board.

25 MS. TAYLOR: Okay. So, then the next

1 question is, what's a reasonable amount of time?

2 UNIDENTIFIED SPEAKER: That's the zoning  
3 officer's --

4 MS. TAYLOR: A few weeks, a month, six  
5 months?

6 UNIDENTIFIED SPEAKER: I'll defer it to the  
7 zoning officer. I'm not going to say what's reasonable  
8 and what's not.

9 MS. TAYLOR: And the zoning officer will be  
10 at the meeting, the Township meeting?

11 UNIDENTIFIED SPEAKER: The zoning officer  
12 will be here first thing in the morning.

13 UNIDENTIFIED SPEAKER: He's here every day.

14 MS. HANNAH: Every day.

15 MS. TAYLOR: And his name?

16 UNIDENTIFIED SPEAKER: His name is Sheri  
17 Hannah.

18 MS. HANNAH: Jody Mazeall.

19 MS. TAYLOR: Pardon me? Jody --

20 UNIDENTIFIED SPEAKER: Mr. Mazeall. Jody --

21 MS. TAYLOR: Mr. Mazeall, okay.

22 UNIDENTIFIED SPEAKER: Can we put a maximum  
23 time frame on that? No longer than a month?

24 BOARD MEMBERS: No.

25 MS. DOHERTY: It's not our call.

1 UNIDENTIFIED SPEAKER: No, it's got to be  
2 done -- you can call Jody -- Mr. Mazeall if you want.

3 MS. HANNAH: He usually leaves the office  
4 around ten, so if you want to catch him promptly, 8:30  
5 to ten.

6 UNIDENTIFIED SPEAKER: 8:30, yup.

7 MS. TOPHAM: My name is Pat Topham for 450  
8 New Road. My question is --

9 THE CHAIRPERSON: Whoa, what's your last  
10 name?

11 MS. TOPHAM: Topham, T-o-p-h-a-m.

12 THE CHAIRPERSON: Topham, okay.

13 MS. TOPHAM: I live at 450 New Road. And my  
14 question is, who is going to be doing any inspections  
15 on the ground? I have well and I'm very concerned  
16 about my water, so who do I go to? Do I come to you,  
17 do I go to --

18 UNIDENTIFIED SPEAKER: Mr. Mazeall.

19 MS. TOPHAM: Okay. That would be Jody,  
20 right?

21 UNIDENTIFIED SPEAKER: (No audible response).

22 MS. TOPHAM: Yes, okay, that's who I go to  
23 about that to see who is checking up on our soil -- I  
24 mean his soil, I should say. Okay, thank you.

25 MR. PRICE: J.P. Price, Falcon Drive,

1 Southampton, I've been there since '84, built my house.

2 UNIDENTIFIED SPEAKER: We didn't catch the  
3 address, sir.

4 THE CHAIRPERSON: What's your address?

5 MR. PRICE: 33 Falcon Drive. So, I've been  
6 listening to everything and I realize about the  
7 communication between the Zoning Board and the Township  
8 and this Board. My concern -- I don't want to go back,  
9 I know they're doing something wrong now and they're  
10 going to enforce it.

11 My concern is to make sure that this Board  
12 understands how we feel that we want this variance --  
13 when it does get voted on if they come back -- that we  
14 want it rejected for various of reasons of either  
15 safety, what it does to our town, our values. This is  
16 not why we came to a small town of Vincenttown to have  
17 something like this.

18 And I don't know of any other local towns  
19 that in a -- this close to residential, 100 yards away,  
20 all those houses on Falcon Drive that back up to it  
21 besides the ones on New Road, I just think -- I hope  
22 that you can understand because I don't think any of  
23 you would want to buy a house on Falcon Drive. I'm  
24 also concerned that -- is this going to be a 24 by  
25 seven, I can see the bright lights and -- this is not

1 going to be a nine to five, this is going to be all the  
2 time.

3 My cousin owns a recycling plant in  
4 Pennsylvania, I'm very aware of what it takes and the  
5 damage. So, I guess we'll have to come back if they  
6 come with that, but I don't think anybody here probably  
7 is going to say that they agree that this should not be  
8 approved. So, I just want that known at that point.

9 UNIDENTIFIED SPEAKER: May I ask --

10 THE CHAIRPERSON: No.

11 UNIDENTIFIED SPEAKER: -- my question.

12 THE CHAIRPERSON: No.

13 UNIDENTIFIED SPEAKER: No?

14 UNIDENTIFIED SPEAKER: Have you had --

15 THE CHAIRPERSON: No. So, you hit the nail  
16 on the head, you need to come back, okay. We're not  
17 going to make any decision tonight, you're not going to  
18 change our mind tonight whether -- how any Board member  
19 feels. But, I can only advise you when you come back  
20 -- and this goes for everyone -- don't stand up here  
21 and say, I don't want it, I don't like it, okay?

22 UNIDENTIFIED SPEAKER: Right.

23 THE CHAIRPERSON: That's not a valid reason  
24 to turn them down, okay. You have to have facts,  
25 something proof of what you don't like about it, okay?

1 MR. PRICE: Like home values, potential well  
2 damage, safety with truck, things like that?

3 THE CHAIRPERSON: Sure. But, you may have to  
4 provide facts, you might have to say the home values  
5 have gone down and here's my proof, okay?

6 MR. PRICE: All right. Okay.

7 THE CHAIRPERSON: He was next. Wait a  
8 minute.

9 MR. ZIPSE: Hi. Bill Zipse over at 406 --  
10 Z-i-p-s-e over on 406 New Road. I'm kind of new to the  
11 whole thing and the process and I just have a couple of  
12 questions about the variance process and I'm learning a  
13 lot just being here.

14 But, when they request the variance -- I  
15 mean, somebody brought up about the clean water and  
16 that kind of does make me think about -- especially,  
17 when I think junkyard which is what had been there  
18 before, I always think, okay, you can harvest with a  
19 hacksaw and a socket wrench. When I think recycling  
20 center, that's pretty different:

21 You know, I think recycling electronics, even  
22 automobiles, but you're breaking them down further and  
23 I think you know cadmium, lead. Are these types of  
24 things -- when they request a variance -- I mean do  
25 they pursue -- I mean, everybody on New Road knows that

1 there's a wetland right along that area. Do they do an  
2 LOI? Is there a study on that?

3 UNIDENTIFIED SPEAKER: What they do and what  
4 they testified to that last time is that they identify  
5 the natural features of the property. What we did in  
6 our reports is we said that, yes, there are those  
7 natural features and it's our responsibility and this  
8 Board's responsibility to have them concur and identify  
9 what those natural features are and explain to us what  
10 the effects and what the impact of those things are  
11 going to be and how they're going to mitigate those  
12 issues if they are going to mitigate those issues.

13 MR. ZIPSE: Okay.

14 UNIDENTIFIED SPEAKER: They're -- it's going  
15 to be virtually impossible, as you know, to say, we  
16 don't have any environmental impact. If you put one  
17 foot on that property, there's an environmental impact,  
18 okay.

19 MR. ZIPSE: Sure.

20 UNIDENTIFIED SPEAKER: So, our job -- and  
21 it's been identified in my report and in the engineer's  
22 report -- is that there probably are those  
23 environmental issues. And as the Chairman said to the  
24 last person that stood here, you can't just come up  
25 here and say, well, we don't like it, we don't like it.

1 And the best way to help this Board and the best way to  
2 help us is to take another look at it and say, you know  
3 what, if you are going to approve it, I want you to  
4 approve it with the following conditions because this  
5 is the way it's going to make my life better. To not  
6 -- everybody in this room, don't necessarily put a  
7 negative impact on it. Look at it in a positive way  
8 and say to yourselves, if you are going to approve it,  
9 this is the way I want it done.

10 MR. ZIPSE: Well seriously, that's why I  
11 asked the question.

12 UNIDENTIFIED SPEAKER: Okay. And that's the  
13 way --

14 MR. ZIPSE: Is there a contingency for  
15 containment? Is there --

16 UNIDENTIFIED SPEAKER: Right. And that's the  
17 way you can help this process. And that's the way  
18 everybody in this room can help this process because it  
19 is going to be a process.

20 MR. ZIPSE: Sure. Well, thank you.

21 UNIDENTIFIED SPEAKER: You're welcome.

22 MR. ZIPSE: Thank you.

23 MS. DOHERTY: Thank you.

24 MR. TETREAUULT: Hi, Bernard Tetreault,  
25 T-e-t-r-e-a-u-l-t, 6 Ridgeway Lane. Would an



1 application like this on a property that has  
2 potentially contamination, isn't there some requirement  
3 for the applicant to show -- perform testing to  
4 determine if there is contamination and if so, to clean  
5 up the property?

6 UNIDENTIFIED SPEAKER: We just talked about  
7 that.

8 MR. TETREAULT: Okay.

9 UNIDENTIFIED SPEAKER: One of the -- we just  
10 talked about that. And one of the things we talked  
11 about in our report was, you're not allowed to bring  
12 any vehicles on there that are going to leak. Guess  
13 what? I mean, it's impossible to happen, okay?

14 MR. TETREAULT: Right.

15 UNIDENTIFIED SPEAKER: So, yes, we have to  
16 figure out a way and they have to figure out a way. If  
17 they can't figure out a way and satisfy this Board,  
18 then they can't do it.

19 MR. TETREAULT: But, even what's there right  
20 now I mean, could be contaminated, right?

21 UNIDENTIFIED SPEAKER: It could be  
22 contaminated.

23 MR. TETREAULT: Right. Isn't it -- I mean  
24 certainly, if somebody was to concern the DEP, DEP --  
25 and I think the town could even do that -- DEP could

1 investigate and possibly enforce the property owner --  
2 just like a gas station -- to perform testing to  
3 determine if he's got contamination. And if he does  
4 have contamination, he would be compelled to clean it  
5 up.

6 UNIDENTIFIED SPEAKER: Correct.

7 MR. TETREAULT: Okay.

8 THE CHAIRPERSON: Also as a business owner I  
9 would have thought he would have had that done prior to  
10 purchasing it.

11 MR. TETREAULT: Right. Because he's  
12 -- if he didn't put that on a previous owner, he  
13 becomes responsible for it, right.

14 THE CHAIRPERSON: Right. It was a  
15 junkyard --

16 MR. TETREAULT: Right.

17 THE CHAIRPERSON: -- there were cars there --

18 MR. TETREAULT: Right.

19 THE CHAIRPERSON: -- possibly leaking oil,  
20 antifreeze, gas, whatever.

21 MR. TETREAULT: Right.

22 UNIDENTIFIED SPEAKER: It's still a junkyard.

23 MR. TETREAULT: But, if he -- yeah. And from  
24 what I understand, like a gas station, usually if  
25 somebody buys that, the first thing they do usually is

1 to you know, put it on -- you know, it's contingent --  
2 I've been -- dealt with cases with the state where  
3 basically, before they'll pay for the ride away, they  
4 put it aside to determine what the potential cost of  
5 cleanup is and they put that in escrow.

6 THE CHAIRPERSON: Sure.

7 MR. TETREAULT: And the owner doesn't get  
8 that until the property's cleaned up to DEP's  
9 satisfaction. So you know, in this case you know, it  
10 would seem that there's a good possibility that he has  
11 contamination on his site that may have to be cleaned  
12 up to meet DEP requirements. And you know, I would  
13 think somebody could ask the DEP that question and say,  
14 hey --

15 UNIDENTIFIED SPEAKER: And the way that that  
16 would happen is, if contamination was identified and he  
17 stood up there where you're standing and said, I'm  
18 going to clean that up, then this Board, if they  
19 approved the application, would approve it conditioned  
20 upon him cleaning that up and getting a certificate  
21 from the Department of Environment Protection before  
22 he's able to occupy that space any further.

23 MR. TETREAULT: Right, okay.

24 MR. ROBBINS: Mr. Chairman, could --

25 THE CHAIRPERSON: Yes, Mr. Robbins?

1 MR. ROBBINS: -- could I ask a question of  
2 our professional? Notwithstanding what Mr. Scangarello  
3 said about the public giving testimony of how they  
4 would like -- what improvements or what conditions they  
5 would like to see were we to grant this, don't they  
6 also have -- the public have the right and perhaps the  
7 obligation to give -- to present good factual zoning  
8 and ordinance and law related reasons why we might not  
9 grant a variance that would be inclined to allow them  
10 to continue their business as they're going?

11 THE CHAIRPERSON: Yes. And that's what I  
12 tried to state earlier, that don't come up and just say  
13 I don't like it because they make -- you know, they put  
14 a 30 foot mound of metal --

15 MR. ROBBINS: Right.

16 THE CHAIRPERSON: -- and I can see it.

17 MR. ROBBINS: Right. But, there might be  
18 reasons. I don't know, but there might be reasons that  
19 public could present --

20 THE CHAIRPERSON: Yeah. All Tom -- yeah.

21 MR. ROBBINS: -- which would discourage this  
22 Board from granting any variances to the applicant.

23 THE CHAIRPERSON: All Tom was saying was, you  
24 can express your negative things, but also we will have  
25 to make a motion at some point. You may want to say, I

1 don't want them operating after 5 p.m., the public may  
2 want to say that and that's all Tom's saying. You may  
3 want to put some positive things forward in the motion  
4 whether it passes or not, that's all he was saying.

5 UNIDENTIFIED SPEAKER: So, we perform a test  
6 here at the site. Isn't it incumbent upon the owner to  
7 get down the aquifer, 100 feet, 200 feet, 300 feet,  
8 test a couple of the wells along the way.

9 THE CHAIRPERSON: We could request a test be  
10 done. We could request that our engineer be there. I  
11 think they're going to do -- the first thing out,  
12 they're going to a Phase 1.

13 UNIDENTIFIED SPEAKER: Right.

14 THE CHAIRPERSON: And if they see something  
15 that doesn't look good, they would go further. But, a  
16 Phase I will be -- if they don't see anything in a  
17 Phase I, they're not going to proceed. Rakesh?

18 MR. DARJI: As part of the (indiscernible),  
19 though we're required to do some form of testing.  
20 Phase I, I think we're definitely saying there's a  
21 possibility that this area could be contaminated and  
22 would require -- as far as this Board goes, we could  
23 require them to do some testing as part of that  
24 application. If they -- if we were to condition any  
25 approval or grant -- or even a use variance, it would

1 be conditioned on coming back for a site plan.

2 And our site plan requirements do have that  
3 provision, we have an environmental testing requirement  
4 for ground water and for Phase I/Phase II in our  
5 requirements. And then as far as the actual testing,  
6 there's the protocol for the number of tests they have  
7 to perform per acre of land. So, it wouldn't just be  
8 one test, it would basically -- it depends on the  
9 actual area of land and they're required to perform  
10 several tests.

11 UNIDENTIFIED SPEAKER: Mr. Chairman, can I  
12 ask a followup question. So, I heard what you said  
13 about us coming back with positive or facts. But, you  
14 said something earlier that was a little bothersome.  
15 Things like an ugly pile and noise and lights,  
16 potential danger, your kids are very important to us.  
17 And maybe we don't have all the technical that I have  
18 to get down to looking up and Googling recycling and  
19 all that, so I just want to make sure we understand  
20 that.

21 Because I look at it like, what is the  
22 benefit to the Township, if they approve it, of one  
23 business as opposed to hundreds of residents in this  
24 town or a reputation that we have that. To me, that's  
25 something that's just as important as all the technical

1 things. So, I just wanted to bring that back up.

2 THE CHAIRPERSON: No. That's -- I didn't --  
3 if you took it that way, that's not what I meant.

4 UNIDENTIFIED SPEAKER: No.

5 THE CHAIRPERSON: I'm just saying, you can't  
6 just come up here and say, I don't like it, I don't  
7 want it, okay, that's all.

8 UNIDENTIFIED SPEAKER: Well, we can, that's  
9 why we're all here.

10 UNIDENTIFIED SPEAKER: You coming --

11 UNIDENTIFIED SPEAKER: No, I know what you're  
12 saying, but I mean --

13 THE CHAIRPERSON: All right.

14 UNIDENTIFIED SPEAKER: -- we don't like it  
15 and here's the reasons why, I understand that.

16 UNIDENTIFIED SPEAKER: But, you coming back  
17 with pictures of trucks and/or pictures of 30 foot high  
18 metal and you know, supporting statements from your  
19 neighbors that said, I saw this and that and pictures  
20 and how it effects your property and lights at a  
21 particular time, those are compelling arguments.

22 UNIDENTIFIED SPEAKER: All right. Okay,  
23 thank you.

24 UNIDENTIFIED SPEAKER: Thank you.

25 THE CHAIRPERSON: Mr. Goettlemann?

1 MR. GOETTLEMANN: A zoning board is a  
2 judicial entity and our conversation relevant to this  
3 -- you notice, I haven't said a word. In order for us  
4 to function legally, we are a judicial body. And those  
5 rules are rather important. You may say to testify,  
6 but we're not taking testify because it's -- counsel,  
7 can you further -- it's just -- this is an open  
8 conversation.

9 MR. COLEMAN: Yeah, this is an open  
10 conversation, you're free to discuss anything you'd  
11 like, the time of day, this -- the fact that there is  
12 no application here. But, I think as many of the Board  
13 members have said over the last 45 minutes, we  
14 appreciate your concerns, but there will be hopefully a  
15 time and a place when you can return and express your  
16 concerns after the applicant has made a record of what  
17 or what they don't want to do.

18 But you know, to ask the Board, respectfully,  
19 about you know, are you going to insist on well  
20 sampling and the amount of evidence, it's all premature  
21 at this point, folks. And I can't say it any simpler  
22 than that. We don't even know if they're going to come  
23 back.

24 MR. OBERMAN: Rich Oberman, O-b-e-r-m-a-n, 29  
25 Falcon. Would you mind explaining to the public or the

1 people that are here what is incumbent on the  
2 applicant?

3 UNIDENTIFIED SPEAKER: Well -- and that means  
4 the public good, right?

5 MR. OBERMAN: Right.

6 UNIDENTIFIED SPEAKER: The applicant will  
7 undoubtedly be asking for something that's called the  
8 use variance. In order to get a use variance, the  
9 applicant has to demonstrate that there are special  
10 reasons that he should be granted that use variance,  
11 that there are benefits -- not to him, but benefits to  
12 the municipality for the granting of that use variance,  
13 benefits that outweigh the detriments.

14 That he's doing something that's going to  
15 help the public good and public welfare of the  
16 municipality. That he's in keeping with the  
17 disciplines of the master plan and the goals and  
18 objectives of the zoning ordinance go to the  
19 municipality. So, he's got a very stringent test.

20 The same (indiscernible) if this Board votes  
21 to deny that application, they have the same stringent  
22 test to say, no, you haven't satisfied that criteria.  
23 And what the Chairman said 20 minutes ago is when you  
24 come up here, if you can also concentrate on those  
25 things as well as concentrating on the fact that in

1 your particular case it's not in your neighborhood's  
2 welfare for this to occur.

3 Not just because I think it's ugly or I think  
4 it's going to hurt my property value, you have to  
5 explain why it's going to -- why it's ugly or, as Tom  
6 just, because you have cars (indiscernible), whatever  
7 the case may be. So, there -- you know, there's a law  
8 there of guidelines and a land use law that they have  
9 to follow, there are guidelines in the land use law  
10 that they have to follow.

11 UNIDENTIFIED SPEAKER: And it's important to  
12 note that this standard isn't unique just to this  
13 potential application, this is for anybody in the room  
14 that may want to come in here for a use variance to do  
15 something on your particular property. You're going to

16 be put through the same standard. We're not creating a  
17 special standard just for them.

18 UNIDENTIFIED SPEAKER: This is what he was  
19 saying. He wasn't trying to like have you come up with  
20 you know, things against or for. He's -- there is --  
21 rules that they have to follow and comply with --

22 UNIDENTIFIED SPEAKER: Correct.

23 UNIDENTIFIED SPEAKER: -- or they get denied.  
24 So, if you want to look them up and see what they have  
25 to comply with, then you can argue those points.

1 UNIDENTIFIED SPEAKER: Right.

2 UNIDENTIFIED SPEAKER: So, be smart about it  
3 and use those points for your advantage.

4 UNIDENTIFIED SPEAKER: Right. But, by the  
5 same token, think about -- as I said before, think  
6 about how -- think about if it had to stay there, think  
7 about if this Board said, there's no way we can get rid  
8 of this thing, think about how it's going -- think  
9 about what things could be done to it to make your life  
10 better.

11 (Multiple Speakers)

12 UNIDENTIFIED SPEAKER: Think about --

13 UNIDENTIFIED SPEAKER: But, they're in my  
14 backyard.

15 UNIDENTIFIED SPEAKER: I understand that.

16 MS. WISHART: Excuse me, Catherine Wishart  
17 one more time. Guys, this is what we're hearing.

18 THE CHAIRPERSON: Wait a minute, if you want  
19 to talk to them, you can talk to them outside. If you  
20 want to come up and ask us a question --

21 MS. WISHART: Okay. I just want to make sure  
22 I'm hearing this properly then, okay? You cannot take  
23 a stance one way or the other because if you do, it  
24 would be prejudicial at this point. So, you have to be  
25 very careful with what you say to us and what kind of

1 guidance you give us, is that true?

2 THE CHAIRPERSON: The guidance we're giving  
3 you is for any application.

4 MS. WISHART: For any application, right.

5 THE CHAIRPERSON: If your neighbor wanted to  
6 put a deck on the back of his house --

7 MS. WISHART: You're giving us general  
8 information at this point that has nothing to do with  
9 any particular application, but just general  
10 information on how this Board is required to work. And  
11 the -- and this Board needs to not only look at the  
12 possibility of denial, but also of acceptance, so we're  
13 getting information on how to proceed on both sides of  
14 the coin.

15 And that way we can be prepared in -- as a  
16 group to see which -- if it goes one way, we work on it  
17 that -- on it from one point of view. If the way that  
18 we hope it goes doesn't come through, then we can turn  
19 around and try to put specifics into place to make it  
20 as livable a situation as possible.

21 THE CHAIRPERSON: Correct.

22 MS. WISHART: Because I do know that there  
23 have been a couple of things that the Board has tried  
24 to stop coming into the Township lately that then got  
25 -- that there were some issues with. So, we've got to

1 look at both sides of the coin in order to be prepared  
2 ourselves to make this the best situation possible for  
3 everyone. That's what you're trying to tell us now,  
4 for all applications that that's the way we should look  
5 at it, correct?

6 THE CHAIRPERSON: Correct.

7 UNIDENTIFIED SPEAKER: Correct.

8 MS. WISHART: Thank you.

9 MS. ARIAS: Theresa Arias, A-r-i-a-s, 441 New  
10 Road, right across the street. Are there certain hours  
11 of operation right now that he's allowed to operate his  
12 business? If you live right next door to him, those  
13 bright lights are on ten, eleven o'clock at night.

14 UNIDENTIFIED SPEAKER: They're on all night.

15 THE CHAIRPERSON: Okay.

16 UNIDENTIFIED SPEAKER: In the backyard.

17 MS. ARIAS: Yeah.

18 UNIDENTIFIED SPEAKER: Twenty-four hours.

19 MR. ROBBINS: I believe there's a sign at the  
20 gate that has the hours of operation, I just saw it  
21 today.

22 MS. ARIAS: Okay. And that doesn't mean just  
23 open to the public.

24 THE CHAIRPERSON: They may have lights on for  
25 security reasons. They -- you know, but they

1 shouldn't --

2 MS. ARIAS: They're in there at night, you --

3 THE CHAIRPERSON: -- be outside their  
4 operating hours.

5 MS. ARIAS: It sounds like they're picking up  
6 cars and boom.

7 THE CHAIRPERSON: But, that's -- once again,  
8 it's an enforcement issue.

9 MS. ARIAS: Okay.

10 THE CHAIRPERSON: But once again going back  
11 to what she stated, if -- you may want to say, if this  
12 -- something like this does happen, we would like it  
13 restricted to this.

14 MS. ARIAS: Certain hours, right. Okay,  
15 thank you.

16 UNIDENTIFIED SPEAKER: Come on up.

17 THE CHAIRPERSON: Come on.

18 UNIDENTIFIED SPEAKER: I would just like to  
19 say that before I moved to this area, I heard a lot  
20 about the Pinelands and I was very proud to move down  
21 here because it is a very unique and wonderful  
22 geography that we have. I don't think there's anywhere  
23 in the nation that has the aquifer underneath the land  
24 like we do here in South Jersey.

25 And South Jersey's been come to known for a

1 lot of really good things and I think we should put  
2 ourself on that level with The Sequoias, the Red Lands,  
3 the Bad Lands, Nappa, all those other people that enjoy  
4 being proud of where they're from. I think that we  
5 should take heart and defend the Pinelands because  
6 that's what's going on here.

7 These people are proud of where they're from,  
8 they want to protect their property value, they want to  
9 remain proud of where they belong. And in my  
10 estimation, recycling and a gorgeous geography doesn't  
11 go together. So, I don't think it's a really good fit,  
12 I don't think they're a really good partner, I don't  
13 think they're a really good neighbor. So, I think that  
14 ought to be taken into consideration.

15 THE CHAIRPERSON: All right, please come back  
16 out.

17 UNIDENTIFIED SPEAKER: Thank you.

18 THE CHAIRPERSON: Anyone else?

19 UNIDENTIFIED SPEAKER: When -- how can we be  
20 notified when -- if they do apply, that we --

21 THE CHAIRPERSON: Only the --

22 UNIDENTIFIED SPEAKER: Is it up on the  
23 website, do you know what the (indiscernible) is?

24 THE CHAIRPERSON: Only the owners within 204  
25 feet will be notified.

1 UNIDENTIFIED SPEAKER: Trust me, you'll --

2 UNIDENTIFIED SPEAKER: No. I mean, how we  
3 would know when it's time to come?

4 UNIDENTIFIED SPEAKER: -- I'm sure you'll  
5 find out.

6 UNIDENTIFIED SPEAKER: It will be in the  
7 paper.

8 THE CHAIRPERSON: Anyone else from the  
9 public?

10 UNIDENTIFIED SPEAKER: Come on up.

11 MR. BURKE: Lawrence Burke, 3 Falcon Drive,  
12 Southampton. I just have a question, why is the onus  
13 on us, the members of the community, to prove what's  
14 going on back there. I went on Google Earth on the  
15 computer to try to get overhead photos, they're three  
16 years old, they don't nearly show the damage that's  
17 being done back there. So, this committee or the  
18 construction guy can't have money in the budget to have  
19 a plane go overhead and see how awful this place is? I  
20 mean, how much could a half a dozen aerial photos cost  
21 this community, all the taxes we pay?

22 UNIDENTIFIED SPEAKER: It's a wonderful  
23 question you can raise with the Township committee.

24 UNIDENTIFIED SPEAKER: August 20th.

25 MR. BURKE: That's Mr. Mazeall?



1 THE CHAIRPERSON: Each --  
 2 UNIDENTIFIED SPEAKER: He's the Zoning  
 3 Officer.

4 MR. BURKE: All right. So, who,  
 5 specifically, do I need to talk to before I talk to the  
 6 EPA about this?

7 UNIDENTIFIED SPEAKER: I would start, as we  
 8 mentioned this evening, I would start -- if you have a  
 9 concern about the operation and what's being undertaken  
 10 there, as Sherri has said, he's here at 8:30 in the  
 11 morning.

12 MR. BURKE: Okay, thank you.

13 THE CHAIRPERSON: Excuse me, with every  
 14 application this Board has the right to go out there  
 15 and survey what's going on.

16 MR. BURKE: We've invited Jody to come out,  
 17 go through our backyard and see what's going on and I  
 18 don't think he's ever done it because I'm home almost  
 19 every day. And I see in here what's going on back  
 20 there. And they were very busy today, I'm surprised  
 21 there's no one here tonight to represent them.

22 THE CHAIRPERSON: I think Jody is aware of  
 23 what's going on. And Tom has stated, Jody has put them  
 24 on notice.

25 MR. BURKE: You've all heard of Love Canal,

1 what happened there years ago, right? If we're not  
 2 careful, the same thing's going to happen here.

3 THE CHAIRPERSON: Anyone else?

4 (No audible response)

5 THE CHAIRPERSON: Public portion closed,  
 6 thank you all for coming out. If you could, please  
 7 don't talk out in the hallway, please go outside so we  
 8 can --

9 (Conclusion of the public portion of the meeting)

10 THE CHAIRPERSON: Is there anything else to  
 11 come before this Board?

12 MR. HAAS: I make a motion we adjourn.

13 THE CHAIRPERSON: Mr. Robbins?

14 MR. ROBBINS: I had a question regarding  
 15 the --

16 MS. HANNAH: I can't hear anything.

17 THE CHAIRPERSON: Tom?

18 MR. SCANGARELLO: Excuse me?

19 UNIDENTIFIED SPEAKER: Outside.

20 MR. SCANGARELLO: You can either take it  
 21 outside or -- because we're trying to still wrap up  
 22 some business here.

23 UNIDENTIFIED SPEAKER: Sorry.

24 MR. SCANGARELLO: Sorry. Thank you.

25 (Unrelated matters discussed)

1 MS. DOHERTY: I have two questions.

2 UNIDENTIFIED SPEAKER: Yes.

3 THE CHAIRPERSON: Ms. Doherty?

4 MS. DOHERTY: What if, for some reason,  
5 Allied says, well, I really faxed something to the  
6 Township and I guess it didn't take and I wanted a  
7 continuance, what would you recommend, no matter what,  
8 we do with the paperwork we have? Should we throw it  
9 away or should we keep what we have on Allied?

10 UNIDENTIFIED SPEAKER: I would definitely  
11 keep what you have. I think it will be a valuable  
12 resource to the extent that they do agree to come back.  
13 You know, I mean that's up to you, if you want to start  
14 fresh, they're going to be -- if they come back,  
15 they're going to be obligated to resubmit all the  
16 paperwork. As Tom said, a complete brand new  
17 application.

18 MS. DOHERTY: Okay. And what if they said  
19 that they tried to notify somebody, couldn't get  
20 through or -- what would happen in that event?

21 MS. HANNAH: It doesn't matter.

22 UNIDENTIFIED SPEAKER: You know, I wasn't in  
23 the office yesterday, I was in the office first thing  
24 this morning and I didn't receive anything. And I've  
25 known Mike Ridgway a long time, I -- honestly, I don't

1 know whether he's sick or not and that's not for me to  
2 decide. But, I don't think he would say, hey listen, I  
3 faxed it to you because he would have an obligation --

4 MS. HANNAH: I've dealt with him a long time  
5 too.

6 MS. DOHERTY: Okay. Well, I'm just raising  
7 the questions. Sometimes electronics don't work, I  
8 know.

9 UNIDENTIFIED SPEAKER: At this point, it  
10 really doesn't matter because you made a decision, I  
11 support the decision. They had an opportunity to come  
12 here tonight and physically ask you for a  
13 continuance --

14 MS. DOHERTY: Okay. But, I just --

15 UNIDENTIFIED SPEAKER: -- and they didn't do  
16 that either.

17 MS. DOHERTY: -- just wanted to ask the  
18 question.

19 UNIDENTIFIED SPEAKER: Sure.

20 THE CHAIRPERSON: Mr. Haas made a motion to  
21 adjourn.

22 UNIDENTIFIED SPEAKER: Second.

23 THE CHAIRPERSON: All in favor?

24 ZONING BOARD: I.

25 THE CHAIRPERSON: We're adjourned.

\* \* \* \* \*

C E R T I F I C A T I O N

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ANDREA FOY

Approved by:

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