

## REGULAR MEETING

**Lebanon Township Board of Adjustment  
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.**

**October 19, 2010**

The Special Meeting of the Lebanon Township Board of Adjustment was called to order at 7:30 p.m. by Chairman Bruce Terzuolo. Present were: Mr. MacQueen, Mr. Perry, Mr. Eberle, 1<sup>st</sup> Alternate Machauer, 2<sup>nd</sup> Alternate Maurizio, Attorney Gallina and Planner Bolan. Engineer Risse arrived at 7:35 p.m. **Excused:** Mr. Nagie, Mr. Abuchowski, Mr. Kozlowski.

In compliance with the "Open Public Meetings Act" notice is hereby given that the Lebanon Township Board of Adjustment has scheduled a Special Meeting on Tuesday October 19, 2010 at 7:30 p.m. to hear the continuation of a Public Hearing for Transtar Truck & Autobody in the main meeting room in the Municipal Building. Notice of the meeting was published in the Hunterdon Review on October 6, 2010. Copies of the agenda were mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Building on October 13, 2010.

**PRESENTATION OF MINUTES:** September 22, 2010 Regular Meeting  
**(Transcript Enclosed)**

Ms. Glashoff stated the minutes will be on the agenda for approval at the next meeting on October 27, 2010.

### **UNFINISHED BUSINESS:**

Dominick Tranquilli	Block #41	Lot #4
Transtar Truck & Autobody	Route 513	I5
514 Route 513		
Califon, N.J. 07830		

**CONTINUATION OF A PUBLIC HEARING** Site Plan with Variances  
(Letter from Atty Gilbert dated 10/7/2010, Email from Engr. Parker dated 10/7/2010  
Email from Board Secretary dated 10/8/2010)

Attorney Gilbert and Engineer Parker were present along with the applicant Dominick Tranquilli and Pat Burke the applicant's sister. Ms. Glashoff stated for the record that Mr. Machauer and Mr. Eberle have both read the transcript from the September 22, 2010 and the affidavits have been signed. Attorney Gilbert said he has two witnesses for this evening, Mrs. Burke and Engineer Parker. Attorney Gilbert stated that he has some exhibits and a list of things that was generated by the board at the last meeting. Attorney Gilbert asked Engineer Parker to go over the items that were discussed at the last meeting. Engineer Parker said they do not have revised plans with them this evening but they agreed to provide the information. The staging plan that was included in the board's packet for Phase 1 & 2 will be switched. Phase 2 will become Phase 1. The tent enclosure on the property will now have a permanent structure in its place. It will be a metal sided structure. The applicant has agreed to all the items that Engineer Risse recommended in his letter of September 9, 2010. Also the board wanted details for the sanding booth, where it was going inside the building, what the size would be and the noise it would generate. Engineer Parker referred to the stone parking lot in the back for storage of vehicles, the board wanted it curbed. The applicant agreed to curb the entire area. Engineer Parker said that Engineer Risse wanted some information shown on the landscaping plan and wanted details on the staging plan. Engineer Risse wanted shown on the plans the location of the overhead doors for the warehouse buildings because it wasn't shown on the original plans that were submitted to the board. The board also requested the layout of the self storage units. The units will stay the same size but the board wanted to see the individual layout of each unit and the location of the overhead doors for these units. This will be added to the engineering plans. Engineer Parker had a handout for the board. The following was marked into evidence: **A8**-Colored layout of the self storage units by Wedgcor Mini Systems Guide. Engineer Parker reviewed for the board the mini system guide regarding the self storage units. Attorney Gilbert asked Engineer Parker to discuss the lighting plan that is proposed. Engineer Parker said that whatever is being requested by Engineer Risse will be provided. It was noted that Planner Bolan requested changes to the landscaping which will also be addressed.

At the conclusion of Engineer Parker's testimony, Chairman Terzuolo asked if the board had questions. Several board members had questions. Planner Bolan noted that the architectural is not consistent with the Site Plan. Engineer Parker stated they will supply both items which includes the overhead doors. Being no further questions by the board, Chairman Terzuolo opened

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the hearing to the public for questions of the witness. Attorney Jim Knox who represents the objectors had questions of the witness. Attorney Knox had a satellite photo of the applicant's property that he asked to have marked into evidence. The following item was marked **OJ1**- Satellite Photo of the Transtar property showing 4 structures. In reviewing the photo, Attorney Knox asked if all 4 structures are still on the site referring to Page 2 of the Site Plan. Attorney Knox noted there are a lot of things shown on the satellite photo that aren't on Page 2 of the Site Plan and that it is hard to tell what are structures versus trailers. Mr. MacQueen asked if the curbing was Belgium Block. Engineer Parker said whatever the board wants the applicant will do. At this time, Attorney Knox marked a second satellite photo same as the first photo as **OJ1** to have as part of the first satellite photo exhibit. Attorney Knox noted that the only difference was the markings of 1-4 referring to the structures.

Attorney Gilbert had another exhibit marked into evidence: **A20**-Aerial Photo which was used in the Use Application, now marked into evidence as **A9**-Aerial Photo dated early 2007 submitted by Planner Zimmerman. Attorney Gilbert said this photo not only shows the subject property but the surroundings properties. Engineer Parker said the footage across the back of the Transtar property is 275', from back portion to the front varies from 763' on one side and 765' on the other side from rear to the front of the property. The proposed building is 256' from the rear property line. It is also 600' from the proposed building to the closest of the Grossman's 2 barns directly behind and 1300' from the Grossman house to the proposed building. At the conclusion of testimony, the board had several questions of Engineer Parker. At the conclusion of the board's questions, Chairman Terzuolo opened the hearing to the public for questions. There were none.

Attorney Gilbert had Patricia Burke sworn in to give testimony. Ms. Burke is the sister to the applicant and works for the applicant as the bookkeeper and project manager in the office. Ms. Burke stated that she has worked for her brother on and off since 1987. The business was located in Bernardsville in 1987 and then moved to Lebanon Township in 1989 to the Mountain View Construction site which is next to the property that they purchased in 1989. They had a welding and fabrication shop, build custom bodies, and also work on heavy equipment. The custom bodies that are made are from their own design. When dealers don't have the truck bodies that a customer is looking for they come to Transtar to get the design they want and need. Attorney Gilbert asked Ms. Burke if Transtar does painting of vehicles and sandblasting. Ms. Burke said yes. Ms. Burke explained to the board the process that takes place in creating new trucks vs refurbishing a used truck bodies. Ms. Burke explained the importance of doing the sandblasting correctly. Transtar has gotten jobs from all over even as far away as Ohio.

Attorney Gilbert asked about the number of employees. Ms. Burke said there are 7 employees at the present time which includes herself and her brother. Several years ago they had between 10-12 employees. Attorney Gilbert asked since Transtar is looking to enlarge the operation, will that include hiring more people. Ms. Burke said no, the expansion will help to organize the property and to bring work that is being done outside into the building. Attorney Gilbert referred to the exhibit submitted by Attorney Knox which shows 4 structures. Ms. Burke said the two trailers that are on the property will be gone since they will need that area for parking of vehicles. There are also two tents. Attorney Gilbert asked Ms. Burke about the hours of operation. Ms. Burke said the hours of operation are 7:30 am to 7:00 pm and sometimes they have been known to work until 10:00 pm.

Attorney Gilbert asked if there were any engines, compressors, paint booths or sandblasting booths that will be operated outside. Ms. Burke said no. Ms. Burke stated that the compressors and machines have always been housed inside. They have never spray painted outside because they have a 40' spray booth that they use to spray paint. Transtar bought a spray booth back in 1989. Attorney Gilbert asked about a sandblasting booth. Ms. Burke said the sandblasting booth will take up one of the proposed bays of the new proposed building. Attorney Gilbert said that the tents will be removed and referred to the Empire Blast Room that the applicant plans to install. This Blast Room is 50' in length, 16' in height and 16' in wide. The Empire Blast Room brochure consisting of 8 pages was marked into evidence as **A10**. Copies were circulated to the board. Attorney Gilbert asked Ms. Burke to talk about the two pieces of equipment that are attached to and adjacent to the room itself. There is an air handling system in the center and the other is the recycler. Ms. Burke went on to explain how this system works. The following was also marked, **A11**-Donaldson Dust Collector consisting of 7 pages. Attorney Gilbert said it describes the filtering system that will be attached to the Blast Room. The entire operation, the room, the air handler, the dust collector are all indoors. Ms. Burke said yes. None of this will be conducted outdoors. Attorney Gilbert said in terms of events that might give the neighbors some

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difficulty because of sound, Ms. Burke was asked what might generate noise. Ms. Burke said they are a manufacturer that uses, steel, aluminum and metal. When banging on it, this is no different than any of the other companies which Transtar is one of seven businesses down the line from them that work on trucks, work on equipment, along with heavy equipment, rental equipment and they have diesel equipment. Ms. Burke stated that Toby Barkman spray paints outside and Transtar doesn't. Ms. Burke informed the board of each property in the area of Transtar and what they do for a living and stated that they all make a lot of noise.

Attorney Gilbert asked if Transtar has ever hired anyone to do a noise test. Ms. Burke said they hired a Mr. Dody to do a noise test. Mr. Dody informed them that they have to meet a certain criteria when measuring noise levels. Ms. Burke said they found that they did not meet any noise level that was considered extreme. Ms. Burke continued with answering questions by Attorney Gilbert. At the conclusion of Ms. Burke's testimony, Chairman Terzuolo announced that the board will take a recess at this time 8:45pm. When the board reconvened at 8:55 pm Chairman Terzuolo asked the board if they had questions of the witness. Mr. Machauer asked if they were opened on Saturdays and Sundays. Ms. Burke said they were closed on Sundays and Holidays. Mr. Maurizio asked about the shot blasting and asked if they were using sand. Ms. Burke said no. Mr. Maurizio asked if the compressors were going to power the shot blasting system and are they being powered by electric or diesel. Ms. Burke said electric. Mr. MacQueen asked if the Empire Blast Booth has a metal floor and asked if they would be sandblasting any bulldozers. Also asked if the spray booth was 40' long. Ms. Burke the spray booth is a specifically made item and it's not going to change. Mr. MacQueen asked if they had a 53' box trailer how they would be able to paint it. Ms. Burke stated they don't get anything that long. Mr. Eberle asked what percentage of the business is sandblasting. Ms. Burke said about 75%. Ms. Burke said that people are fixing their old equipment because they can't afford to buy new.

Ms. Burke said the type of business they are in has slowed down and other businesses of the same type are or have gone out of business. Transtar does excellent work and they are sandblasting with Black Beauty sand because it's better sand. Mr. Eberle asked if they recycle and where does the waste go. Ms. Burke said they have a waste company that comes and picks up all the waste. Mr. Perry asked about the trailers that are parked outside. Ms. Burke said they got a large contract to paint several trailers and the trailers were all painted inside. Engineer Risse asked about the contract they had with the trailers/box trailers. Engineer Risse asked what they would do if they have a trailer that is more than 40' in length. Ms. Burke said that everything they have done has fit in the spray booth. Planner Bolan asked about the length of the blast room being 50' in length for sandblasting. Ms. Burke said the 50' is just the length of the blast room. Planner Bolan said it was different in the application, that's why he questioned it. Planner Bolan asked what the hours will be with the self-storage units. Ms. Burke said 6:30 am to 9:00pm, Monday thru Saturday and 9:00am to 5:00 pm on Sundays. Mr. Eberle asked if any manufacturing would be done outside. Ms. Burke said no that everything would be contained in the building.

At the conclusion of the questions of the witness, Chairman Terzuolo opened the hearing to the public. Attorney Knox referred to exhibit **OJ-1** which shows 4 structures on the property and asked Ms. Burke to describe each one. Ms. Burke said the #2 tent was used for a party picnic, #4 is a bunch of trailers that had been worked on and some are gone, some have storage in them. Ms. Burke stated this is where the new parking area will be. Attorney Knox asked about structures #1 & #3. Ms. Burke said tent #1 only has parts in it. Tent #3 at one point is where they did the sandblasting but there has been no painting going on outdoors. Attorney Knox asked if they ever got any approvals from the Planning Board or Board of Adjustment. Ms. Burke said not that she is aware of. All spray painting is done in the spray booth inside with the booth door closed and building doors closed. The filters on the front of the doors clean the booth. The doors at times are open for the air to flow depending on the time of the year. Attorney Knox asked Ms. Burke if she orders all the materials. Ms. Burke said she does not order the paints. That is done by her brother Dominick. Ms. Burke said the other bay will be a work area and will also be used for storage of parts and steel etc.

Attorney Knox asked if they needed a variance for the impervious coverage. Attorney Gilbert interjected and said yes and that in Engineer Parker's testimony, he referred to the impervious coverage and the variance that would be needed. During Ms. Burke's testimony, she stated that they are looking to make the property more efficient, you need to have your parts separate from

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the work area. At the conclusion of Attorney Knox's questions of the witness, Chairman Terzuolo asked if the board had any questions. Attorney Gilbert asked to have Engineer Parker address the impervious coverage that was brought up by Attorney Knox. Engineer Parker stated the building layout is based on Mr. Tranquilli's years of experience in operating at this site for why they need the extra coverage. Mr. Eberle asked how you would access the new structure, from the front and side. Engineer Parker did not know how the doors would be configured. The building is 24' wide and 50' long. Mr. MacQueen asked how big of an area is the lot coverage exceeding the limit. Engineer Parker said the ordinance allows 40% coverage and they are proposing 41.4%. The total square footage is 3053. Mr. MacQueen asked the square footage of the 24'x50' building. The coverage is 1200 square feet. Attorney Knox continued with some questions of Engineer Parker. Engineer Parker noted that Ms. Burke has explained how this operation works. The coverage of 1.4% is a small amount of impervious coverage. At the conclusion of the questions, Chairman Terzuolo noted that it was getting close to 10:00 pm.

Attorney Gallina said that we need a revised site plan. Chairman Terzuolo said once we get the revised site plan, there will be comments from our Engineer and Planner with their testimony. Chairman Terzuolo asked for another date to continue with this public hearing. Ms. Glashoff offered October 27<sup>th</sup> but said that Garden Solar is scheduled to start their public hearing. It was decided to look at the next date which was November 10<sup>th</sup>. Planner Bolan informed the board that he was not available on the 10<sup>th</sup>. After a brief discussion, the Transtar application will be carried to November 17<sup>th</sup> at 7:30 p.m. Since this is a special meeting, Ms. Glashoff will place a notice in the newspaper. Attorney Gallina announced the new date with no further notice being given.

**PRESENTATION OF BILLS:**

a. John Gallina, Esq.	\$287.50 – Attend Bd Mtg 9/22/2010
	\$316.25 - Escrow ( <b>Transtar</b> )
b. Bayer/Risse Engrs.	\$358.50 – Prepare & attend Bd Mtg 9/22/2010
c. Court Stenographer	\$200.00 – Attend Bd Meeting 10/19/2010
	\$376.00 - Transcript/Transtar
	<b>Total: \$1,538.25</b>

Ms. Glashoff said the addendum to the bills is for Planner Bolan which totals **\$913.20** and bringing the grand total of bills to **\$2,451.45**. Motion by Mr. MacQueen and seconded by Mr. Perry to approve the bills as amended. Unanimously approved.

**CORRESPONDENCE:**

Being no further business to come before the board, nor comments from the public, motion by Mr. MacQueen and seconded by Mr. Eberle to adjourn the meeting at 9:45 p.m. Unanimously approved.

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**CHAIRMAN BRUCE TERZUOLO**

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**GAIL W. GLASHOFF, BOARD SECRETARY**