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Attorney Gilbert informed the board that he will have the following people give testimony: Dominick Tranquilli, owner/applicant, Engineer Steve Parker and Planner David Zimmerman. At this time, the applicant Dominick Tranquilli was sworn in to give testimony. Mr. Tranquilli stated after he purchased the property in 1989, he rented space and moved his business in Mountain View Construction until he was able to get Planning Board approval and the building constructed. He did welding, fabrication and painting. The name of his business is Transtar Truck Autobody. His approval from the Planning Board was for 2 buildings, one in the front portion of the property and one in the rear portion. He only built 1/3 of the rear building. They moved into the building in 1996. They have been there for 12 years. He moved in with 10 full time employees which he still has at this time along with 2 part-time employees. Mr. Tranquilli stated his hours of operation are 6:00 a.m. to 8:30-9:00 p.m. Monday thru Saturday. Most of his employees go home around 7:00 p.m. The latest he has been open is 11:00 p.m. On the current site they do welding fabrication, sanding, grinding, recondition truck-bodies and create new truck-bodies. At present they are reconditioning truck-bodies because of the economy. They have chemicals on site along with paint. They follow EPA regulations. They store approximately 25 gallons of reducer and have 50 gallons of paint on site at one time.

Mr. Tranquilli informed the board the reason for the 5,000 square foot addition to the existing building is they need the room because of crowding. Mr. Tranquilli said that he wants to have a better relationship with the neighbors and he wants to house his men inside and have everything enclosed regarding noise. Per Mr. Tranquilli, at present he has temporary shelters. They have tents but they do not house anything, except for pieces of equipment when it comes in so they don't get rusty outside. They sandblast in of one of the tents, this is why they want to move into the new building. The new building will have sandblasting, compressors, anything that makes noise. Mr. Tranquilli stated that he doesn't need to have more employees.

Attorney Gilbert asked Mr. Tranquilli to address the Self Storage Units. Mr. Tranquilli told the board that he would like to have 4 Storage Unit Buildings for more income. Each unit would be approximately 75 square feet each with a total of 11,500 square feet. At the conclusion of the testimony, the board asked questions. The question of glare was discussed also the construction material used for the addition. Mr. Tranquilli informed the board that the building will be of steel/metal, 1 story, with 2 small bathrooms and two bays. The question was asked about an overhead crane. Mr. Tranquilli answered "not right away".

Planner Bolan stated that the reason the applicant is here this evening is for the Use Variance for the Self Storage Unit Buildings. This is not a permitted use. This needs to be addressed since it is the only reason the applicant is here. If Mr. Tranquilli was only putting the addition on the existing building, he would be before the Planning Board for Site Plan approval. Mr. Tranquilli's existing Resolution from 1991/1995 might even cover the addition. Mr. MacQueen referred to Attorney Gallina's letter date August 5, 2008. Planner Bolan reviewed the letter. The first two items listed are a non-issue. Item 3 in the letter refers to "Is the proposed self storage facility an inherently beneficial use". Planner Bolan noted that it is not an inherently a beneficial use. Items 4,5,6 also need to be addressed.

Vice Chairman Abuchowski said that the applicant has approval to build two buildings from the prior approval from 1991. One building is approximately 62,000 square feet and the other building is approximately 11,000 square feet. Mr. Tranquilli stated the existing building on the site is 7,000 square feet. Vice Chairman Abuchowski noted that the addition of 5,000 square feet is not the issue. The original approval granted around 90,000 square feet. Mr. Tranquilli agreed with Vice Chairman Abuchowski regarding the square footage. Mr. Tranquilli said that the self storage units would be a total of 11,000 square feet. The only issue is having a dual use on the property. Attorney Gilbert noted that two uses are permitted, but the ordinance is silent on whether self storage units are permitted. Planner Bolan interjected stating if the ordinance is silent then it is not permitted. Vice Chairman Abuchowski asked once the 12,000 and 7,000 self storage and addition would be approved are there any other plans for to complete the rest of the 90,000. Mr. Tranquilli answered no. Vice Chairman Abuchowski asked if the applicant is going to give up what was already approved by the Planning Board and limit the total structure under roof to 12,000 and 7,000 which will be 23,000 square feet. Mr. Tranquilli answered yes. Planner Bolan asked to clarify something. Planner Bolan said the applicant has a 1991 Resolution of approval that granted preliminary approval and that had the large number of square feet. But the final approval of 1995 deals with in paragraph 3 what was recommended for construction by the Township Engineer. It was not recommending 90,000 square feet on a 5 acre lot. Vice Chairman Abuchowski asked what the applicant has in terms of approvals to build. Planner Bolan said only the Resolution from 1995, which was Final Site Plan Approval.

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The board discussed the resolution from 1991 at length since there are discrepancies in the Resolution. At the conclusion of the discussion by the board, Vice Chairman Abuchowski opened the hearing to the public for questions. The following people asked questions: Neil Grossman who questioned the sand blasting in the tent, Nancy Wolff who questioned whether the temporary structures were legal and referred to the court appearances regarding the legal structures on the property and Zoning Officer John Flemming who questioned the sand blasting along with the State and Federal regulations.

At the conclusion of the public questions, the testimony was continued by the applicant Mr. Tranquilli. Mr. Tranquilli informed the board that his secretary will be overseeing the operation of the self storage units. There will be a code that each customer will have in order to enter the area of the storage units. There will be a cameras on the corners of the buildings. These units will be open to the public 7 days per week from 6:00 a.m. to 9:00 p.m. When the questions went back to the board, Mr. Perry asked about the fire tank. The tank will be 30,000 gallons. At this time, Attorney Gilbert had the following marked into evidence: **A7**-photo illustration, plus 11 pages showing floor plan and elevations. Planner Bolan referred to the floor plan by the architect stating that for the self storage units they all seem to have garage doors. Planner Bolan felt that in using garage doors you are encouraging the storage of cars. Attorney Gilbert noted that they are overhead doors. The board questioned the use of some of the units because of the size of the doors for the units. Attorney Gallina asked the sizes of the units. Mr. Tranquilli said some are 5x10, 10x10, 10x15 and 10x20. The units will be used for basically household items. Mr. Perry asked if the units will be heated. Mr. Tranquilli said no, just insulated. Mr. Perry asked about the fire tank that will be installed. Mr. Tranquilli noted the tank is very expensive. Engineer Risse questioned that there is no sign on the plans for the Storage Units. Mr. Tranquilli stated that the sign for the storage will be on the existing sign.

Vice Chairman Abuchowski announced that the board will take a brief recess at 9:00 p.m. When the board reconvened at 9:10 p.m. the hearing was opened to the public for additional questions. The following people asked questions: Mr. Flemming and Mrs. Stasick. At the conclusion of the public questions, Attorney Gilbert had Engineer Steven Parker sworn in to give testimony. During Engineer Parker's testimony the following item was marked into evidence: **A8**-Site Plan, all sheets dated March 14, 2007 prepared by Parker Engineering with revision date of 10/10/2008 consisting of 7 pages. Engineer Parker referred to Sheet 3. The addition to the existing building will be 50' wide x 110' long. There will be some grading with the self storage buildings, because the site slopes down from the back to the front, also the south side slopes towards Route 513 to the north. To make it level, the side that's closest to Route 513, it will need to be raised up and elevated. They are proposing a wall along that part of the construction. They are also purposing a fence along the side of the houses and along the back portion to help buffer any noise. On Sheet 4 which shows the fire tank, they are working with Warren Gabriel from the Fire Dept.

At the conclusion of Engineer Parker's testimony, the board had questions of the witness. Mr. Perry asked about the portable tents and asked how many are on the property. Engineer Parker said two for now and they will remove one. The remaining tent will be moved and be 100' off the back property line and 95' off the west property line. Mr. Perry asked if there will be lighting in the individual storage units that are proposed. The board was informed there will be no lights. There will be lights outside only. Mr. MacQueen questioned the type of fence for the buffering. Engineer Parker answered saying the height of the fence will be 8' and it will be open chain link. The board expressed concerns that having open chain link will not be a proper buffer for noise and asked to have the fencing solid. Engineer Parker noted they will have a row of red oaks and white pine along the back portion of the property. Mr. MacQueen questioned the impervious coverage on the property. Engineer Parker stated that they will be decreasing the impervious coverage. Mr. MacQueen asked about the proposed buildings creating more impervious coverage. Engineer Parker said these buildings are going on areas that are already considered impervious cover. Mr. MacQueen asked why the retention basin is not shown on Sheet 3 since it is a working page. Engineer Parker said it is shown on Sheet 2 because there are no changes being made to the retention basin. Mr. Kozlowski asked why they are showing temporary structures if they are really not temporary but permanent. The question was asked if they have footings. The response was no. There were comments made by Mr. Flemming. Engineer Parker noted there will be lighting in the areas of the storage units and on the units themselves.

Mr. MacQueen asked about the internal parking. There are 25 parking spaces in the front and some out back and wanted to know how many for the back portion. Engineer Parker stated that

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they are not including the parking in the back or including the parking spaces in the parking requirements. Asked if those spaces in the rear are for parking of vehicles. Engineer Parker noted that those spaces are for vehicles that are going to be worked on. Planner Bolan asked why there was so much parking. Engineer Parker said that they work on a lot of large vehicles that need the space. Planner Bolan noted there are over 40 parking spaces. Engineer Parker said they will be reducing the number of spaces. Planner Bolan noted they are exceeding the ordinance standard of 40%. Engineer Parker said they will be reducing the number of spaces. Planner Bolan stated they are doubling the size of the building but there is no increase in wastewater flow. Engineer Parker answered yes. Planner Bolan asked for an explanation. Engineer Parker stated there is no increase in the size of the office or number of employees. Planner Bolan questioned the traffic flow since cars can only back out. Engineer Parker said you can do a K turn or just back out since there will not be a lot of traffic. Planner Bolan questioned the circulation plan. Engineer Parker said it wasn't the ideal layout but that it will work. Planner Bolan questioned the lighting being in use 7 days per week from 6:00 am to 9:00 pm. and asked wouldn't it have an impact being a lot of dark time during the winter. Engineer Parker offered having the lights on a motion detector or timer in the back portion.

Engineer Risse asked about the storage units on the south and northern sides on the outside. There is a concrete apron shown. Engineer Parker said it is for access to those units on the sides of the building. Engineer Risse expressed concern with the retaining wall shown on Sheet 5 which is adjacent to the fire tank. The wall needs to be stable. Vice Chairman Abuchowski asked about the impervious coverage. What's here now when it gets paved will be less impervious coverage. This was discussed at length with input from Mr. Flemming. Mr. Nagie asked about having all the lights on motion activation. Engineer Parker said they could do that. Mr. Tranquilli stated that there are bright lights on now all night. Mr. Flemming interjected stating that all the lighting, purposed and existing will be the plan used. Planner Bolan referred to the 1991 Resolution states that the total area of coverage on the site with the improvements would be 39.6% with 40% being allowed by ordinance. In 1995 no relief was given for coverage and now we have 51% which is now being reduced by a marginal percentage but is not in compliance with what was originally approved. The board asked for the actual number for the coverage on the property. The existing is 51.4% and proposed is 50.8% and originally approved in 1991 was 39.6%. Planner Bolan said that no variance has been granted for more lot impervious coverage either in 1991 or 1995. At the conclusion of the board's discussion, Vice Chairman Abuchowski opened the hearing to the public for questions. The following person asked questions: Neil Grossman. Attorney Gilbert informed the board that they will look into re-noticing for the additional impervious coverage.

Vice Chairman Abuchowski asked Ms. Glashoff for a continuation date for this hearing. Ms. Glashoff informed the board that the November date is already taken with a Site Plan/Use Variance. After a brief discussion, the application will be carried over to Wednesday December 10, 2008 at 7:30 p.m. which will give the application enough time for noticing for the additional variance. Vice Chairman Abuchowski made the announcement to the public for the December 10th meeting date.

Being no further business to come before the board, nor comments from the public, motion by Mr. Nagie and seconded by Mr. Perry to adjourn the meeting at 10:05 p.m. Unanimously approved.

VICE CHAIRMAN ABE ABUCHOWSKI

GAIL W. GLASHOFF, BOARD SECRETARY