

No decision yet —

Allied Recycling & zoners meet for hours

by Patricia Kiernan
for The Central Record

The Southampton Zoning Board heard additional testimony at the Sept. 30 special meeting as Allied Recycling continues to seek approval for a D1 variance for their New Road site. The four-hour meeting included time for the public to speak, but still no decision was made on the application.

Mike Ridgeway, attorney for Allied, explained that current operations will be "expanded to be used as a full service junk yard exclusive of e-waste and hazardous waste." He also discussed proposed site plan improvements, including a weight scale, a sign, gravel and refurbishing an existing building.

Gary Civalier, an engi-

neer who was the first witness, showed how Allied intends to modify operations. He displayed a site plan which included a 50-foot storage area buffer along the Falcon Road side of property. The 4 by 5 foot sign will be lowered to 18 inches off the ground, and security lights will be equipped with motion sensors, with a cut off at 10 p.m.

Township engineer Rakesh Darji requested it be called a storage area and not a buffer zone, as some trees would be cleared out to make way for storage, and operations will still occur in that area.

Board chairman Stephen Zoltkowski remarked, "You are talking about moving into a zone closer to residences," to which Tom

Gabrysiak, president of Allied explained, "The intention is to use available space, and take noisy operations and move them away from residences." Ridgeway explained, "We are trying to show it will be better." They plan to perform noisier operations in areas further away from property lines and limit operations to mostly storage in this "buffer" area.

Allied's next witness was engineer Al Litwornia, who performed sound studies with Darji present. Litwornia reported they made the loudest noise possible with the available equipment in different areas, and none of the noises in any location came out with noise violations according to state standards. The board tried to

nail down details as far which equipment is used for regular operations, compared to the equipment used for the sound test. They also tried to determine where on the site loud noises typically occur, and how often. Zoltkowski questioned why typical, daily operations were not tested. Litwornia explained "state law calls for worst case scenario", which is why they made the loudest noise possible.

Another witness was James Miller, a professional planner who gave his opinion on how different variances play into the situation. He asked the board to grant relief under a D2 variance, rather than a D1, to "allow us to modify with a combination of physical improvements, and work

Page 8, please

First place winner was to the Firestone Store. **5.0110** **1** **5.0110** **1**

But even if Obama

Allied

Continued from Page 7

with additional materials ... it's not an intensification, it's a modification." On the plus side, he explained Allied's operations complement the township's recycling program and the facility handles recyclable materials that might otherwise end up in the trash.

Miller added "the overall character will not be different; it will still remain a junk yard with the difference being the added activities require less intensive processing than automobiles." William Robbins, board member, observed "you are saying this hasn't changed and still exists as a junk yard, but the board is saying it's not operating as a junk yard".

Regarding changes proposed by Allied at this meeting, Miller said, "He is operating more professional, there is less noise from consumer goods, and the buffer and storage area will help to make use less intense than historically,

lessening impact and offsetting old impact." He indicated the surrounding residences were added after the pre-existing use. "And by what measure are you saying it's less intense?"

Robbins added, "People living around there say it's intensified. Shouldn't judgment of appropriateness include how the neighborhood has changed?"

At about three and half hours into the meeting, township planner Thomas Scangarello felt compelled to add a summary perspective: "The negative impact (of the noise) is not on the state of New Jersey, it's on the enjoyment of life and the quiet and solitude for the people that now live there. You have to measure what's being done and if the negative impact outweighs the positive impact, and that's what this entire thing is about, and we can spend another 18 months, and hours and hours trying to figure this out and we won't."

He continued, "We need to recognize the fact that number one, it's a D1 vari-

ance, and number two, that the only way to resolve the issues of a D1 variance is to come up with mitigating measures that will control the use so they can live in harmony together and conduct his business and we know what goes on in there. Those mitigating measures include buffers, include landscaping, include light. Those are the things we need to concentrate on.

He added, "Let's instigate certain conditions of approval with this application that tells us they can't be intensified; it's the only way we are going to approve this. We do this before we do anything else, or we are just spinning our wheels".

Ridgeway called on Gabrysiak to testify he will not take any e-waste or non-recyclable trash. Gabrysiak agreed. And referring to the sound study, he committed to restricting the breakdown of materials to a specific area further away from residences.

Scangarello pointed out to Ridgeway that the board has to decide which mitigat-

ing measures need to be put in place and that the site plan approval comes after the approval for the variance.

Zoltkowski questioned Allied's plans refurbishing the building which is part of their application, and remarked about the condition of the current building. "There's no refurbishing, there's nothing there."

Allied explained how they intend to change the existing structure. This led to additional discussion on possible structure designs that might block sound.

There was also detailed discussion about the size and number of trucks visiting the site, and the impact on roadways. In his list of recommendations, Darji suggested the board test and determine traffic intensity and what the increase might be. In terms of the sounds generated, the board should consider not just state sound standards but if the noise is hindering enjoyment of residents' properties.

Scangarello also gave a report on conditions the board could ask for such as

specific landscaping, agreeing on hours of operation, and controlling locations where spillage might occur.

Chairperson Zoltkowski called on the public for input. Bill Kelly, a resident near Falcon and Floyd lanes, said, "Traffic sounds are transient, but these sounds are not."

Patricia Topham, a resident on the corner of Falcon Lane and New Road stated "Debris is dropped into large trucks, it shakes the ground. I wonder what it is doing to my foundation."

She added that her grandchildren are afraid to play in her back yard. "This is a residential, not an industrial area." She then presented a large piece of metal to the board which she found on the road.

Resident Kathy Yeager also gave the board metal debris which flew off the back of a truck after leaving Allied's property. She submitted a DVD recording of the incident to the board. "Taxpayers have to pay to have roads repaired and there is a noise and stress level you cannot measure,"

she said.

Rich Oberman, a resident who is a certified professional planner, expressed concern over safety, saying it's a high fire hazard area, and adequate water quality is not protected. "In my opinion, it doesn't meet the D1."

Theresa Lettman, a member of the Pinelands Preservation Alliance, said that back in January 2013 Allied had a filing that was a violation of the comprehensive management plan.

"The Pinelands Commission heard it as an auto salvage yard and that is what the certificate of filing is for. The applicant needs to go back to step one and complete it correctly, and you should hold him accountable."

Although this lengthy meeting included testimony and discussion on many points of view, the board adjourned after eleven and no decision was made.

Allied will appear in front of the board again at the next regularly scheduled meeting on Thursday, Nov. 13, 7:30 p.m.