

**READINGTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES
VIRTUAL REGULAR MEETING
March 18, 2021**

The Meeting was called to order by Chair Goodwin at 7:30 p.m. stating that the requirements of the Open Public Meetings Act have been met and that this meeting had been duly advertised.

CHAIR GOODWIN ANNOUNCED THAT IN ORDER TO COMPLY WITH THE EXECUTIVE ORDERS SIGNED BY THE GOVERNOR AND IN AN EFFORT TO FOLLOW BEST PRACTICES RECOMMENDED BY THE CDC, THIS MEETING WILL BE CONDUCTED VIRTUALLY FOR ALL BOARD MEMBERS, BOARD PROFESSIONALS, APPLICANT AND APPLICANT'S TEAM, ANY INTERESTED PARTIES AND MEMBERS OF THE PUBLIC. MEMBERS OF THE PUBLIC ARE INVITED TO VIEW MEETINGS LIVE USING WEBEX WHICH ALLOWS THEM TO "RAISE A HAND" AND CONTRIBUTE WITH VOICE AND VIDEO DURING THE PUBLIC PORTIONS OF THE MEETING. MEMBERS OF THE PUBLIC WHO ARE CALLING IN BY PHONE WILL ALSO HAVE THE OPPORTUNITY TO CONTRIBUTE WHEN CALLED UPON TO SPEAK.

ROLL CALL

Albrecht, C.
Bola, E. (arrived at 7:40 p.m.)
Goodwin, M.
Hendry, D.
Kirk, T.
Mittleman, K.
Maurer, C.
Tropello, S.

Board Members Absent

Nees, S

Ms. Mittleman moved, and Ms. Albrecht seconded a motion to excuse the absence of Steve Nees.

Others Present:

Board Attorney, Steven Warner, Esq., Board Planner, Michael Sullivan, Board Engineer, Rob O'Brien, Zoning Officer, Christina Schwartz, Construction Official, Angela DeVoe and Board Secretary, Ann Marie Lehberger.

APPROVAL OF MINUTES

Ms. Albrecht moved, and Ms. Mittleman seconded a motion to approve the January 21, 2021 minutes. The motion carried unanimously.

RESOLUTIONS

There were no resolutions presented for Board consideration.

PUBLIC HEARING

Whitehouse Auto

Appl# ZB20-003 -Block 18 Lot 12 – 378 Route 22 West
Preliminary & Final Site Plan with "D" Variance - Canopy & Sign

Chair Goodwin announced that as requested by the applicant, the Whitehouse Auto application that was scheduled for this evening will not heard. It will be carried to Thursday, April 15, 2021 at 7:30 p.m. No new notice will be provided.

Tannery Road Realty LLC (Pieros Roofing)

Appl# ZB19-012- Block 39 Lots 53.06 & 53.07-58 Tannery Road
Preliminary and Final Major Site Plan with "D" Variance- Outdoor Storage
Block 39 Lots 53.06 & 53.07

The following were present and sworn in for the applicant:

Richard Pieros, applicant
George Folk, applicant's engineer
Rocco Campanella, applicant's architect

Board Planner, Michael Sullivan, Board Engineer, Rob O'Brien, Zoning Officer, Christina Schwartz and Construction Official, Angela DeVoe were also sworn.

Exhibits presented:

A-1 1979 Aerial Photo

Attorney Michael O'Grodnick was present on behalf of the applicant. Mr. O'Grodnick explained that the applicant was seeking approval for a 6,000 square foot storage shelter that has already been built within an existing gravel parking area and storage yard on lot 53.07. He further explained that the storage shelter is on a concrete slab with an opaque fabric roof stretched over a metal frame. He stated that it is being used for the storage of various roofing materials and the assembly of associated roofing apparatus utilized for the applicant's roofing and construction business. Mr. O'Grodnick described the property which consists of two lots. Lot 53,07 is 8.187 acres in size and lot 53.06 is 6.18 acres in size for a total of 14.9 acres. He reviewed the variances and waivers that are required as follows:

Variances

§148-24.E(5) Unscreened Outdoor Storage
§148-23.B Non-permitted storage principal use
§148-24.G Parking in a front yard setback
§148-50.B(2)(f) Planting non-native species in a stream corridor.

Waivers

§148-70.A(1) Screening of parking area
§148-70.A(3) Off-street parking area tree requirement
§148-67(B) Nonglare lights focused downward

Mr. O'Grodnick noted that the existing use has been operating for decades as a commercial roofing company. He explained that the site consists of a roof construction business, an office, repair shop, metal storage building, and two sheds surrounded by parking and outdoor storage areas.

Richard Pieros, the applicant was present and explained that he has been in business for over 48 years noting that he has been located on Tannery Road for the last 36 years. He stated that there was outdoor storage on the properties when he purchased them. Mr. Pieros provided an explanation of the the assembly that is done onsite. He stated that the reason that he built the storage facility without prior approval was due to an error in judgment. He noted that he did receive a citation from the Township and paid a fine in Municipal Court. He explained that before he built the storage shelter he stored the material under tarps which was very unsightly. He stated that the hours of operation for the business were from 6 a.m. to 5 p.m. and that there were 35 total employees, most of whom leave the site during the day.

The Board questioned when the storage shelter was constructed. Mr. Pieros stated that it was constructed in 2018.

The Board questioned what was stored in there. Mr. Pieros stated that there is currently roof installation and materials stored inside.

The Board questioned how they know that it was safely constructed. Mr. Pieros explained that the building was constructed per the engineering plans that came with the package.

The Board questioned if the structure had been inspected. Mr. Pieros stated that it had not been.

The Board questioned if people would be working inside. Mr. Pieros stated that there would be people working inside doing some assembly.

Construction Official, Angela DeVoe confirmed that if the Board approved the structure that the construction office would be doing a full review and thorough inspection to ensure structural safety.

Zoning Officer, Christina Schwartz noted that a summons was issued by the Township in 2018 when it was first discovered that the structure was built without permits that was brought to Municipal Court. She explained that part of the plea agreement was that they seek the appropriate relief from the Board.

The Board questioned what the dollar amount of the fine was. Ms. Schwartz noted that it was \$500.00.

Chair Goodwin opened the public portion of the meeting for questions of Mr. Pieros. There were no questions or comments.

Board Engineer Rob O'Brien asked if there were two driveway connections on lot 53.06 when the property was purchased. Mr. Pieros confirmed that there were.

The Board questioned if the three parking spaces that are located in the front yard setback can be removed. Mr. Pieros agreed to remove those three parking spaces and provide some additional landscape screening.

The Board questioned where those spaces would be relocated.

Board Engineer Rob O'Brien stated that a total of 33 spaces are required by Ordinance. Mr. Pieros confirmed that they would have adequate parking if the three spots were removed and not replaced.

George Folk, PE, the applicant's engineer was accepted by the Board as an expert witness. Mr. Folk described the property and explained that a landscape buffer is proposed along Tannery Road to screen the outside storage on lot 53.07. He stated that the storage shelter has been constructed on existing impervious coverage. He noted that a triple row of evergreen trees is proposed along the front berm of the property to further enhance the screening.

The Board questioned if there are too many trees proposed. Board Planner Michael Sullivan stated that the proposed three rows would provide an effective buffer noting that they should be spaced out for better growth.

Mr. Folk reviewed the reports of the Board's professionals.

It was noted that the impervious coverage of the two combined lots fall within the allowable limits imposed within the zone, however when taken alone, lot 53.06 has approximately 40% percent existing lot coverage, does not conform, and will require a variance since it cannot be confirmed that a variance was previously granted.

The Board questioned if the removal of the three parking spots would bring the impervious coverage into compliance and not require a variance. Board Engineer Rob O'Brien stated that he would need to review it but noted that it would reduce it.

It was noted that Ms. Hendry left the meeting due to technical difficulties.

The Board questioned if there had been any safety incidents since the storage structure was installed. Mr. Pieros confirmed that there had not.

The Board questioned if there had been any complaints from neighbors about the structure. Zoning Officer, Christina Schwartz stated that the Township has not received any complaints.

Regarding the site lighting, Mr. Folk explained that the existing lights on the site are adequate since lighting is only needed for employees in the months of November through January during daylight savings.

Mr. Folk also noted that they would be willing to eliminate the variance needed to provide non-native trees within the stream corridor.

Mr. Folk explained that conservation easements are proposed to surround the entire perimeter of the property that will prevent development in the edges of the property to conserve the environment and preserve the visual screening.

The Board questioned how the conservation easement will be noted on the property. The applicant agreed to provide appropriate signage.

The Board requested that testimony be provided as to why the storage shelter is needed.

Mr. O'Grodnick stated that the outdoor storage has been there for approximately seventy years and explained that the applicant is attempting to conform with the Township's Ordinance by trying to reduce the outdoor storage. Mr. O'Grodnick further explained that if there was not a storage structure, there would continue to be more outdoor storage which is another violation of the Ordinance. He stated that the enclosed storage and the conservation easement will help provide adequate open space and promote the public welfare furthering the goals of the Township Master Plan.

In response to a question of the Board, Mr. O'Grodnick explained the purpose of the conservation easement.

Chair Goodwin opened the public portion of the meeting for questions of Mr. Folk. There were no question or comments.

Rocco Campanella, AIA, the applicant's architect was accepted by the Board as an expert witness. Mr. Campanella explained that the storage building does not have any utilities, is not habitable, will be limited in use and not open to the public. He confirmed that the structure is 6,000 square feet, 25 feet high in the center and translucent but not transparent. Mr. Campanella also noted that these structures have become quite common and used by many other different kinds of businesses such as restaurants.

Board Engineer Rob O'Brien questioned if there were any storm drains inside the structure. Mr. Pieros stated that there was not.

Chair Goodwin opened the public portion of the meeting for questions of Mr. Campanella. There were no questions or comments.

Chair Goodwin opened the public portion of the meeting for comments. There were no comments.

Mr. O'Grodnick provided closing comments.

Board Attorney Steve Warner provided a summary of the relief requested and the conditions of approval.

Board Planner Michael Sullivan gave a brief explanation of the Ordinance regarding outdoor storage.

The Board deliberated. The Board agreed that the variance would be granted for the planting of non-native species in a stream corridor.

Ms. Albrecht moved, and Ms. Mittleman seconded, a motion to approve the application for Tannery Road Realty with the conditions discussed. The roll call vote follows:

Member	Motion	2nd	Yes	No	Abstain	Absent	Not Eligible	Recused
Albrecht	X		X					
Hendry						X		
Kirk			X					
Mittleman		X	X					
Nees						X		
Tropello			X					
Goodwin			X					
Maurer (Alt #1)			X					
Bola (Alt #2)			X					

Chair Goodwin provided an update on the eagle’s nest that was part of the PSE&G tower replacement project. She explained that the webcam is currently not in operation but will hopefully be repaired soon.

ADJOURNMENT

Ms. Albrecht moved, and Ms. Mittleman seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at approximately 10:00 p.m.

Respectfully submitted,
 Ann Marie Lehberger
 Zoning Board Secretary