

**Minutes of the South Toms River Land Use Board**

**February 21, 2017**

**A meeting of the South Toms River Land Use Board was held at South Toms River Borough Hall on Tuesday February 21, 2016 and called to order at 7:00pm.**

Acting LUB Secretary (Tom Rolzhausen) called to order a meeting of the **South Toms River Land Use Board at 7:00pm at Borough Hall.** *This meeting was published in the Asbury Park Press on February 1, 2017 and posted on the Bulletin Board in the Municipal Building and therefore dually advertised.*

**Roll Call**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro	√				Whalen	√			
Serdinsky	√				Gleason	√			
Grams	√				K Rolzhausen				√
Glogolich	√				Cradle	√			
T Rolzhausen	√								

**Abs- Abstain      Ab-Absent**

Notes: Mr. Gleason arrived at 7:25 PM and Mr. Serdinsky arrived at 7:30 PM

**Approve the Minutes**

Approve the Minutes for January 17, 2017

A motion was made by **Ms. Petro** Second made by **Mr. Glogolich**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro	√				Whalen	√			
Serdinsky	NV				Gleason	NV			
Grams	√				K Rolzhausen				√
Glogolich	√				Cradle				
T Rolzhausen	√								

**Abs- Abstain      Ab-Absent      NV-Not voting**

**Old Business**

Landfill time frame requirements for building question by Mr. Whalen

Mr. Rolzhausen stated that after research and discussing the question with our engineer. There are no set requirements for when you can build on a landfill after closing. It would be determined by EPA and DEP and on how it's closed. Certain things can be built on landfills such as parks, ball fields, and golf courses. Mr. O'Donnell added that certain testing would be done and the final determination would be done by the DEP. However the borough is not building on the landfill.

It was discussed we will pay to send Ms. Petro to the training class. However if she needs to cancel at the last minute where we cannot reschedule without getting charged Ms. Petro will be responsible to reimburse the borough. Ms. Petro agreed and stated it was fair.

**New Business**

Resolution 2017-03 Block 7 Lots 2, 3, 4, 6.02

Steven Leone attorney for the applicant stated they were here requesting a minor site plan, use variance and bulk variance for the site of the former site known as Larsen Sheet Metal. Currently the property is in a townhouse transition zone.

Mr. Derouville was sworn in and answer question presented by Mr. Leone.

Mr. Leone describe his business and what they do. They are currently and will continue to operate a business in Bayville NJ. Mr. Derouville stated currently there are 2 building at the site in STR and they plan to use the main building for storage and repairs on the 1<sup>st</sup> floor and the 2<sup>nd</sup> floor they would seek a tenant for a marine related business such as canvas shop. The second building will be used for storage. There is currently a trailer on the property which will be removed from the property. Mr. Derouville spoke about beautifying the property such as painting landscaping and other improvements. He stated the hours of operation would be Monday thru Friday 7:30 AM – 4:30PM and Saturday 8:00 AM- 2:00 PM during season Closed Sundays. He said they would be storing approximately 20-30 boats. During season they would receive UPS, FedEx and lumber deliveries. He stated they would have around 6-8 employees and possibly an additional 2-4 employees for the upstairs tenant at the STR location. Mr. Rolzhausen questioned about the sounds coming from site. Also asked if they would change the time if noise became an issue. They stated most of the sounds would be restricted to the inside of the building. If noise became an issue they would either muffle the sound or if needed adjust the hours of operation, Mr. Leone stated the applicant will conform to all noise ordinance and wouldn't seek a variance. Mr. Glogolich asked about smells or smoke at the site. They stated there would not be. Mr. Whalen asked if Lot 1 was included with this application. They sated no. Mr. Whalen asked about fiberglass work and spraying gel coats. They do 20% of fiberglass work but most of the painting is brushed or rolled with a small amount of spraying. Mr. Whalen asked about the organization of the boats outside. They showed an aerial shot of the Bayville location which showed a very organized lot. Mr. Whalen asked if the boat engines would be started. They stated the mechanic repair end would stay in Bayville and he didn't anticipate starting of engines and if there was it would be restricted to normal sounds of a car engine. Mr. Rolzhausen question the view the current townhomes would see. They said they would be cleaning up the yard and replacing the fencing and provide landscaping so they wouldn't see anything on the property.

No question from the public for Mr. Derouville

Mr. Stuart Challoner applicant engineer/ planner 201 Main St Toms River was sworn in Mr. Challoner was questioned by Mr. Leone about the property. The property is 1.6 acres parcel currently in a townhouse transition zone. Currently it doesn't conform to the current zone as it requires 2 acres for town transition. The current use of a metal fabricator can still be used as it is grandfathered. The current building conforms to the proposed business without having to add any square footage. Mr. Challoner discussed the improvement that will be made to the building and property. He spoke of the existing variances and discussed the proposed variances they are seeking. They are also requesting all lots to be consolidated into 1lot. Mr. Whalen asked about the negative impact if they didn't get the variance for parking. They would have to give up boat storage space. If the need called for additional parking they could conform in the future. Mr. Whalen asked if customers would be working on their boats while they were stored at the location. Mr. Derouville stated they probably wouldn't, customers would probably come in to check on their boats and that would be it. Mr. Leone added that with insurance restriction and with the boats being covered the owner can control that. If there were boats that needed work it would most likely be kept at the Bayville site. Mr. Whalen asked if the boats at the STR site would be for repairs or overflow storage from the Bayville location. Mr. Derouville stated both, but the work would be done inside the building. Mr. Whalen asked if the exterior paint of the building would be non-reflective to eliminate lighting from going off-site. He plans to paint it a Cape Cod gray color and the back of the building is cement block so that would be non-reflective. Mr. Whalen asked if the 20-30 boats would be stored outside or both. Mr. Derouville stated that's what would be outside and another 10-12 stored inside but didn't expect too many to start but that would happen as the business grew.

No question or comments from the public

Mrs. Larson 123 Buttonwood Dr. Toms River current owner of the site.

Mrs. Larson spoke about losing her husband and the economy forced them to close the business in 2014. She said it's a nice building and be a shame to just tear it down if it can be used. She would like the board to find in favor of the applicant so she can get on with her life.

Evidence submitted by applicant attorney includes:

- A-1 picture showing various boats in many stages of work conducted by the applicant
- A-2 picture of main building in current state
- A-3 picture of block building with trailer (is going to be removed)
- A-4 Site plan
- A-5 picture of main building with De Rouville Boat Shop sign
- A-6 picture of post sign for boat shop

Mr. Vandyke question the applicant that due to Mr. Gleason and Mr. Serdinsky showed up late if he would be ok having them vote. Mr. Leone said he had no problem and if they have any additional questions he would be glad to have them ask.

Mr. O'Donnell stated he will work with the applicant with the recommendation from this meeting with the 4 foot fencing and other recommendation made by the board

A motion was made to approve the site plan and variances  
 A motion was made by **Mr. Serdinsky** second by **Mrs. Petro**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro	√				Whalen	√			
Serdinsky	√				Gleason			√	
Grams	√				K Rolzhausen				√
Glogolich	√				Cradle				
T Rolzhausen			√						

**Abs- Abstain    Ab-Absent    N/V- Not Voting**

**Motion was approved**

**Approve to Pay Bill**

Kelahr, Van Dyke & Moriarty Invoice dated 01/12/2017 \$240.00

A motion was made by **Mr. Rolzhausen** second by **Mr. Glogolich**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro	√				Whalen	√			
Serdinsky	√				Gleason	√			
Grams	√				K Rolzhausen				√
Glogolich	√				Cradle	√			
T Rolzhausen	√								

**Abs- Abstain    Ab-Absent**

**Chairman's Report**

**Questions from the Public**

None

**Adjournment**

A motion was made by **Mr. Serdinsky** and second by **Mrs. Petro** and an affirmative voice vote of all LUB members present. The meeting was adjourned at 8:37 PM

